



SPARKEN HILL
ACADEMY

Appointment and Recruitment Policy

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Appointment and Recruitment Policy v2022

Introduction

This document sets out Sparken Hill Academy Trust ("The Trust") advice on the process for appointing staff. The procedure is set within the context of:

- The Education Act 2002
- The Academy Staffing (England) Regulations 2009
- The Academy Staffing (England) (Amendment) Regulations 2006
- Current employment legislation
- The requirements of the latest DfE "Keeping Children Safe in Education"
- Equality Act 2010
- ACAS advisory booklet 'Recruitment & Induction'

Equality And Diversity

The Trust is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines, adhering to the Equality Act 2010.
- Delivering high quality teaching and services that meet the diverse needs of its pupil population and its workforce, ensuring that no individual or group is disadvantaged.

Shortlisting, assessments and selection processes will always be carried out without regard to the nine protected characteristics:

- Age
- Disability
- Sex
- Gender reassignment
- Pregnancy and maternity
- Race
- Sexual orientation
- Religion or belief
- Marriage and civil partnership

The Trust is committed to providing equality of opportunity for all and ensuring that all stages of recruitment and selection are fair. Job descriptions, person specifications, advertisements and other recruitment and selection documentation must only contain objective, justifiable, non-discriminatory information. Managers should take care not to include:

- Explicit references to age or age ranges
- Language that could be perceived as age bias (such as young, mature, energetic)
- Specifications for a particular gender, race, religion or age unless it is defined as a Genuine Occupational Qualification
- Language that could be perceived as discriminatory (e.g. 'must be fit', 'able bodied', 'generally healthy', or 'able to drive')

- Qualifications that could be age bias (e.g. GCSEs) without adding 'or equivalent'

The Equality Act 2010 allows for specifications to include a requirement for a particular gender, race, sexual orientation, religion or age as long as it is defined as a Genuine Occupational Qualification. Managers must seek advice from the CEFM if they believe that a vacancy they have approval to recruit to has a genuine occupational qualification.

The procedures represent good personnel practice and have been agreed with all of the recognised trade unions through the JCNP process and meet legislative requirements.

The appointment of a new member of staff to a school is a major investment. It is important therefore to ensure that the recruitment process is carefully managed to ensure that a successful appointment is made.

Principles

The Trust adheres to the following principles in recruitment and selection:

- All applicants will receive fair and reasonable treatment.
- The job description/person specification is an essential tool, which is used throughout the process and applied equally to all applicants.
- Recruitment decisions will be based on the assessment of how candidates match the criteria detailed in the job description/person specification (e.g. knowledge, skills, qualifications, experience, abilities and competencies).
- Selection should be carried out by a panel of at least two people, preferably three people where possible. At least one panel member must have received safer recruitment training and, where possible, all panel members should be recruitment and selection trained.
- Selection should be based on a minimum of a completed application form, shortlisting and interview.
- The decision to appoint a candidate to the role of Principal sits with Trustees, as per with the Scheme of Delegation.
- All posts will normally be advertised, unless there are specific circumstances (e.g. situations requiring ring-fencing or slotting, such as people at risk and seeking suitable alternative employment via the trust's Redeployment Procedure).
- The Equality Act 2010 requires the Trust to make reasonable adjustments to the recruitment process if an applicant makes us aware that they have a disability. This applies to the entire recruitment process, from advertisement to appointment and the trust is committed to meeting this requirement.

The recruitment process can be broken down into five main phases:

1. Planning the recruitment process
2. Advertising and application
3. Shortlisting candidates for interview
4. Interview process
5. Appointment procedure and induction/probation

Roles And Responsibilities

The governing body has overall responsibility for staffing responsibilities at Sparken Hill Academy. The Principal takes the lead in making staff appointments other than for posts on the leadership spine.

Responsibility to interview and appoint staff can be delegated to the Principal however it is recommended that wherever possible an interview panel consisting of the head teacher and 2 governors is convened to consider the important decision of who to appoint to a vacant post in school.

The interviewer (if it is one person) or at least one member of the interview panel must be appropriately trained in safer recruitment.

For recruitment to leadership posts the governing body are required to establish a selection panel to appoint a head teacher or deputy head teacher. The governing body may access professional support when appointing a new head teacher.

For Sparken Hill Academy (a foundation standalone academy), the governing body is the employer in law.

It is the responsibility of governors and staff involved in any recruitment and selection process to ensure they adhere to the principles of equal opportunities and the relevant equalities legislation as previously highlighted.

The Trust is committed to safeguarding and promoting the welfare of children. The Governing Body is, therefore, strongly advised to adopt these recruitment procedures which are in line with the latest DFE statutory guidance "Keeping Children Safe in Education". Governors are also advised to refer to the latest DFE guidance and latest whole school policy on Child Protection.

The policy also makes reference to the Academy Equal Opportunities Policy and Safeguarding policies in order to give consideration as to how it will ensure the implementation of these aspects.

In the event of a complaint by an applicant that, for example, they have been discriminated against, the respondent at a tribunal will be the Governing Body of the school. Dependent on the circumstances, the cost of defending any such action and any resultant costs may be charged to the Academy.

Planning the Recruitment Process

It is essential to plan the recruitment process carefully. The Academy often needs to make appointments quickly in order to meet the timelines imposed by the final resignation dates for teachers. However, care should be taken to avoid making an inappropriate appointment because of the pressure to fill posts for the beginning of term. Therefore, the Academy regularly reviews its recruitment procedures and documentation to enable them to manage the process efficiently and minimise the risk of making an unsuitable appointment even when timescales are short. The Academy has established clear recruitment policies and procedures to:

Identify appropriately trained governors and staff to be involved in recruitment panels/procedures, remembering that it is mandatory for at least one member of the panel to have undergone appropriate safer recruitment training

- establish and regularly update a file of information about the school, e.g. policy summaries and management structures for information packages;
- maintain an up-to-date file of template documents, e.g. outline job descriptions and person specifications;
- Identify the types and location of application forms to be used for different posts .
- prepare outline recruitment timescales for each term (i.e. advertising through to interview) for reference as needed;
- establish efficient record keeping systems.

Defining the vacancy

Determining the job

The Academy should have an up-to-date structure plan for its staff, which maps out the way in which it will develop in staffing terms and this should be referred to before confirming the vacancy. The structure should be reviewed against any known changes e.g. budget, school roll and any factors which could impact on the situation. Because a job has always been done in such a way, encompassed certain duties or has been paid at a certain level does not necessarily mean it should continue to be so.

The Governing body will determine the pay range for each vacancy prior to advertising. If the Academy has adopted the Living Wage this needs to be reflected in the advertisement for relevant support staff posts.

Prior to advertising the Governing Body may consider other options such as opportunities for job share and flexible working if this meets the organisational needs of the school.

Where governors are considering an appointment on a fixed term or temporary basis, they will take into account the guidance from its HR Advisory Service (currently CEFM). The governing body must recognise that appointments on this basis should only be made in line with the Fixed Term Contract Agreement.

Timing the appointment process

The governing body will plan a realistic outline timescale, which includes the main processes in filling the post, from advertising to appointment and the availability of staff and governors.

For teachers this must also take account of their statutory resignation dates i.e. 31 May, 31 October and 28/29 February. The contractual notice periods are 3, 2 and 2 months respectively for the above dates plus 1 additional month notice for existing head teachers.

Job Description

A formal written job description for the post must be agreed before the post is advertised. It should clearly state the grade (or range), the main duties and responsibilities of the post, the working hours, job title and a breakdown of any supervisory or budgetary responsibilities. This is essential not only for recruitment purposes but also for induction, performance management and continuing professional development (CPD)

In line with "Safer Recruitment" guidance, all school job descriptions should include a reference to the safeguarding duties and responsibilities of the post. This must state the level of responsibility for promoting and safeguarding the welfare of children and young people that comes with the post.

All standard job descriptions have been agreed with the recognised trade unions. If The Academy wishes to establish a new job description or amend one through a restructuring exercise, the head teacher should consult with the governors and trade unions. The governors should be consulted on any changes to existing job descriptions in the school.

Person Specification

The next stage, before advertising the post, is to carefully establish a profile of the personal skills and characteristics required of the post holder. This person specification will inform the whole recruitment and selection process and forms a framework against which objective decisions can be made about each applicant's suitability for the post.

The job description should be used as a basis for drawing up a person specification. The purpose of the person specification is to define the school's expectations of the post holder by detailing the essential and desirable skills and aptitudes of the post holder. The person specification should:

- include the qualifications/skills and experience needed to undertake the role and any other requirements needed to perform the role, including suitability for working with children and young people;
- reflect the competencies and qualities the successful candidate will need to demonstrate during the selection process;

The person specification should precisely relate to the requirements of the post and should not contain experience, qualifications or characteristics which are not relevant to the post.

In considering the essential criteria, the selection panel may wish to consider their relative "weighting". This allows the panel to take account of the relative importance of the essential elements, with regard to the duties and responsibilities of the post.

The governing body will ensure that the person specification agreed for each post does not breach equal opportunities legislation.

Advertising and Application

The purpose of the advertisement is to:

- a) attract responses from suitable and appropriately qualified people
- b) deter responses from unsuitable and unqualified people

Before advertising the post, schools must consider offering the vacancy to staff identified as at risk of redundancy in order to satisfy the requirement to seek to mitigate redundancy.

Redeployment

With a fluctuating school population and (potentially) a declining need for staff in the academy from time to time, the Trust maintains a redeployment policy. Where these circumstances apply (i.e. staff are identified at risk of redundancy), the Academy would seek to interview such a candidate prior to the post being advertised externally by the school. It should be noted that such redeployment does not contravene equal opportunity requirements.

Preparing the advert

Particular care needs to be taken with the wording of the advertisement. It is also important that the wording of adverts does not inadvertently contravene equality legislation, as mentioned above.

The advert needs to focus on the key details of the post such as , grade, key duties and responsibilities, required qualifications etc. The Academy should also take account of its own policies relating to safeguarding, equal opportunities and job share. The advert should state that the successful applicant will be required to undertake an enhanced DBS check.

As stated in 'defining the vacancy' the STPCD no longer requires a school to appoint a teacher in accordance with their previous salary. The pay band for the

post should be clearly stated on the advert and that appointment will be to the minimum point of that band, unless the governing body decide otherwise.

In drawing up an advertisement, schools need to tailor the advert to attract candidates. Information about the numbers of pupils, the current Ofsted judgement and welcoming candidates to visit The Academy will encourage applicants to apply.

Placing the Advertisement

Advertising of Head Teacher posts.

The Academy Staffing (England) Regulations 2009, Paragraph 15 states *"the governing body must advertise any head teacher or deputy head teacher post 'in such manner as it considers appropriate unless it has good reason not to'.*

The Governing Body expect that all appointments to headship should be advertised externally unless there are exceptional circumstances which the Governing Body has agreed to.

Advertising of other school posts

The governing body will advertise all vacancies either internally or externally depending upon the post requirements / where there is good reason not to do so. Advertising externally will ensure that the Academy attracts a wide field of suitable applicants to recruit the best possible candidate and in the interests of fairness, openness and equal opportunity. For Teaching Posts, this would usually be via the school website plus the DfE Teaching Vacancies site. For other posts, the school website plus local papers would be considered. However, on occasion, internal opportunities are advertised – particularly where the role that does not require an increase to the staffing structure.

The Governing Body reserves the right to propose a change in role of existing members of staff where it is evident that the role being undertaken is no longer the role originally employed as. Where this is the case, a thorough analysis of skill set will be undertaken and where necessary, an internal advert will be issued.

Information Pack for Applicants

All potential applicants should receive an introductory letter detailing the recruitment procedures. It should also include the following statement:

"Sparken Hill Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. The successful candidate will be required to complete a Disclosure & Barring Service Check to ensure their suitability to work with children as well as have a strong commitment & knowledge of Safeguarding. Visits to the school are strongly encouraged."

The letter should also refer to the equal opportunities policy statement and that disabled applicants who meet the essential criteria of the person specification will be guaranteed an interview.

The recruitment pack should be prepared in advance of the advert so that potential applicants can receive the necessary information promptly. It is important to bear in mind that potential staff will be forming opinions about the Academy from the details they receive.

The pack should provide a clear picture of the Academy and its expectations of the post holder. The aim is to encourage applications from those suitable for the post whilst deterring unsuitable individuals from applying.

The pack should contain the job description, person specification, application form and guidance notes, school information, interview procedure, requirements for references, a copy of the safeguarding policy. A contact name and email address should also be given for any questions about the post.

Application Forms

It is essential that all applicants fully complete the standard application form appropriate to the post. It is not acceptable to accept applications made solely on the basis of a letter and/or Curriculum Vitae (CV) as these allow the applicant to decide which information to supply or omit. The information pack must clearly state that applications will only be considered if they comply with this requirement.

Depending on the post, applicants should also be asked about any special areas of interest (e.g. age range, subject). All applicants should be asked to provide a statement about why they are applying for the post and what skills and attributes they would contribute as well as any other job-specific areas to be assessed.

The application form must include a signed statement that the person:

- is not on the Children' Barred List
- is not disqualified from work with children
- is not subject to sanctions imposed by any regulatory body, e.g.

Applicants must also either confirm that they have no convictions, cautions or bind-overs. Applicants for teaching posts will be subject to a prohibition from teaching check and staff applying to work in a school in a relevant childcare setting will also be subject to a Disqualification under the Childcare Act 2006 check.

The Academy should send notes about how to complete the application form with the information pack. The accompanying information should emphasise the Academy's commitment to safeguarding children and clarify the vetting procedures which will be applied to all applicants, namely:

- successful candidates must fully meet all the essential criteria e.g. qualifications, experience and any other requirements in relation to working with children and young people;
- the interview process will be designed to assess the candidate's ability to meet the essential requirements of the post (including suitability to work with children);

- for shortlisted candidates any discrepancy or anomalies in the information provided or issues arising from references will be followed up during the interview;
- current and/or previous employers will be contacted as part of the pre-appointment checks;
- enhanced DBS checks will be required

Shortlisting candidates

In line with the Equality Act 2010 and the Academy Equality policy, all disabled candidates who meet the essential requirements must be shortlisted and interviewed. If a candidate has indicated that they are disabled in the application form, they should be shortlisted if they meet the essential requirements of the person specification.

The equality and diversity monitoring part of the application forms must be detached from the rest of the application form before shortlisting. This can then be re-attached following completion of the appointment process.

The purpose of shortlisting is for the interview panel to take time to assess the returned application forms and references in order to identify who to call for an interview.

All candidates must be assessed equally against the criteria shown in the agreed person specification. There must be no exception or variation to this as this could render the whole process unfair and open to claims against the governing body. Knowledge of a candidate which is not relevant to the post should not be taken into account. This is particularly important where there are internal candidates.

The aim is to identify, from the information given in the application form, how each candidate meets the essential and desirable elements of the person specification. However some elements of the person specification can only be verified or assessed at interview and these should be identified at the planning stage and noted on the person specification. The job requirements must not be modified during or after the shortlisting process. Shortlisting must not be based on any criteria which are not included in the job description or person specification. The panel should not make any assumptions and any uncertainty should be tested at interview.

The panel should note that providing false information in an application is a serious matter which could result in summary dismissal if the applicant has been selected and appointed to the school. Failure to disclose information or providing false information in relation to criminal records is an offence which could lead to prosecution.

The panel must be aware of the documents that the Academy are required to verify such as identity, qualifications and the right to work in the UK to prevent illegal working in line with the requirements of Section 8 of the Asylum and Immigration Act 1996.

The panel should consider the Pre Interview Checklist for candidates and be clear about which documents they are required to check and ensure an administrator checks the documents for each candidate prior to the interview time. The completed pre interview checklist should be handed to the panel prior to the start of the interview.

References

Having completed the shortlist, appropriate references should be requested for all shortlisted applicants including internal candidates. As part of the process of verifying the suitability of candidates to work with children, the references must be checked prior to the formal interviews. This means that sufficient time must be built into the recruitment programme for these to be requested, received and checked.

The purpose of obtaining references is to enable the selection panel to carefully consider objective and factual information to inform and support their appointment decisions. They also help schools ensure that they are selecting a candidate who is competent and suitable to work with children. For any appointments to the Principal post, the governing body should insist that one of the references is provided by the current employing local authority / MAT / SAT trust board.

As part of the appointment process the governing body may ask for details about whether a head teacher or teacher at a school has been subject to capability procedures in the previous two years.

One of the references supplied must be from the current or most recent employer. The Academy will be in breach of their safeguarding responsibilities if they do not seek to obtain a reference from the current employer before they make an appointment. If an applicant has previously worked with children, either in paid or voluntary activities, at least one reference should be obtained from that school or organisation.

References should always be sought directly from the referee. The referee should be advised that they have a responsibility to ensure that the reference they supply is accurate and does not contain any material misstatement or omission. They should also be informed that the Academy policy is one of an 'open reference' where the factual content of their reference is able to be disclosed to the applicant and discussed.

References which are not specific to the post applied for, which have been supplied to the applicant on a previous occasion or 'to whom it may concern', photocopies or testimonials should **not be accepted** unless they have been verified with the referee and meet all requirements;

Reference requests should be in the same format for all candidates and ask specific questions, ideally in a standard pro-forma.

Interview Process

Having confirmed the shortlist, the panel must confirm any other activities they wish to include in the selection process. They should again refer to the person specification to ensure that such activities will allow the candidates to demonstrate how they meet the criteria.

Selection Activities

It is important to remember that the selection process does not only enable the selection panel to assess the individual candidates but also allows the candidates to find out about Sparken Hill Academy and the post for which they are applying.

A number of informal preliminary activities can be used to put the candidates at their ease before the actual selection procedures begin. These could include a tour of the school, a short presentation around the Academy and the job and an opportunity to meet staff, pupils and governors.

For some posts additional activities will help the panel gain information which would not easily be obtained in a formal interview. A programme should be planned to include a range of activities appropriate to the post. Since all school based staff have access to children, the selection/interview process must provide opportunities for each candidate's suitability for such work to be assessed.

If a candidate has disclosed a disability which may affect their performance at interview, adjustments must be made to the arrangements to accommodate this.

Interview Preparation

All selection procedures should involve an interview to assess each candidate against the requirements of the job (person specification), even if there is only one shortlisted candidate. The interview should also be used to explore each candidate's suitability to work with children.

The panel should meet before the interviews to:

- review the person specification to determine assessment criteria and questions
- agree the questions to ask candidates
- agree who will chair the interview and who will ask each question
- decide on a model answer and scoring system
- decide who will take notes when a panel member is asking the interview the questions
- prepare the interview evaluation sheets
- confirm arrangements for the day with the Academy (ensuring that appropriate rooms are available, cover for staff involved, who will collect and return candidates from/to a waiting room, meet candidates upon arrival, check and photocopy candidates documents).

- Ensure that arrangements are in place for the panel to receive the completed pre interview checklists from candidates

Before the interview, each member of the panel should have received and read copies of the application forms and references for the shortlisted candidates.

Questions for candidates, model answers and a scoring system should be prepared in advance. The interview evaluation sheets should be prepared with the questions listed on them.

The letter of invitation to interview, should be sent promptly to give candidates reasonable notice and time to prepare for any specific activities such as a presentation. Candidates should be asked to confirm that they are able to attend. If a candidate has disclosed a disability which may affect their performance at interview, ask the candidate to contact the Academy if they require any adjustments to be made to the arrangements.

The letter should also remind candidates that as part of this process they will be asked to declare any convictions cautions or reprimands which they have incurred and that they need to bring relevant documents for identity, enhanced DBS, Children's Barred List and qualification checks will be made. This is usually the first question in the interview process.

The letter will explain that documents will be shredded if they are not the preferred candidate after the interview stage.

Interview Panel

The interview panel should, ideally, consist of 3 people and at least one of them must be trained in safer recruitment procedures. The panel should also be balanced in terms of gender and other relevant factors. The governing body may decide to delegate full responsibility to the head teacher for some recruitment decisions. However, wherever possible, appointments would include at least one governor on all interview panels wherever possible and to ensure that recruitment decisions are always made by at least two people. For some staff, e.g. deputy and head teacher posts the governing body must be involved in the process and final decision. Other senior posts may also merit a larger selection panel or the involvement of more staff and governors as appropriate in a range of selection activities.

Questioning candidates

The structure of the interview should be carefully planned. The prepared questions (which must specifically relate to the job description and person specification) should be asked of each candidate. Supplementary questions can be asked which are specific to a particular candidate. The panel should consider and agree any issues which need to be explored arising from the information contained in the application form and references.

Candidates should not be asked at interview about their personal circumstances i.e. their marital status, sexual orientation, family, religion, politics, trade union affiliation, etc.

The questioning of applicants for a voluntary aided school and the amount of weight given to the applicant's religious opinions and beliefs needs careful consideration. In a voluntary aided school it is appropriate to ask a question such as 'How would you support the ethos of the school', rather than the candidate's religion. However Section 60 of The Academy Standards and Framework Act 1998 does allow for preferences to be given in appointing school staff to voluntary aided schools especially where a 'genuine occupational reason (GOR - as permitted by the Equality Act 2010), can be established.

When assessing the applicant's suitability for the post as described, the interview panel should also explore the following issues:

- any gaps in the candidate's employment record
- concerns or discrepancies arising from the application or references
- whether there are any issues which the candidate wishes to declare in the light of DBS checks etc
- the candidate's attitudes towards children and young people
- their motivation for working in a school/with children
- their ability to understand and support the school's policies, including the need to safeguard and promote the welfare of children

Under the Equality Act 2010, employers are prevented from asking potential recruits questions about their health (and this should not be requested or detailed on the application) before a job offer is made, in order to avoid liability for disability discrimination. The only exception to this is to establish the applicant's capability to carry out a function intrinsic to the work concerned, which is a specific requirement of the person specification – a 'genuine occupational reason' (GOR).

Managing the interview

The chair of the selection panel should ensure all panel members are clear about their specific roles and clarify any issues to be explained with individual candidates.

When conducting the interview, the members of the panel should introduce themselves and encourage the candidates to feel at ease. It is often helpful to start the interview on familiar ground with questions about their current job or their background and experience.

It is good practice to link the areas of questioning so that the interview flows naturally. The chair of the panel should keep an unobtrusive eye on the time. All panel members must remain objective and guard against subconscious prejudice or stereo typical views of particular candidates. Assessments should be based on whether or not the candidate meets the person specification on the basis of an objective assessment.

Selection decisions should not be influenced by the gender, race, disability, age, sexual orientation, religion or belief, gender reassignment, pregnancy or maternity, marriage or civil partnership of the candidate. It is illegal to discriminate on such grounds and such a decision can be challenged in an Employment Tribunal.

Finally, as the interview is a two-way process, the candidate should be given the opportunity to ask questions, be informed when they will hear the outcome, and thanked for attending.

Notes must be taken by all members of the interviewing panel to assist with assessment of the candidates and to help form the rationale for the decision. Notes should be retained for at least 6 months.

It may be appropriate to confirm and/or discuss salary and conditions of service within the interview.

It is usual for the decision to be made directly after the interviews. Candidates should be informed of when the decision is likely to be made and advised whether they may leave and be notified later or whether they should remain. Finally, candidates should be thanked for the time and energy they have invested in the process as they will judge the Academy by the way they have been treated throughout the process, regardless of whether or not they are appointed.

Appointment Procedure

Decision

Following the final interview of the shortlisted candidates, the selection panel should immediately discuss each candidate, carefully recording where essential and desirable criteria have been met during the course of the interview. The panel's decision must only be made against the defined requirements of the job as detailed in the person specification.

Selection decisions should not be influenced by the gender, race, disability, age, sexual orientation, religion or belief, gender reassignment, pregnancy or maternity, marriage or civil partnership of the candidate. These are protected characteristics and it is illegal to discriminate on such grounds and such a decision can be challenged in an Employment Tribunal

The selection panel should be asked to share their records of each candidate with each other and attempt to reach a consensus about which candidate best fits the person specification. Where there is more than one candidate who meets all the essential criteria, reference should be made to the desirable criteria applying the relative weightings where appropriate. If it is not possible to reach a unanimous decision, the panel will need to decide whether they are prepared to proceed on the basis of a majority decision.

Where there is uncertainty the panel need to consider whether it is appropriate to make an appointment or whether the post should be re-advertised. Once a

decision has been made, the panel should confirm and record why the other candidates have been rejected and include the information with the application forms in case of a challenge at a later date. The chair of the panel should reiterate the need for confidentiality.

The appointing panel will determine the starting salary to be offered to the successful candidate, in line with Academy Pay Policy and in accordance with information contained within the advertisement and other recruitment information. The appointment to all leadership and leading practitioner role will usually be to the minimum point of the pay range, and appointment to MPR and UPR will normally be to the minimum point within the pay band advertised. Where a candidate is simultaneously employed by another school, schools are not bound to make any pay decision based on their employment by another school. Where teachers have been appointed to the Academy during a cycle of additional support within appraisal or subject to the formal capability process the governing body will, where necessary, seek evidence from the previous school to assist pay decisions.

Conditional Offer

Once a decision has been made a conditional offer of appointment can be made to the successful candidate. This verbal offer must be followed by written confirmation as soon as possible. The offer of employment forms a legally binding contract which can only be withdrawn in certain circumstances.

A copy of the Academy's Safeguarding Statement must also be sent to the successful candidate with the offer letter.

The offer of appointment is conditional upon:

- verification of candidate's identity (if not already established);
- Enhanced DBS check which will include barred list information, for those who will be engaging in regulated activity;
- Obtaining a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- Verifying the candidates mental and physical fitness to carry out their work responsibilities;
- Verify the person's right to work in the UK;
- Verify the at least 2 satisfactory references from appropriate sources;(1 of the references must be from the current or last employer-see reference guidance notes)
- verification of qualifications (if not already complete);

- verification of professional status, e.g. QTS status, NPQH; For
- teaching posts this must include verification of successful completion of the statutory induction period (applicable to those obtaining QTS after 7 May 1999);
- (For teachers / TAs), a prohibition from teaching check and confirmation that they are not barred from teaching.
- A disqualification under the childcare act 2006 check if the new starter works in a relevant setting, and a waiver form obtained from Ofsted if necessary.
- (for support staff posts) – satisfactory completion of probationary period
- for UK staff who have worked abroad the same checks must be undertaken as well as additional checks such as obtaining certificates of good conduct from relevant embassies or police forces.
- for non UK citizens – satisfactory clearance through the Overseas Information Service (DBS) and appropriate checks such as obtaining certificates of good conduct from relevant embassies or police forces. Confirmation of their right to work in the UK will also have to be obtained.

Schools must ensure that the above checks have been completed and appropriate records established and retained including the Single Central record as required by Ofsted.

Positive Disclosure

Under the Rehabilitation of Offenders Act 1974 all positions within the academy are exempt. Therefore, Sparken Hill Academy is entitled to carry out Enhanced Disclosure checks for all staff and volunteers once an offer is made.

Sparken Hill Academy will make this clear on the application form, job advert and any other information provided about the post. On application and at interview all job applicants will be clearly asked to declare any previous convictions and cautions not filtered in line with current guidance whether current or spent.

The academy will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The academy makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the academy.

The academy operates a formal procedure if a DBS certificate is returned with details of convictions.

Considerations will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances;

- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Principal of the academy. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process, or obtained through a disclosure check, the Principal will evaluate all of the risk factors above before a position is offered or confirmed.

A formal record of this meeting together with the outcomes, will be completed and retained on file.

More details can be found in Appendix A

Candidate's Debrief

It is recommended good practice that all candidates are offered feedback on their performance at the selection process. This will help unsuccessful candidates to identify areas of improvement for future applications and assist with the induction of the successful candidate into school by identifying any particular areas for support and training.

Copies of unsuccessful candidates' documents that they were required to bring with them to the interview for checking, should be either returned to them or destroyed.

Recruitment Appeals

Any written complaint about the recruitment decision or procedures should be referred to the head teacher or chair of governors as appropriate. Advice should then be sought from the HR Service.

Induction

All new staff (and volunteers) should have access to a carefully planned induction programme when they take up their new appointment. Line managers should ensure the Induction checklist for Safeguarding is completed for all new starters and the Staff Code of Conduct is discussed and signed by the employee.

Appendix A - Dealing with Convictions

Under the Rehabilitation of Offenders Act 1974 all positions within the academy are exempt. Therefore, Sparken Hill Academy is entitled to carry out Enhanced Disclosure checks for all staff and volunteers once an offer is made. Sparken Hill Academy will make this clear on the application form, job advert and any other information provided about the post. On application and at interview all job applicants will be clearly asked to declare any previous convictions and cautions not filtered in line with current guidance whether current or spent.

The academy will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The academy makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the academy.

The academy operates a formal procedure if a DBS certificate is returned with details of convictions.

Considerations will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances;
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Principal of the academy. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process, or obtained through a disclosure check, the Principal will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the academy may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the academy to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the academy to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is also unlawful for the academy to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (August 2018). It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the academy. The academy will report the matter to the Police and/or the DBS if:

- the academy receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- the academy has serious concerns about an applicant's suitability to work with children.

If the post involves regular contact with children, it is the academy's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the academy's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the academy's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

Sparken Hill Academy will ensure that all staff involved in the recruitment process of staff and volunteers are aware of this Policy and have the relevant training and support. Sparken Hill Academy will undertake to make a copy of this Policy available to any applicant or volunteer who enquires about a post within the academy.



SPARKEN HILL
ACADEMY

DBS Positive Disclosure Interview Record

Name:	
Post Title:	
Service Area/Academy:	Sparken Hill Academy
Department (if applicable):	
Name of Appointing Officer/Head Teacher:	Mr R Lilley
HR Business Partner Name/Contact Details:	Appointed CEFM - HR ADVISOR

1. **Date of meeting/telephone call with applicant:**
2. **Date and summary of convictions, cautions, reprimands and warnings**
3. **Further details of the convictions, cautions, reprimands and warnings from applicant as a result of telephone call and/or meeting (delete as appropriate)**
4. **Any mitigating circumstances?**

5. Applicant's attitude in relation to offending behaviour?

6. What has changed in the applicant's circumstances to ensure the offending behaviour will not be repeated?

7. Was it declared on the Application Form? If not, why not?

Signature of Group Manager/Principal

.....

Name.....Mr R Lilley.....Date...

Please note this will be held on file by persons responsible for HR (if appointed it will be placed on individual personnel/volunteer record)