Transform Trust Recruitment and Selection

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323	Chief People Officer	V6 December 2024	Next Review – September 2026

Introduction

Policy Statement

Transform Trust recognises its staff are fundamental to its success. A strategic and professional approach to recruitment processes helps us to attract and appoint staff with the necessary skills and attributes to fulfil the Trust's strategic aims of pupil achievement, and support our values.

We are committed to attracting, selecting and retaining employees, both permanent and temporary, who will successfully and positively contribute to providing the very best education for our pupils. A motivated and committed workforce with appropriate knowledge, skills, experience and ability to do the job is critical to the Trust's performance and fundamental to the delivery of high-quality education. Those responsible for each stage of the recruitment process will be expected to demonstrate at all times a professional approach by dealing honestly, efficiently and fairly with all candidates.

In carrying out our recruitment processes we:

- are committed to the creation of a safe environment for our pupils by operating safer recruitment practices in line with the statutory requirements and guidance.
- will comply with the requirements of Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018).
- our Data Protection Policy sets out how we will comply with Data Protection Legislation.

At every stage of the appointments process, the Trust is committed to upholding all the principles of its Equal Opportunities Policy to ensure that relevant equalities legislation is adhered to and that applicants are not discriminated against on the grounds of race, gender reassignment, religion or belief, age, disability, marriage and civil partnership, sexual orientation, pregnancy and maternity, and sex (gender). The Trust recognises that the Equality Act 2010 makes a requirement to make reasonable adjustments to the recruitment process, from advert through to appointment.

In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by the Board of Directors or Governing Body who will provide reasons for this requirement

As a Disability Confident Committed Employer, we are committed to inclusivity and accessibility. We guarantee to interview a disabled applicant, provided they meet the minimum criteria for the job. This applies to all internal and external vacancies.

All appointments, including volunteers will be subject to satisfactory Enhanced Disclosure and Barring

Service (DBS) with children's barred list and disqualification checks (where appropriate), satisfactory health reports and supportive confidential references, the latter will be taken up immediately after short listing and must be available prior to interview. Should any of these checks be unsatisfactory any offer of employment or engagement, and/or invitation to attend interview or shortlisting will immediately be withdrawn. All appointing bodies within the Trust are committed to the highest standards with regard to child protection and will take all necessary steps to check identity, residency, qualifications, employment history and suitability to work with children.

This policy has been designed to provide a flexible framework which promotes good practice, complies with relevant legislation and supports fully the Trust's core business.

Professional advice and support is available at all stages of the recruitment process from the HR Team.

Scope

This policy applies to the recruitment and selection of all staff and volunteers to the Trust itself or any of our schools.

- All recruitment must be in line with this policy to ensure that we identify, deter and prevent people who pose a risk of harm from working with our pupils.

- 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. In addition, any external consultants, recruitment agencies or external experts who assist in the recruitment process must act in accordance with this policy. The appointing manager is responsible for providing such external parties with this policy prior to their involvement in the recruitment process.

- Any person involved in recruiting must read the "Keeping children safe in education" guidance (or updated statutory guidance) produced by the DfE and our School /Trust's child protection policy.

- As a vacancy for CEO arises the Directors of the Trust will determine whether or not to advertise nationally according to circumstances prevailing at the time. The recruitment panel shall normally consist of at least 2 Directors together with such professional support as the Directors deem appropriate. This should include the Trust HR Director acting in an advisory capacity.

- The Local Governing Body Chair, CEO and Executive Team can appoint Headteachers. The recruitment and selection process will usually be managed by the CEO and Local Governing Body Chair, the recruitment panel being appointed as appropriate to the circumstances. Guidance and support from the Trust HR Director is a pre-requisite before proceeding to advertising a post.

- The CEO or their appointed representative will be responsible for all recruitment to Trust Centre posts in particular those to the Executive Leadership Team.

- All recruitment documentation will include the Trust's safeguarding statement.

- All recruitment must be planned to ensure that there is adequate time available to recruit safely

- Where the person leading the recruitment determines that the vacancy is suitable for an internal advert across the Trust this should be discussed and agreed with the CEO or their appointed representative and HR advice sought (see Appendix 1 for Recruitment authorisation form). The recruitment process will be agreed at this stage.

- **In all cases**, prior to advertising, a recruitment authorisation form (Appendix 1) must be submitted to the People Team and advice/approval sought which should be accompanied by the advert, job description and person specification. Where there is an increase in responsibility advice should be sought from the Trust People Team.

- The Directors of the Trust, CEO and Line Managers or their delegated representative will determine how and where the post will be advertised according to circumstances prevailing at the time. All external vacancies will be placed through Hire Road (formerly Vacancy Filler) and will be advertised on the Trust website and other appropriate media. The closing date for applications will normally be at least two weeks after advertisement. For internal posts, the closing date may be shortened to one week.

Aims

- To ensure that recruitment processes are robust, fit for purpose and can stand up to scrutiny
- To appoint the best person for each position on, with the appropriate qualifications, skills and experience
- To ensure compliance with relevant legislation including the Equality Act 2010, Data Protection Act 2018 (GDPR) and The Asylum and Nationality Act 2006, Immigration Act 2016
- To promote the Trust's core values.
- To meet the Trust's operational requirements and strategic aims.
- To safeguard children and young people in our schools.

Principles

General principles

- Guidance notes have been produced to outline the application and selection process for all prospective employees.

- All employees involved in the recruitment process, and in particular Chairs of selection panels, should ensure that they are aware of their responsibilities and that the recruitment and selection of staff is conducted in a professional, timely and responsive manner and in compliance with current employment legislation.
- Selection panels will comprise of a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training. In addition, at least one member will have undertaken general recruitment or equalities training.
- If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare this as soon as they are aware of the individuals' application. It would normally be necessary for the member of staff to avoid any involvement in the recruitment and selection process.
- Recruitment and selection must be conducted as an evidence based process and candidates should be assessed against agreed written selection criteria, based on relevant knowledge , skills, competencies, experience and qualifications to perform the role (as outlined in the person specification). All decisions must be recorded.

Confidentiality and Maintenance of Records

- Documentation relating to applicants will be treated with the utmost confidentiality and in accordance to the requirements of the Data Protection Act 2018 (GDPR).
- Recruitment documentation will be retained for six months from the date of interview. Under the Data Protection Act, applicants have the right to request access to notes written about them during the recruitment process. After six months all information about unsuccessful candidates will be securely destroyed.
- The Trust Recruitment Privacy Notice outlines our responsibilities with regard to protecting personal data of applicants and also subsequent employees.

Preparation Stage

- The recruitment and selection process should not commence until a full evaluation of the need for the role against the school improvement plan and budget has been completed.
- Where the role is to replace someone who has resigned the process should not commence until written resignation has been received
- The recruitment of staff will take into account the Trust's commitment to equality and diversity and the need to maintain a competitive advantage.

Responsibilities

Advertising

As a minimum all vacancies will normally be advertised across the Trust via the Trust website. This will help maximise equality of opportunity and provide staff with opportunities for career

development, thus maintaining the skills and expertise of existing staff. In extenuating circumstances there may be a decision made to waive the need to advertise. This is likely to include the following circumstances:

- Where positions may provide suitable alternative employment for existing staff whose post has been identified for redundancy, including the termination of fixed term contracts or following a restructuring exercise.

- Positions requiring specialised expertise where the Trust / School can demonstrate that a comprehensive search has been conducted and the nominated individual is the most suitable person for the position.

Positions will be advertised using the most appropriate and cost effective medium to maximise the number of suitably qualified candidates. This may include local, national publications and web sites and should adhere to the Trust's visual identity. Internal advertisements should appear for a minimum of 7 days and external advertisements should appear for a minimum of 14 days.

Any advertisements will make clear the Trust's commitment to equal opportunities and safeguarding and promoting the welfare of children. The advert will include a declaration that we are a Disability Confident Committed Employer. Where appropriate, a declaration that we are an employer that encourages flexible working and promotes wellbeing through workload considerations. Applicants will be advised that the successful candidate will be subject to an Enhanced DBS with Children's Barred List check. Adverts will be checked by the Trust People Team and placed by the team on the website / other sites to ensure compliance with regulations and to provide guidance on content. Internal adverts should also be referred to Trust HR before being advertised within school.
All advertisements for all posts will clearly stipulate the stance adopted by this Trust by the inclusion of the following statement:

"All school roles are classed as regulated activity and as such, it is an offence to apply to for this role if you are barred from engaging in regulated activity relevant to children

Transform Trust and its schools are committed to safeguarding and promoting the welfare of children and expects staff, volunteers and other third parties to share this commitment. This appointment is subject to safer recruitment procedures and pre-employment background checks, including satisfactory references, medical, Enhanced DBS with children's barred list clearance, social media/online checks of publicly available information and completion of safeguarding children in education training
In addition, as part of our commitment to reducing the Trust's Gender Pay Gap, we will look to word leadership adverts in a way that might encourage females to apply as well as consider advertising reach to attract more candidates. We will look to include commitments to support less than FT working or more varied patterns of working to make positions more attractive for those who may not be able to work full time.

Job descriptions should be Trust approved and where possible consistent with the same post in other Trust schools. The Trust People Team will supply generic job descriptions.

Applicants will be treated with respect and provided with sufficient information to make informed decisions regarding their suitability for the role. All applicants will be provided with:

- A job description outlining the duties of the post, including safeguarding responsibilities.
- A person specification listing the qualifications, skills, knowledge, experience and abilities required to carry out the tasks in the job description, including a specific reference to suitability to work with children. All criteria on the person specification must be able to be tested objectively and must not discriminate against certain groups of applicants.
- A Trust application form. All applicants for employment are required to complete this application form, containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). CVs must not be accepted. The application form is held electronically in Hire Road
- Ideally schools will use the Recruitment pack template to provide candidates with information about the school and the Trust in a professional document. This should contain:
    - Reference to the School / Trust's policy on Equality and Diversity
    - Reference to the Child Protection / Safeguarding Policy
    - DBS and other pre-employment requirements
    - Trust Recruitment Privacy Notice
    - Trust staff benefits
    - A statement that canvassing any member of staff, or member of the Governing Body, directly or indirectly, is prohibited and will be considered a disqualification.

The School / Trust may use an agency or external consultancy to assist in recruiting staff where the vacancy is hard to fill.

Selection

Selection Process

- The selection process should be:
    - Transparent
    - Timely and cost effective
    - Equitable
    - Free from conflict of interest
- Interviews should normally be conducted by the Headteacher and at least one other

person and at each stage all interviews for one post must be conducted by the same panel. The CEO will along with the Chair, direct the selection process for any senior leadership appointments advised by the HR Director for the Trust.

- The choice of appointee will be determined by only the members of the selection panel.
- At the end of the recruitment process all records must be retained in accordance with current legislation and the Trust document retention scheme.

Shortlisting

- The equal opportunities monitoring form must be removed from the application and not provided to the short-listing panel. Where using Hire Road the equal opportunities monitoring form is not included for those shortlisting in school. Trust HR can provide data for equal opportunities monitoring if required.
- Shortlisting must be undertaken by at least two individuals from the selection panel. The criteria for shortlisting should be based on the requirements in the job description and person specification, using an agreed short-listing form. The criteria for selection will be consistently applied to all applicants and the selection panel will agree the candidates to be called for interview. Shortlisting can be undertaken within the Hire Road portal.
- The short-listing panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process.
- A shortlisting grid which can be used for selection processes is attached at Appendix 2 and 3.
- In line with our Disability Confident Committed Employer status any candidate who declares that they have a disability and they meet the essential person specification criteria must be shortlisted for interview. On Hire Road the disability symbol will be evident at the side of their application.

- The Equality Act 2010 protects people with disabilities from unlawful discrimination. To meet the Act's definition, a person must have a physical or mental impairment, which has substantial long-term effects on their ability to carry out normal day-to-day activities. If we know you have a disability, we will adjust the working arrangement and/or the working environment, provided it is reasonable in the circumstances to do so. To be protected by the Act an individual must therefore have:

- A long term physical or mental impairment (lasting or likely to last for 12 months or more); and

- A condition that has a substantial adverse impact on his/her ability to carry out normal day-to-day activities.

References

- References should be taken between shortlisting and interview. The selection panel will take up at least two references on each short-listed candidate, including internal applicants, in order to ensure safeguarding compliance.

- At least one of the referees must be able to comment on the candidate's suitability to work with children. Where the candidate is not currently working with children but has done so in the past, a reference will be sought from the employer by whom the candidate was most recently employed in work with children, to confirm the details of their employment and their reasons for leaving, even if this employer is not listed as a referee.

- References must always be sought and obtained directly from the referee; testimonials or open references cannot be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend or colleague of the candidate for any post.

- Reference templates for Leadership, teacher, teaching assistant and support staff are available from the Trust People Team

- References should be checked carefully to ensure that all specific answers have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate. This would include where information is potentially defamatory or where inaccuracies occur with the application details supplied by the applicant.

- Any issues of concern or inconsistencies between information given by the candidate on their application form and information given by referees should be explored at interview.

- Where it has not been possible to obtain references before the interview any concerns that are subsequently raised will need to be resolved before the appointment is confirmed

- At Appendix 4 there is guidance for anyone required to complete a reference on behalf of the Trust. It outlines the legal responsibilities associated with supplying a reference and should be adhered to.

- All references requested for employees that are for a Leadership position should be referred to the Trust People Team before submission.

- Any references requested by the Trust / Trust Schools will not seek information about absences or attendance until a firm conditional offer has been made.

Interviews

- A face to face interview must take place for all applicants to all posts. The use of video conferencing, Skype, Facetime or other similar technologies is acceptable for this purpose.

- The format, style and duration of the interview are matters for the selection panel to decide. All candidates will be given relevant information about the Trust/School to enable the candidate to make further enquiries about the suitability of the advertised job. Any skills tests (e.g. presentations, in-tray exercises) must be directly related to the role and measured against objective criteria, and presentations for one post must be assessed by the same persons. Candidates must be notified of the details of any skills test when they are invited for interview and the selection process for teaching posts must include a presentation or demonstration of teaching skills.

- For roles that require an exercise of leadership judgement or management of others, such as a Headteacher and Deputy Headteacher, a Psychometric Test may be undertaken as an activity prior to any selection process.

- Before the interviews, the selection panel will agree on the interview format. Interview questions must be designed to obtain evidence of how each candidate meets the job requirements as exemplified in the job description and person specification.

- For roles involving direct contact with children, the interview should explore issues relating to safeguarding and promoting the welfare of children in addition to candidates' ability to perform the duties of the post, including:

    - The candidate's attitude towards children and young people
    - Their motivation to work with children and young people
    - Their ability to form and maintain appropriate relationships and personal boundaries with children and young people
    - Their emotional resilience in working with challenging behaviours
    - Attitudes to use of authority and maintaining discipline
    - Areas that may cause concern from a safeguarding children point of view, such as: Probing gaps or discrepancies in employment history

- Any gaps in education and employment should be explored

- Finding out the reasons for a history of repeated changes of employment without clear salary/career progression

- Exploring mid-career moves from a permanent post to supply or temporary work

- The same areas of questioning will be covered for each applicant and each candidate will be assessed against all the essential criteria for the post. Interview questions must appear on an interview assessment form on which answers to questions must be recorded.

- Where required every effort must be made to make reasonable adjustments for candidates with disabilities. Advice can be sought from the Trust's People Team.

- Candidates will be asked to bring original documents to prove identity, address, right to work and qualifications to the interview, so the panel can establish their suitability to take up the post. These documents will be verified and copied.

- Shortlisted candidates will complete a 'self-declaration and data consent form. The interview must also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.

Level of language proficiency

Under the "fluency duty" (Part 7 of the Immigration Act 2016), public authorities are required to ensure that workers in public facing roles are fluent in English. Public facing roles are those members of teaching and support staff who, as a regular and intrinsic part of their role, are required to speak to members of the public (including pupils in schools). With regard to applicants who may be deaf or hard of hearing, this would be considered an exception as part of the Equality Act and this should be borne in mind when conducting interviews. In addition, schools are also requested to consider whether an applicant who may have English as an additional language is still able to meet the essential criteria and is a suitable candidate for the position. Schools are also encouraged to support prospective candidates to achieve the required level of fluency.

We will accept a range of evidence of spoken English ability as follows:

- competently answering interview questions in English.
- possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English by a recognised institution abroad.
- passing an English spoken language competency test or possessing a relevant spoken English qualification at CEFR Level B1 or above, taught in English by a recognised institution abroad.

Offer of Employment

The generic Trust conditional offer letter should be used when making offers in writing. This will be issued by Trust People Team on notification of the verbal offer and acceptance by the appointed candidate.

Offers of employment are conditional upon:

- Receipt of two satisfactory references (one of which must be the current or most recent employer);
- Satisfactory enhanced disclosure and barring service (DBS) with children's barred list check;
- Satisfactory online/social media check
- Confirmation of medical fitness;
- Proof of qualifications;
- Evidence of right to work in the UK;
- Teacher prohibition checks.
- Overseas checks where applicable
- verification of professional status where applicable
- Meeting a probationary period with the Trust.

The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

Appointable Candidates

When there is a good pool of applicants for a role job, it may be that there are several appointable candidates – i.e. candidates who are good enough to do the job but who weren't the top scoring person on the day. All of those candidates will be retained on the Trust's Talent Pool list.

The following points may be useful:

- Candidates can be informed they were unsuccessful on the day for the particular job in question, but based on performance in the tasks they were appointable.
- Seek permission from them to keep their names and contact details on file for any future opportunities in the next six months.
- If for any reason a preferred candidate drops out at any stage, you can approach others who performed well at the selection procedure and offer them the job. This can even be the case after the preferred candidate starts work, if it happens in the very early stages. All this can apply up to a maximum of six months from the original interview date – any longer than this and you should refer to the Trust People Team as it may be better to start a fresh recruitment campaign.
- If suitable opportunities arise at a later date, you may wish to alert the appointable candidates to the new vacancy. If this vacancy appears shortly (within six months) after the previous one and all the details of the post are the same (or so similar as to make no material difference) – location, grade, duties, hours (or could be fewer) etc. then the best candidate from the previous post can be offered the job, subject to the usual checks without the need for another interview.
- You will need to ensure that you still comply with all the necessary processes of Safer Recruitment.

- If a longer time span has elapsed or if there are significant differences with the post, then you can still contact the appointable candidates and invite them to apply, if you think the post would be of interest to them and they have the necessary skills. They will be treated the same as any other applicants at this stage and this should be made clear to them.
- Please note that if there are internal candidates who have priority status for vacancies e.g. are in the Talent Pool and have been assessed, or are individually at risk of redundancy, and meet the essential criteria for the job or could do so with reasonable training, they must be given priority consideration before other appointable candidates as described above.

Rehabilitation of Offenders Disclosure/ Employment of ex-offenders

Applicants will only be asked to declare convictions and cautions that are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020)

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.

We comply fully with the DBS code of practice and undertake to treat all applicants for positions fairly.
Standard and Enhanced DBS certificates will include details of convictions and cautions (excluding youth cautions, reprimands and warnings) recorded on the Police National Computer (PNC).

A 'specified offence' is one which is on the list of specified offences agreed by Parliament which will always be disclosed on a Standard or Enhanced DBS certificate, regardless of how long ago it was given. This includes where a specified offence receives a caution (but not youth cautions, reprimands or warnings).

As a result of the 2020 amendment, Interview questions regarding the disclosure of offences should now be:

• Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?
• Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?

Enhanced DBS certificates may include information relating to a protected caution or conviction if the police consider that it is relevant to the workforce that the individual intends to work in.

All shortlisted candidates must complete a self-declaration form before interview which explains the

above and requires them to complete a suitability to work with children declaration. Should this highlight any issues this should be discussed either prior or during the interview with the candidate. The form advises that failure to declare any convictions (that are not subject to DBS filtering) may disqualify them from appointment or result in dismissal if the discrepancy comes to light subsequently

In all cases where criminal convictions are disclosed, advice should be sought from the Trust Central People Team.

Pre-Employment Checks

The pre-employment checks listed below must be completed before the employee starts work. Exceptions may only be made in circumstances where a risk assessment has been undertaken. Exceptions must never be made in the case of the Barred List and Teacher Prohibition checks. If the DBS check has not been received then a barred list check can be undertaken by the School or Trust People Team
The School must ensure that appropriate supervision is in place until the DBS check has been received.

Enhanced DBS Check

All staff will require an Enhanced DBS (including a Children's Barred List Check).

DBS certificates will only be issued to the applicant. All applicants must produce the disclosure when requested to do so. The disclosure will be scrutinised to ensure it is authentic and to detect any fraud. The DBS disclosure number and date of the check must be recorded in the Single Central Record (SCR). We are not required to take a copy of their DBS certificate, however we may choose to do so for decision making purposes. Any copy will be held for no longer than necessary, and up to a period of six months and be processed in line with Data Protection Legislation.

If the applicant has registered with the DBS Update Service there is no need to complete another DBS check provided the original check is an enhanced DBS and also includes a children's barred list check. The school should see the original DBS certificate and check this for any convictions/cautions. The School should then check the update service for any changes.

Information relating to an individual's criminal record will only be shared with the relevant people to enable the School/Trust to make a decision about their suitability to work with children and young people.

Social Media/ online checks

In line with Government guidance, Keeping Children Safe in Education 2022, we are required to

undertake on line searches/ social media checks on shortlisted candidates to identify any incidents or issues that have happened, and are publicly available online, which may affect their suitability to work with children or the reputation of the school if they were to be employed
Successful candidates will have already completed a data consent and self-declaration form which will provide details of their social media accounts. This form should be sent to Trust People Team who will undertake a social media/online check to establish whether there is any information in the public domain that needs to be considered. We will not ask for access to locked/private social media accounts.
Any information found will be considered by Trust HR and shared with you if it is deemed that it warrants discussion with the candidate and/or may result in any offer of employment that has been made being withdrawn.

Overseas Check

Successful candidates who have lived/travelled abroad for a period of more than three months in the last ten years, will need to obtain a police or certificate of good conduct check from the relevant country. For teachers, satisfactory check is required to determine any restrictions/sanctions that have been imposed whilst teaching or training to teach abroad. The teacher should obtain a letter of professional standing from the professional regulating authority in the country that they qualified or taught in.

Medical Fitness

Anyone appointed to a post involving regular contact with children must possess the appropriate level of physical and mental fitness. All successful candidates will be required to complete an online medical questionnaire and where appropriate a doctor's medical report may be required.

Qualifications

All employees are required to provide original certificates for any qualifications legally required for the job. For example, teaching staff are required to evidence Degree and Qualified Teacher Status (QTS) and satisfactory completion of Induction.

If original documents are not available, a proper certified copy must be provided.

Right to work in the UK

In accordance with the Immigration, Asylum and Nationality Act 2006 all employees are required to provide relevant documentation to warrant that they are entitled to work in the UK.

Prohibition Check

All teaching staff will be subject to a Prohibition Check via the Secure Access site before employment starts. For teachers and other employees who hold QTS who are working in non-teaching roles,

verification that they are not subject to a prohibition order by checking the Teacher Services System;

Any staff taking up a management role (teachers above classroom teacher level, support staff appointed to the Senior Leadership Team or Governors), will be subject to a check of the TRA Prohibition List for the existence of a Section 128 barring decision.

Childcare Disqualification

If the employee is working within the age range as detailed in the Disqualification under the Childcare Act 2006, a declaration is required that they are not disqualified under the Act including not disqualified from providing childcare.

HR File and Single Central Record

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with the school including:

- Application form - signed by the applicant- electronic application forms should be subsequently signed by the individual.
- Interview notes- including explanation of any gaps in the employment history
- References - minimum of 2
- Offer of employment letter and signed contract of employment
- Proof of identity
- Evidence of DBS clearance, barred list and prohibition checks (where applicable)
- Overseas certificate of good conduct (where applicable)
- Proof of right to work in the UK
- Proof of relevant academic qualifications
- Evidence of medical clearance from the occupational health service
- Childcare Disqualification declaration (where applicable)

Schools will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education, which is maintained on our HR system.

Record Keeping and Reporting

In accordance with immigration rules we are required to monitor all employees' immigration status. Copies of relevant documents for each employee, including passport and right to work information must be kept. For further information please refer to 'An Employer's Guide to Right to Work Checks' on GOV.UK: https://www.gov.uk/government/uploads/system/uploads/attachment data/file/536953/An Employer s guide to right to work checks - July 16.pdf

Induction

Once the successful candidate has accepted an offer of employment and a start date has been agreed the Headteacher or line manager will be responsible for preparing a comprehensive induction programme for the new employee.

Agency staff

In the case of agency staff, the School must ensure that the arrangement with the agency imposes an obligation on the agency to carry out all recruitment checks as set out in above, including DBS and children's barred list checks, that the School would otherwise complete for its staff. The School must obtain written confirmation from the agency that these checks have been carried out and are satisfactory. This must be recorded in the single central record (SCR).

Upon the engagement of an agency worker, the agency must be supplied with a copy of the school's Managing Allegations Procedure unless they have previously been provided with the most recent version of this procedure.

Breaches of the policy

Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken, where relevant.

Any complaint in relation to this policy, including its application will be managed through the School complaints policy or grievance policy (for existing employees).

Record keeping and data protection

All written records of interviews, application forms and reasons for appointment or non-appointment will be kept by the School in line with our Recruitment Privacy Notice, our Workforce Privacy Notice (for appointed candidates) and in line with the requirements of Data Protection Legislation.

Monitoring and Review of Policy

Regular reports on trends and statistics relating to recruitment and appointments will be provided to the Governing bodies. This policy will be reviewed annually.

Appendix 1

RECRUITMENT AUTHORISATION FORM

THIS REQUEST MUST BE SUPPORTED BY HR ADVICE. YOUR RECRUITMENT MAY BE DELAYED IF YOU DO NOT HAVE THIS.

School	
Title of post	
Reason/rationale for the post	

please select as appropriate	tick
Recruit to a permanent post within current school structure	
Recruit to a new permanent post? Ensure grade and JD/PS is enclosed or has been signed off by HR.	
Change a role on the structure which impacts an individual / more than one contract of employment. A re-structure document should be attached.	
Change a contract from fixed term to permanent.	
Recruit to a new fixed term contract? * see below.	
Extend a fixed term contract? * see below.	

Reason for using fixed term contract

Cover for staff absence	
Career development opportunity	
Project has little prospect of being extended	
Linked to funding	

HR to summarise advice below to support the request being made:

Advice: **Date given:** **By whom:**

Governor Comments where a change in school structure (permanent or temporary)

Signature: ---------- Dated: ----------

Headteacher

NOTES FOR GUIDANCE

This form is to be used in all cases where it is proposed to recruit, reappoint, renew or extend a member of staff, and it applies to all categories of staff regardless of the source of funding. Each post should have an individual form raised.
Please complete the first section of the form and send to HR for advice or where verbal discussion has taken place as confirmation of the conversation.
HR will add their advice and return the form to you. If Governors agreement is required then this should be sought at this stage and comments added to the form.
Headteacher then to sign the form and it should be sent to HR with advert and other recruitment documentation for external advertising.

Decision Making

Any contractual change decision will have a legal risk associated with it. It is vital appointments in schools are consistent across the Trust and are legally viable.

Changing status from temporary to permanent requires a rationale and supporting advice from HR. The staffing structure needs confirming at governors to support a permanent change.

Changing terms and conditions of existing employees such as via a promotion is a re-structure and requires a specific document to be completed.

New posts will need to be confirmed by HR before they go to governors before approval.

Flexible working requests must have the legal expectations covered before being approved.

Reasons for Using Fixed Term Contracts

The form should note the reason for using a fixed term contract, in line with the Trust's policy on their use. Where a fixed term contract is 2 years or more in duration, a redundancy payment may be payable on termination of the contract. There is also a requirement to formally follow a process to remove the post from the structure which means notification and timelines must be met.

Post Authorisation

The form should be completed and signed by the headteacher to confirm that the review has taken place. No approval should be given without HR advice,

Appendix 2 - SHORTLISTING GRID FOR CLASS TEACHER RECRUITMENT

Candidate

Essential Criteria from PS				
Qualified Teacher status or degree equivalent				
A secure understanding of age-related expectations and experience of key stage 1 & 2 statutory tests				
Understand and know how national, local comparative and school data, including National Curriculum test data can be used in professional and school development				
Good knowledge of the Curriculum guidance for Key Stage 1, and Key Stage 2 National Curriculum and the Agreed Syllabus for RE.				
Good knowledge and understanding of the ability to plan effectively for differentiated tasks and activities				
Good knowledge and understanding of assessment for Learning strategies				
Good knowledge and understanding of effective teaching and learning styles and being creative in delivery				
Ability to develop good personal relationships within the school team				
Able to establish and develop good positive relationships with parents, governors and the community				
Effective communication skills, (both orally and in writing) to a variety of audiences				
Can create a happy, challenging and effective learning environment that is purposeful, well organised and stimulating				
Participate in the full life of the school, being involved and committed to the delivery of extra-curricular activities				
Willing to undertake and pass a DBS check at the appropriate level				
Awareness, understanding and commitment to the pursuit of equality of opportunity, anti-racism and in terms of service delivery and employment				

practice				
Be willing to undertake further training and development, as necessary, in order to enhance service delivery				

KEY 0 = No evidence of meeting the criteria
2= Some or partial evidence of meeting the criteria
5= Strong evidence of meeting the criteria

Appendix 3 SHORTLISTING GRID FOR TEACHING ASSISTANT RECRUITMENT

CANDIDATE NUMBER AND INITIALS		
Hold a recognised qualification (as per list on PS)		
Knowledge of National Curriculum and how this is applied to planning, preparation and delivery of learning activities		
Knowledge and understanding of pupil assessment, progress, evaluation and reporting of attainment.		
Knowledge of stages of child development and individual needs. Knowledge of appropriate intervention strategies in order to remove barriers to learning.		
Knowledge of appropriate behaviour management practices		
Knowledge of Health and Safety policies and procedures contribute to the maintenance of pupil safety and security.		
Knowledge of safeguarding procedures and protocol.		
Excellent communication skills, both orally and in writing		
Ability to work under own initiative and as part of a wider team of education professionals.		
Develop and sustain positive relationships with pupils, families, colleagues and outside agencies		
Ability to plan, prepare and deliver a lesson under direction of the teacher.		
Ability to contribute to the health, safety and wellbeing of pupils		
Skills to support the effective use of ICT in the classroom.		
Proven evidence of work with children and young people, including children with disabilities/special needs and from a range of backgrounds.		
Innovative use of resources and materials including ICT packages that support pupils learning.		
Relevant experience of building positive relationships with all stakeholders		
Understanding the role of parents and the wider community in education		
Commitment to inclusive education		
The desire to create a working culture which values creativity and openness and is sensitive to need		
Awareness, understanding and commitment to the pursuit of equality of opportunity, anti-racism and in terms of service delivery and employment practice		

Be willing to undertake training and development, as necessary, in order to enhance service delivery		
TOTAL SCORE		
SHORTLIST Y/N		

KEY 0 = No evidence of meeting the criteria

2= Some or partial evidence of meeting the criteria

5= Strong evidence of meeting the criteria

Appendix 4 - Employment References - Guidelines on Writing

It is Transform Trust's policy to provide references regarding the employment of current or past employees, when requested by another employer or potential lender. It has been agreed that standard templates will be provided by Transform / Schools when requested by prospective employers. These should be the only reference templates completed. Whether it is in your role as a Governor or as a manager, anyone asked to provide references for present and past employees of Transform Trust should read and comply with the following guidelines. Reference requests from Banks, Building Societies or other potential lenders should be directed to the People Team for discussion on a response.

Transform Trust, as most local government organisations do, operates an open reference policy. This means that all employees have an entitlement to view the references written about them.

THE LEGAL POSITION

An inaccurate or defamatory employment reference can be the subject of an action for negligence or defamation against the Trust and/or the individual author and therefore the author of a reference owes a 'duty of care' to the person about whom it is written. Where the author of a reference is proven to have acted negligently, the subject of the reference does not have to prove 'actual loss' of employment, but only that they have lost a 'reasonable chance' of employment and thereby sustained loss. A duty of care is also owed to the recipient of the reference, who may be able to sue the individual referee and/or Transform Trust for damages if the information contained in the reference is inaccurate or misleading.

If any manager or governor has a concern about writing a reference for an existing or past employee, they should contact Transform's People Team for advice.

It is the responsibility of each school leader to identify those staff in their school who are authorised to respond to reference requests relating to current and former members of staff and to ensure that they are aware of these guidelines. One of two standard templates should be completed only. This will be where the person has worked for less than 1 year or where they have left more than 2 years ago. This will contain factual information about role and pay. The other template is for those who left within a year and where they are known by the referee for 1 year or more. Details about skills and expertise can be provided if the referee wishes to provide the detail.

Headteacher's, line managers and governors approached for a reference for a member of staff reporting to them or within their team are effectively providing a reference on behalf of Transform Trust and the reference should be provided on Trust / School headed paper. Anyone approached for a reference for a peer or colleague for whom they do not have management responsibility, does not have a working relationship or is not involved in a Transform school as a governor, should make clear that they are providing the reference in a personal capacity. Such a reference should not normally be on Trust / School headed paper and the relationship of the referee with the individual concerned should be made clear.

AIMS OF THE REFERENCE

There are two principal reasons for an employer requesting a reference on a prospective employee:

a. to confirm the accuracy of statements made in their application;

b. to provide opinions as to the candidate's suitability for the post in question and their potential for the future.

All references provided which relate to someone's leadership capabilities will need to be sent to Transform Trust HR for a review. It is a requirement for any chair of governors or headteacher to supply a proposed reference request for a prospective headteacher / deputy headteacher position to Transform Trust's HR Manager before it is issued to the requester.

PROVIDING A REFERENCE

In writing a reference the author should always complete the relevant template. The author should not include any facts of which they are unsure - if in doubt, leave it out.

As a general rule only comments on an individual's performance or ability that have already been the subject of discussion with them and been actioned as part of the underperformance policy should be included.

References should be marked 'confidential' to the addressee.

A copy of any reference provided on behalf of Transform Trust should be forwarded to the People Team for retention as well as final sign off.

LIABILITY AND DISCLAIMERS

A reference should contain the following disclaimer in its final paragraph:

"In accordance with Transform Trust's normal practice this reference is given in good faith and in confidence, without legal liability on behalf of the author or Transform Trust."

As there is no guarantee that a disclaimer will not be successfully challenged in court due care must be exercised when preparing a reference. This is why the templates provided by Transform Trust should be completed. Any protections may not cover references written by a member of staff in a private capacity (e.g. a character reference for a colleague, friend or neighbour). In the event that a member of staff or a governor is challenged over the content of a reference, they should not be drawn into a discussion of the issue of liability but should refer the matter immediately to the People Team at Transform Trust.

CONFIDENTIALITY AND DISCLOSURE OF REFERENCES

All references are given in confidence but Transform Trust or the recipient, may be required to disclose a reference under certain circumstances, such as a request for disclosure by an Employment Tribunal or a Court dealing with a negligence or defamation case.

Under the Data Protection Legislation 2018, individuals will in limited circumstances have a right to request sight of references written about them by their current or past employer and those writing references should take this into account.

It is current practice that where an individual member of staff gives notice to the school / HR that they wish to see the contents of their HR file, their request is accommodated.

TELEPHONE OR VERBAL REFERENCES

Although requests for telephone or verbal references are frequently received, such requests should be declined other than in exceptional circumstances, since information given in this way may be misinterpreted in its transmission to the interview panel. If, exceptionally, a verbal reference is given, steps should be taken to verify the identity of the enquirer and notes should be kept of the conversation. Where a verbal reference is given on behalf of Transform Trust or a school within Transform Trust, the person giving the reference should not make any statements that they would not be willing to make in writing.

UNSOLICITED REFERENCES

Unsolicited references addressed 'to whom it may concern' should not be completed. The standard template should be filled in.

Where a reference request is made for a former employee who may have left by mutual agreement through a settlement agreement, requests must always be sent to HR who will respond to the referee accordingly.

CRIMINAL CONVICTIONS AND DISCIPLINARY SANCTIONS

Care should be taken not to refer to spent criminal convictions in references and any queries should be referred to the People Team at Transform Trust. If the school or Trust has taken disciplinary sanctions against the subject of the reference, or if their performance is under formal review, advice should always be sought from the People Team as to how this should be mentioned in a reference letter.

REQUESTING REFERENCES FOR PROSPECTIVE TRANSFORM EMPLOYEES

Transform's policy regarding the taking up of references on prospective employees is contained within this policy. Keeping Children Safe in Education (KCSiE) Guidelines on Safer Recruitment requires references for all posts that involve regulated activity with children to be requested prior to interview. This is the accepted practice of Transform Trust and its schools.

Steps to consider when responding to a leadership reference request:

Follow and consider the stages below:

01	**Reference Request pro-forma received** – ideally you will have received prior notice this will be coming. You will normally receive a cover letter indicating date of return, a Job Description and a Person Specification. References should only be requested for shortlisted candidates – do not supply before knowing this.
02	**Consideration of content** – determine which standard template needs to be completed. Do not complete the pro-forma sent through from the prospective employer. Check with the People Team if in doubt.
03	**Completion** – once you have filled in the form, you may wish to indicate to the headteacher / deputy headteacher that you have done this and that you are sending to HR for final check. You may wish to share a copy.
04	**HR Role** – once satisfied with content, send to HR with your preferred date for it to be sent back to you. Indicate any areas you would like advice on or for HR to check. HR will consider the accuracy of

	the following; start date in post and employment dates, salary, disciplinary sanctions (including capability proceedings), sickness absence (note you are not legally permitted to supply this information until an offer has been made), statements made such as those about suitability to work with children that match Trust expectations, statements about skill-set that matches Trust view and expectation and recommendation for post being applied for. The reference will be returned to you with any amendments or suggested changes for you to sign and return.
05	**Disclaimer Statement** – ensure this is contained at the end of any pro-forma or cover letter sent to the requester.

Appendix 5

Policy Date	Summary of Change	Contact	Version/Implementation Date	Review Date
01/09/2022	Approved as final	Rachel Hannon / Tanya Davies	01/09/2022	01/09/2023
28/03/2024	Reference Guidance Next Appointable list	Rachel Hannon	01/09/2024	01/09/2026
04/12/2024	Amalgamated safer recruitment policy into this policy	Rachel Hannon	04/12/2024	01/09/2026