



Diocese of Norwich  
St Benet's  
Multi Academy Trust

**[Academy Name]**

# Recruitment Selection Policy and Procedure

<b>Policy Type:</b>	Trust Core Policy
<b>Approved By:</b>	Trust Board
<b>Approval Date:</b>	13/07/2020
<b>Date Adopted by LGB:</b>	<b>dd/mm/yyyy</b>
<b>Review Date:</b>	July 2023
<b>Person Responsible:</b>	Head of Operations

## Summary of Changes

The model policy has been revised in June 2020 to reflect these changes to the local information and statutory guidance as outlined below.

Section	Amendment	Date of Change
Throughout	Employer referred to as The Trust	June 2020
Throughout	Updated Keeping Children Safe in Education	June 2020
3.2	Clarification of internal applicant's selection process	June 2020
5.3	Clarification of content of reference request including formal lime limited warnings	June 2020
5.5,5.6	New section on references updated in line with current employment legislation	June 2020
6.1.2	Other forms of assessment included updated in line with current employment legislation	June 2020
6.2	Updated reference to Data Protection Act 2018	June 2020
8.2	Added to reflect that contract must be issued to employee prior to commencement of employment with the Trust.	June 2020
8.3-8.6	Updated retention of documents in line with General Data Protection Regulations	June 2020
9.2	New section added in line with current employment legislation	June 2020
Appendix	Updated Staff Privacy Notice	May June 2020

## **Roles and Accountabilities**

The Trust is accountable for all policies across its Academies. All policies, whether relating to an individual academy or the whole Trust, will be written and implemented in line with our ethos and values as articulated in our prospectus. We are committed to the provision of high-quality education in the context of the Christian values of responsibility, respect and dignity where individuals are valued, aspirations are high, hope is nurtured, and talents released.

A Scheme of Delegation for each academy sets out the responsibilities of the Local Governing Body and Principal / Head Teacher. The Principal / Head Teacher of each academy is responsible for the implementation of all policies of the Academy Trust.

All employees of the Academy Trust are subject to the Trust's policies.

## **Recruitment Selection Policy and Procedure**

### **1. Introduction**

- 1.1 The Trust is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work.
- 1.2 The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law (including The Good Work Plan April 2020), [Keeping Children Safe in Education](#) and the school's Equality and Diversity policy.
- 1.3 The Trust will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
- 1.4 We will comply with the requirements of [Keeping Children Safe in Education](#) with regard to DBS and other pre-employment checks.
- 1.5 We will ensure compliance strictly in accordance with all Data Protection regulations and the more stringent requirements contained within the General Data Protection Regulations (GDPR). The GDPR encompasses the core principles of the DPA and provides more onerous responsibility and accountability for fair and transparent processing. Our Trust General Privacy Statement for employees provides specific details in accordance with the GDPR principles and can be found in Appendix 1.

## **2. Delegation of Appointments and Constitution of Appointments Panels**

- 2.1 The Trust delegates the power to offer employment for all posts below the level of Headteacher / Principal (primary academies) and Deputy Headteacher / Principal (secondary academies) to the Headteacher.
- 2.2 The Headteacher / Principal is expected to involve at least one Governor in the appointment of all teaching staff.
- 2.3 Selection panels will comprise 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.
- 2.4 Headteacher / Principal appointments (and Deputy Head / Principal in secondary academies) are overseen by the Trust's Chief Executive Officer (CEO) and will involve at least one Trustee. The CEO will ensure involvement of the Local Governing Body throughout the recruitment process. Final decision making is retained by the Trust Board.

## **3. Advertising**

- 3.1 All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally.
- 3.2 Where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement. In these circumstances, the selection panel may decide that certain parts of the recruitment process may be omitted but all candidates will be subject to a formal interview, the satisfactory reference requirements and any other necessary checks.
- 3.3 There may be exceptional circumstances where a position may be ring fenced and no internal advertisement is placed for example this could be when an existing Headteacher of a school becomes Executive Headteacher over another school following a decision not to appoint a substantive Headteacher when a vacancy arises. Consideration will be given on a case by case basis as to whether the new job is a significant promotion and a decision made on whether to advertise internally.
- 3.4 Advertisements will be placed for a reasonable period of time to allow for the best possible pool of applicants and to ensure there is sufficient time to notify absent colleagues of appropriate vacancies.

#### **4. Information for Applicants**

All applicants for all vacant posts will be provided with:

- 4.1 A job description outlining the duties of the post and an indication of where the post fits into the organisational structure of the school. A person specification may also be provided.
- 4.2 An Application Form. CVs will not be accepted
- 4.3 An Information pack containing:
  - a description of the school relevant to the vacant post.
  - reference to the school's policy on Equality and Diversity.
  - reference to the Child Protection/Safeguarding Policy.
  - DBS and other pre-employment requirements.
  - 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 closing date for the receipt of applications.
  - outline of terms of employment including salary.
  - Reference to the school's policy on recruitment and selection

#### **5. Short Listing and Reference Requests**

- 5.1 The selection panel will use an agreed short listing form. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the candidates to be called for interview.
- 5.2 The selection panel will take up at least two references on each short listed candidate. If a candidate for a post working with children is not currently employed, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving.
- 5.3 Reference requests will ask the referee to confirm:
  - the referee's relationship with the candidate;
  - details of the applicant's current post and salary;
  - performance history and conduct;
  - All formal time-limited capability warnings which have not passed the expiration date.
  - All formal time-limited disciplinary warnings where not relating to safeguarding concerns which have not passed the expiration date.
  - All disciplinary action where the penalty is "time expired" and relate to safeguarding concerns.
  - Details of any substantiated allegations or concerns relating to the safety and wellbeing of children;
  - Details of any substantiated allegations or concerns relating to the safety and welfare of

children;

- whether the referee has any reservations as to the candidate's suitability to work with children. If so, the school will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children.
- 5.4 References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials or 'bearer references' i.e. those provided by the candidate and/or marked 'to whom it may concern' will not 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 of the candidate for any post. References will be verified and any discrepancies will be discussed with the candidate at interview.
- 5.5 References will be checked against information on the application; any discrepancy/issue of concern noted to take up with applicant at interview.
- 5.6 On receipt, equality monitoring information must be separated from applications.
- 5.7 If the field of applicants is felt to be weak the post may be re-advertised.
- 5.8 Where MAT leaders / managers are asked to provide references guidance should be obtained from the Trust's HR provider.

## **6. Interviews**

6.1 The format, style and duration of the interviews are matters for the Headteacher/Principal to decide in consultation with any governors or Trustees involved in the process, but the following will be adhered to:

### **6.1.1 Briefing:**

All candidates will be given relevant information about the school to enable the candidate to make further enquiries about the suitability of the advertised job.

### **6.1.2 The formal interview:**

Before the interviews the selection panel will agree on the interview format including any other assessment methods.. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked. The selection process for every post, will include exploration of the candidate's understanding of child safeguarding issues. The interview will 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.

6.2 The recruitment documentation will be retained for six months from the date of interview. Under the Data Protection Act 2018, applicants have the right to request access to notes written about them during the recruitment process. After 6 months all information about unsuccessful candidates will be securely destroyed.

## **7. Offer of Employment by the Selection Panel**

7.1 The offer of employment by the selection panel and acceptance by the candidate is binding on both parties subject to :

- Verification of identify
- Verification of right to work in the UK
- Proof of relevant qualifications
- Satisfactory DBS Enhanced Disclosure
- A certificate of good conduct (if applicable) which may include EEA sanctions and restrictions
- Barred list check
- Teacher prohibition (if applicable)
- Section 128 check (if applicable)
- Pre-employment medical screening
- Satisfactory references
- Disqualification under the Childcare Disqualification Act 2006, as amended.
- The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

7.2 Unsuccessful candidates will be notified

## **8. Personnel file and Single Central Record**

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

- application form – signed by the applicant
- interview notes – including explanation of any gaps in the employment history
- references – minimum of 2
- proof of identity
- proof of right to work in the UK
- proof of relevant academic qualifications
- Certificate of Good Conduct (where applicable)
- evidence of medical clearance from the Occupational Health service

- evidence of DBS clearance, Barred List and Teacher Prohibition checks
  - Evidence of a Section 128 direction (where applicable)
  - offer of employment letter and signed contract of employment
  - Disqualification under the Childcare Disqualification Act 2006.as amended
- 8.2 The school will maintain a Single Central Record of employment checks in accordance with [Keeping Children Safe in Education](#).
- 8.3 Retention of personal information for the successful candidate following the end of their employment will be in accordance with the Trust’s data retention policy, which is compliant with relevant Data Protection Act. When retained documents have reached their data retention limit they will be securely destroyed.
- 8.4 The school will destroy information obtained by a vetting exercise as soon as possible or within six months. A record of the result of the vetting or verification of the successful candidate will be retained on the employees file and the Single Central Record.
- 8.5 The school will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with/involving you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. The school will retain a record of consent as evidence that we have obtained consent to collect and process the data and that applicants have been advised of the purpose of the collection and processing.
- 8.6 You have the right to withdraw your consent at any time and can do so by informing the Trust’s Data Protection Officer, with the exception of documents that are required for a statutory requirement.
- 9. Start of Employment and Induction**
- 9.1 The pre-employment checks listed in paragraph 8.1 above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the Barred List and Teacher Prohibition checks.
- 9.2 A contract of employment must be issued to the successful candidate prior or on the first day of their employment with the Trust
- 9.3 All new employees will be provided with an induction programme which will cover all relevant matters of school policy but in particular safeguarding and promoting the welfare of children

## Appendix

# Trust wide Privacy Notice for Staff

## How academy workforce information is used

### Who processes your data?

The academy is the data controller of the personal information you provide to us. This means they determine the purposes for which, and the manner in which, any personal data relating to staff is to be processed. A representative of the academy, **[insert name of individual]**, can be contacted on **[insert phone number or email address]**.

Sharon Money Head of Operations is the Trust Data Protection Officer. Her role is to oversee and monitor the academy's data processing practices. This individual can be contacted on **01603 882329** or by email at **sharon.money@donesc.org**

Where necessary, third parties, such as the Trust payroll provider, may be responsible for processing staff members' personal information. Where this is required, the academy places data protection requirements on third party processors to ensure data is processed in line staff members' privacy rights.

### What categories of information are processed?

The categories of personal information that we process include the following:

- Personal information – e.g. name, employee or teacher number, address, NI number
- Characteristics information – e.g. gender, age, ethnic group,
- Trade Union Membership e.g. direct debit of membership fees from salary
- Relevant medical information e.g. pre existing health conditions,
- Disclosure and Barring information e.g. prohibition checks
- Payroll information including bank account details
- Contract information – e.g. start date, hours worked, post, roles and salary information
- Work absence information – e.g. number of absences and reasons for absence
- Performance management information e.g. observation of teaching
- Qualifications and, where relevant, the subjects taught

This list is not exhaustive – to access the current list of information the academy processes, please see the academy's electronic Data Asset Register which can be found **[insert location]**.

### Why do we collect and use your information?

**[insert name of academy]** has the legal right and a legitimate interest to collect and process personal data relating to those we employ to work at the academy, or those otherwise contracted to work at the academy. We process personal data in order to meet the safeguarding requirements set out in UK employment and childcare law, including those in relation to the following:

- Academy Funding Agreement
- Academy's legal framework
- Safeguarding Vulnerable Groups Act 2006
- The Childcare (Disqualification) Regulations 2009
- Public Sector reporting requirements including monitoring of equal opportunities

Staff members' personal data is also processed to:

- assist in the running of the academy
- enable individuals to be paid
- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- inform financial planning and modelling

If staff members fail to provide their personal data, there may be significant consequences. This includes the following:

### Employment checks

Failure to provide the academy with ample proof of a right to work in the UK will prevent employment at name of academy.

Employees found to be working illegally could face prosecution by law enforcement officers.

### **Salary requirements:**

Failure to provide accurate tax codes and/or national insurance numbers could lead to issues of delayed payments or an employee paying too much tax.

### **Discretionary leave of absence/emergencies/unpaid leave:**

Failure to provide accurate contact data and completion of record of requests for unpaid leave could impact on LGPS pensionable services and options for making up lost contributions. It could also impact on paid sick leave and/or statutory sick pay if accurate personal data is not provided.

### **Additional Employment**

Failure to provide the academy with accurate personal data on any additional work undertaken outside the employee's contract of employment with the Trust could lead to a breach of the Trust Code of Conduct resulting in disciplinary action.

### **Compliance with Trust policies**

Failure to provide the academy with accurate personal data required under Trust policies and procedures, including investigations into staff conduct, could lead to disciplinary action against the staff member.

Under the GDPR, the legal basis/bases we rely on for processing personal information for general purposes under Article 6 of the GDPR are:

- Contractual
- Legal obligations placed on the academy/Trust
- Vital interests so that processing is necessary to protect someone's life
- Duties placed on a public authority processing data to perform a public task e.g. to educate and safeguard children

### **How do we collect your information?**

We collect your personal information via the following method:

- Application forms
- Pre employment check list and contract
- Fit notes and medical reports such as occupational health
- Reference requests
- Passport ID or other Right to Work documentation
- Written feedback on performance management

Whilst most information you provide to us is mandatory, some of it is requested on a voluntary basis. Use of staff images at Trust/academy training events, staff photographs with classes or at sports/curriculum/celebration events may also be used and shared on the academy/Trust social media accounts as well as the academy website and prospectus. We keep a record of your consent (see **Academy Workforce consent form -Use of Images**) on your personnel files. Consent is not required to hold a copy of your digital image as proof of identity to fulfil Safer Recruitment requirements and Keeping Children Safe in Education. We will inform you at the point of collection whether you are required to provide certain information to us or if you have a choice.

### **How do we store your information?**

Your personal information is retained in line with the Trust Data Retention Policy, which can be found on the Academy/Trust website **[insert link here]**

Further information on how we securely store data see the Trust Data Protection Policy and the Trust e-safety and Acceptable Use of ICT Policy

### **Who do we share your information with?**

We routinely share your information with:

- The Local Authority
- EPM our HR payroll provider
- **[if in a federation insert the name here]**
- The DfE

### **Why do we share your information?**

We do not share information about you with anyone without your consent, unless the law and our policies allow us to do so.

We are required to share information about our school workforce with our LA under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We are required to share information about you with the DfE under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework.

#### **How does the government use your data?**

The workforce information that we lawfully share with the DfE through data collections:

- Informs the DfE's policy on pay and the monitoring of the effectiveness and diversity of the school workforce.
- Links to school funding and expenditure.
- Supports longer term research and monitoring of educational policy.

You can find more information about the data collection requirements placed on us by the DfE by following this link <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may share your information with third parties who promote the education or wellbeing of pupils or the effective deployment of staff by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure that the confidentiality of personal information is maintained and there are controls in place regarding access to and use of the information. The DfE makes decisions on whether they will share personal information with third parties based on an approval process, where the following areas are considered in detail:

- Who is requesting the information?
- The purpose for which the information is required.
- The level and sensitivity of the information requested.
- The arrangements in place to securely store and handle the information.

To have access to school workforce information, organisations must comply with strict terms and conditions covering the confidentiality and handling of information, security arrangements and retention of the information.

#### **How to find out what personal information the DfE holds about you**

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the DfE:

- If it processes your personal data.
- For a description of the data it holds about you.
- The reasons it is holding your data and any recipient it may be disclosed to.
- For a copy of your personal data and any details of its source.

To exercise these rights, you should make a subject access request. Information on how to do this can be found by following this link: <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

You can also contact the DfE directly using its online contact form by following this link: <https://www.gov.uk/contact-dfe>

What are your rights?

You have specific rights to the processing of your data; these are the right to:

- Request access to the information the school holds about you.
- Restrict our processing of your personal data, i.e. permitting its storage but no further processing.
- Object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- Have your personal data rectified if it's inaccurate or incomplete.
- Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

- Request the deletion or removal of personal data where there is no compelling reason for the continued processing.
- Seek compensation, either through the ICO or the courts if the relevant criteria met.

If you want to request access to the personal information, we hold about you, please contact **[insert name of academy headteacher or Trust DPO]**

If you are concerned about the way we are collecting or using your information, please raise your concern with the Trust Data Protection Officer in the first instance. You can also contact the ICO at <https://ico.org.uk/concerns/>.

#### **How to withdraw consent and lodge complaints**

Where our academy processes your personal data with consent specific to use of digital images as noted in the consent form below, you have the right to withdraw your consent at any time.

If you change your mind or are unhappy with how our school uses your personal data, you should let us know by contacting the Trust DPO Sharon Money via email on [sharon.money@donesc.org](mailto:sharon.money@donesc.org)

#### **Declaration**

I, **name of staff member** , declare that I understand:

- The categories of my personal information **insert name of academy/Trust** collects and uses.
- The academy has a lawful basis for collecting and using my personal information.
- The academy shares my information with the DfE, LA and other stated organisations.
- The academy does not share information about me with anyone without my consent, unless the law and our policies allow us to do so.
- My information is retained in line with the Trust’s Data Retention policy and procedures.
- My rights to the processing of my personal information.

**Name of staff member:** \_\_\_\_\_

**Signature of staff member:** \_\_\_\_\_

**Date:**

I also give/do not give consent for the academy/Trust to use my images at Trust/academy training events and at celebration events. I understand the academy/Trust may share these images on the academy social media account and prospectus.

**Signature of staff member:** \_\_\_\_\_

**Date:**

#### **For academy use only**

Date privacy notice last updated: \_\_\_\_\_

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