

## RECRUITMENT POLICY

Committee:	Planning
Approved by FGB:	07/05/13
Reviewed	3 years
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Responsible Officer:	S Parsons
Version:	1

### Statement of Intent

At every stage of the Appointments Process, the Governing Body is committed to upholding all the principles of its Equal Opportunities Policy and to the highest possible standards of child protection. These principles apply to all categories of employees at Cambourne Village College.

The Governing Body firmly supports the assertion that without a committed quality staff it is not possible to provide the required quality of education for the pupils/children/students of Cambourne Village College. Therefore, within its powers, the Governing Body will make every attempt to recruit the best possible candidate for any post in this school, irrespective of the nature of that post. Where necessary, this will include any of the incentives that feature in the Pay Policy.

At all times, the Governing Body aims to meet the requirements of the anti discrimination legislation 1975 – 2006 inclusive and will comply with all requirements to safeguard children.

The Governing Body will at all times act in accordance with the School Staffing (England) Regulations 2009, the Education (Specified Work Regulations)(England), the Education (School Teachers' Qualifications Regulations) (England) and the requirements of both the 1998 School Standards and Framework Act and the Education Act 2002: The Safeguarding Vulnerable Groups Act 2006.

Procedures for the appointment of members of staff will be reviewed annually by the Personnel/Staff Committee and an agreed staffing structure will be approved and attached to the pay policy. Any subsequent recommendations will be brought to a meeting of the full Governing Body for debate and approval.

All appointments to the school, whether teaching or support staff, will be subject to satisfactory Disclosure and Barring Service checks, satisfactory health reports and supportive confidential references, which will be taken up immediately after shortlisting. The Governing Body is committed to the highest standards with regard to child protection and will take all necessary steps to check identity, qualification, employment history and suitability to work with children.

**NB It is essential that at least one person, interviewing potential employees, has received officially accredited safeguarding training. Responsibility for the on-line training rests with the Children's Workforce Development Council and is available to anyone involved in appointments.**

### Procedures

Although the Personnel Staffing Sub Committee of the Governing Body will oversee all procedures for the appointment of members of staff (except for the post of Headteacher, see below), governors, who are not members of this committee, will be afforded opportunities to take an active part in the actual appointment process, where appropriate.

Where governor involvement is required, except in exceptional circumstances, not less than five working days notification will be given.

With the exception of the appointment of a new Headteacher, (see below), there will be fourteen stages in the appointment process:

- Identification of need
- Determination of the type of contract
- Determination of the salary or salary range to be offered
- Preparation of person specification and concise job description and other necessary documentation
- Determination of the job search and advertising strategies
- Determination of closing date
- Long and/or short listing of applicants for interview
- Decision on the obtaining references and detail to be requested for each candidate
- Planning the structure of the interview day or days
- Determination of reclaimable expenses (particularly relevant in the case of candidates travelling from places outside of the United Kingdom. Normal practice is to pay expenses from the point of entry to the UK)
- The final selection process and the formal offer of appointment
- Completion of the necessary pre-employment checks including:
  - DBS (Disclosure and Barring Service) check (at enhanced level), health checks any other check appropriate to ensure child protection and suitability for the post: this is not now to be fully replaced by the ISA arrangements.
  - Checking of qualifications and recognition by the General Teaching Council
  - Identity and current address checks
  - Checking of last 5 years of employment history
  - Ensure the candidate has a valid work permit where necessary

**NB:** There should always be a panel of at least two interviewers and, wherever possible, at least one of whom should have undertaken accredited training on 'Safer Recruitment'.

### **Pre-Employment Checks**

The Governors will comply with all statutory requirements and consider all other recommendations in respect of pre-employment checks.

- Since May 2006 it has been a statutory requirement to carry out an enhanced DBS check for all appointments except where there is continuity of employment.
- Permission to work checks on overseas applicants.
- Overseas criminal records checks where appropriate to applicant.
- Checks should be carried out on at least the previous 5 years employment history.
- Residency check on current address.
- Identity checks should be carried out, perhaps at the interview, including photographic evidence (passport or driving licence) together with perhaps 2 recent household bills. Qualification checks, particularly at degree and/or diploma level should be considered as essential – there are more than 100,000 web sites offering fake degrees, it is possible to go beyond having sight of ‘original certificates and check with the awarding body – such checks can be arranged through CEFM.
- Health check – pre appointment health checks should not be used, but checks after appointment can be initiated if required to determine support for any disability and to verify that a person is not barred on health grounds from working with children Vetting and barring check with DBS
- Confidential references should be sought before interview wherever possible and should be specific to the individual applicant. Health questions relating to the applicant should not be asked of referees.

## Categories of Employees

### Headteacher

#### *Advertisement*

**Note** - Headship vacancies would normally be advertised nationally, but the School Staffing (England) Regulations 2009 allow some variation from this and Governing Bodies are advised to discuss the situation with their Personnel/Human resources provider.

Any details of the job or advertisement should indicate the Individual School Range (ISR) applicable to the post. The ISR can be changed at any time and is often considered at the time of appointing a new Headteacher.

#### *Selection Panel*

The Governing Body will set up the selection panel. This function will not be delegated to a committee. There will be at least three governors on this panel. The same panel will be used at both the shortlisting and any interview and should normally include the governor who has undertaken NCSL training on ‘Safer Recruitment’.

#### *Advisory Rights*

Foundation and Voluntary Aided Schools

**Note** - *Governing Bodies must determine whether or not to agree formally to afford advisory rights to the Director responsible for Education within the Local Authority, often the Director of Children’s Services, in respect of either (i) Headteachers and deputy Headteachers alone or (ii) all teachers. If no such agreement exists the Secretary of State can determine such advisory rights.*

If the Governing Body does not grant the Director advisory rights, it must be able to demonstrate that it has access to “high quality expert advice in making a Headteacher appointment”; together with reasons for concluding that the Director’s attendance does not “provide the most appropriate mechanism for obtaining it”.

The selection panel is required to recommend any appointee to the full governing body for approval and through the Governing Body inform the authority of the person recommended for appointment. The appointments committee shall consider any written representation by the local authority indicating the unsuitability of the proposed appointee, which must be within 7 days of the notification and shall respond in writing. Such representation by the local authority should relate only to concerns about unsuitability to work with children. It remains the sole responsibility of the governing body to determine the appointment.

*NOTE - Where an agreement exists, or the Secretary of State has made a determination, the Director or her/his nominated representative shall be entitled to attend all proceedings (including interviews) of the Governing Body and of any selection panel for the purpose of giving advice but shall not vote. (Schedule 17 – School Standards and Framework Act 1998)*

#### Community Schools

The Director, or her/his nominated representative, shall have the right to attend relevant meetings of the selection panel to offer professional advice, but it is only the governors who can vote. The Governing Body is required to consider the Director’s advice before making a decision. The Governing Body might also seek additional professional advice from other appropriate sources.

The selection panel is required to recommend any appointee to the full governing body for approval and through the Governing Body inform the authority of the person recommended for appointment. The appointments committee shall consider any written representation by the local authority indicating the unsuitability of the proposed appointee, which must be within 7 days of the notification, indicating that the appointment is inappropriate and shall respond in writing. Such objection by the local authority should relate only to concerns about unsuitability to work with children. It remains the responsibility of the governing body to determine the appointment.

***Academies – it is for an Academy to determine its own arrangements; there are no advisory rights for Local Authorities.***

#### *Qualification*

Headteachers must hold Qualified Teacher Status (QTS) and must hold, or be training for, the NPQH or equivalent. Appointments will be made in accordance with the Education (Headteachers’ Qualifications)(England) Regulations 2003, and the school Staffing Regulations 2009, as amended with effect from May 2005 to allow acceptance of qualifications comparable to NPQH obtained in Switzerland or countries within the European Economic Area.

#### *Ratification*

The full Governing Body must endorse the decision of the selection panel.

#### **Deputy Headteacher and Assistant Headteacher**

#### *Advertisement*

The School Staffing (England) regulations 2009 do not require advertisement nationally and accordingly governors will consider the specific circumstances and consult their Personnel/Human Resources provider before making any appointment. Any job details or advertisement should include the “Range of Leadership points” that have been agreed for this post.

Where there is difficulty in filling a post a Governing Body will consider contracting the services of a specialist recruitment agency, but should take appropriate professional advice on the specification for the contract.

#### *Selection Panel*

The Governing Body will set up a selection panel comprising at least 3 members, one of whom will normally be the Headteacher and ensure that at least one member has accredited safer recruitment training.

#### *Advisory Rights*

##### Foundation and Voluntary Aided Schools

The LA has no right to make comments about unsuitable candidates. The Governing Body may decide to afford advisory rights to the appropriate Director of the LA.

##### Community Schools

The LA has no right to make comments about unsuitable candidates. However, the Director or her/his nominee does have the right to attend meetings of the Governing Body to discuss the appointment of a Deputy Headteacher and to offer advice.

##### Academies

There are no local authority rights in respect of appointments to Academies.

It is for the Governing Body to determine whether or not to seek additional professional advice.

#### *Qualification*

Deputy Headteachers and Assistant Headteachers must hold QTS.

#### *Ratification*

##### Foundation and Voluntary Aided Schools

The Governing Body can and normally would appoint the candidate recommended by the selection panel.

##### Community Schools

The LA has to appoint the candidate recommended by the Governing Body unless there is an issue over qualification, DBS clearance, identity, and suitability to work with children or unsatisfactory health check.

##### **Academies**

An Academy sets its own arrangements and it is suggested that those for Foundation Schools are appropriate.

##### **Teachers**

#### *Identification of Need*

The Governing Body or its Personnel/Staffing Committee (with appropriate delegated powers) will determine whether to fill a post when it becomes available, in accordance with the approved staffing structure.

#### *Advertisement*

There is no statutory obligation to advertise teaching vacancies throughout England and Wales. For more senior posts the Governing Body, or its appropriate committee, may choose to advertise nationally and/or locally. For other posts the job search and advertising strategy might depend upon the likely interest in the post and/or availability of a suitable 'known' candidate.

#### *Advisory Rights*

##### Foundation and Voluntary Aided Schools

Governing Bodies must determine formally whether or not to afford advisory rights to the appropriate Director of the LA in respect of all teachers but must in any case notify the LA or any post to be filled for more than four months.

If no such agreement exists the Secretary of State can make a determination to afford such rights.

Unless the Headteacher is otherwise entitled to be present he/she is normally entitled to attend all proceedings including the interview for the purpose of giving professional advice.

Some governing bodies delegate some appointments to the Headteacher in which case such delegation should be formally minuted and the Headteacher should ensure that any interview is conducted by a panel of at least two, one of whom must have successfully completed accredited safer recruitment training.

#### Community Schools

The appropriate Director of the LA has advisory rights. The Headteacher also has the right to attend all selection meetings and to offer advice.

Once the Governing Body decides to fill a post it must prepare a specification for the vacancy and send a copy to the LA.

Some governing bodies delegate some appointments to the Headteacher in which case such delegation should be formally minuted and the Headteacher should ensure that any interview is conducted by a panel of at least two.

#### Academies

An Academy sets out its own arrangements for appointments arrangements, but these should be,

#### *Selection Panels*

For the Appointment of the Headteacher the panel shall consist of 3 governors together with such professional support as the Governing Body deem appropriate.

For the appointment of a Deputy Headteacher the panel shall consist of 2 governors and the Headteacher, together with such professional support as the Headteacher and Governing Body deem appropriate.

For the appointment of teachers to the Assistant Headteacher or Advanced Skills spines, the panel shall consist of the Headteacher plus 2 governors.

NB. The DfE encourages delegation of appointments below the leadership group to the Headteacher. CEFM suggests some wider involvement, but it is for the Governing Body to determine. Interview panels should always comprise at least two appropriate persons one of whom must have successfully completed accredited safer recruitment training.

For the appointment of a teacher to a post that merits a Teaching and Learning Responsibility Allowance (TLR) the selection panel shall consist of the Headteacher (or the Headteacher's representative) plus 1 governor. Note: Such appointments may be delegated to the Headteacher.

**Note** - Any appointment to a post attracting a TLR allowance must be as identified in the Staffing Structure Review.

For the appointment of a teacher to a post, which merits a Special Educational, Needs Allowance the selection panel shall consist of the Headteacher (or the Headteacher's representative) plus 1 governor.

**Note:** Such appointments may be delegated to the Headteacher, but regard should be paid to the strong recommendation of having at least two on the interviewing panel.

For the appointment of all other teachers, including newly qualified and unqualified teachers, the selection panel shall consist of the Headteacher (or the Headteacher's representative) plus 1 governor. Note: Such appointments may be delegated to the Headteacher.

There will be occasions when additional members will be invited to join selection panels (with/without voting rights). E.g. the involvement of a head of department, subject or year group co-ordinator could prove entirely beneficial in the appointment of a member of that department or team.

**Note** - *In Foundation and Voluntary Aided Schools, it is for the Governing Body to determine whether or not to grant the Headteacher the right to be a member of some, or all, of the relevant selection panels. (The advice is for Governing Bodies to accord such rights).*

### *Qualification*

Teachers employed in LA-maintained schools and non-maintained special schools are **normally** required to hold QTS.

Newly qualified teachers must successfully complete an induction period of three terms.

Teachers with a recognised qualification from an overseas authority, but without QTS, may be employed for up to four years, during which time they should seek accreditation as qualified teacher, subject to the necessary work permit, where required.

Instructors (previously Unqualified Teachers) may be employed where it is not possible to appoint a qualified teacher' or a teacher on a recognised training programme such teachers should be paid in accordance with the unqualified teachers' scale and attempts to appoint qualified teachers or those on a recognised training programme should continue. Instructor appointments should never be considered to be long term.

The law changed in September 2008 and the five year period for passing the skills tests was removed, preventing trainees without QTS from going into teaching, save in specific circumstances.

A teacher cannot begin induction until they have been awarded QTS. Any period of induction undertaken before QTS is awarded is invalid. There is no longer a category of 'unqualified teacher who has yet to pass their skills tests'. Instructors and support staff do not have to pass the tests because they do not have the same range of responsibilities and do not have to meet the same standards as qualified teachers.

### *Those Permitted to Teach*

From 1 September 2008 the following people can do 'specified work' (the way that the law describes usual teaching activity) in maintained schools or non-maintained special schools in England:

- teachers with QTS
- trainee teachers on mainstream or employment based routes to QTS
- OTTs who have worked here for less than four years since the first date they did so
- Instructors
- Staff employed to assist or support the work of anyone falling within one of the categories above (subject to their having the necessary skills and being supervised and directed by a qualified teacher).

### *Ratification*

#### Foundation and Voluntary Aided Schools

The Governing Body can and would normally appoint the candidate recommended by the selection panel.

#### Community Schools

The LA has to appoint the teacher selected by the Governing Body, unless the candidate fails to meet the necessary qualification requirements or where there is clear evidence that they are not suitable to work with children.

#### Academies

It is recommended that the procedure for Foundation and Aided Schools is followed.

### **Religious Considerations Regarding the Employment of Teachers at Voluntary Aided Schools**

In Voluntary Aided schools that have a religious character, the Governing Body has additional rights. The Governing Body may give preference to persons whose religious opinions are in accordance with the tenets of the religion of the school, who attend religious worship in accordance with those tenets, or who give, or are willing to give, religious education in accordance with the particular syllabus for religious education.

If the trustees of the school are also trustees of a Roman Catholic religious order, the Governing Body may appoint as Headteacher a candidate proposed by the Major Superior of the order without going through the above procedures, including the setting up of a selection panel. However, the candidate must hold QTS.

In a Voluntary Aided school that is a Church of England, Church of Wales or Roman Catholic Church school, the appropriate diocesan officer shall have the same advisory rights as the Director of the LA with respect to the appointment of teachers.

Other religious schools such as Muslim or Jewish schools have similar rights to the Christian denominational schools.

Similar considerations apply in Academies having a particular religious character.

### **Support Staff**

#### *Identification of Need*

The Governing Body or its Personnel/Staffing Committee (with appropriately delegated powers) will determine whether to fill a post when it becomes available, in accordance with the approved staffing structure.

#### Foundation & Aided Schools

The governing body is responsible for the appointment of support staff unless it has been agreed with the authority that it will make such appointments. This provision includes responsibility for grading and remuneration, which should always be in accordance with the school's policy.

#### Academies

The governing body is responsible for the appointment of support staff; this includes responsibility for grading and remuneration, which should always be in accordance with the Academy's policy.



### *Advertisement*

There are no statutory requirements regarding the advertisement of support staff posts. Therefore, the Governing Body, the selection committee or the Headteacher (with delegated powers) may choose any appropriate means of advertising the post. Frequently, more than one channel for advertising will be appropriate.

### *Advisory Rights*

The Director of the LA has no advisory rights in the appointment of support members of staff. However, Governing Bodies of Community schools must consult the appropriate Director of the LA and the Headteacher (if the Headteacher is not a member of the selection committee) before making the recommendation to appoint.

### *Selection Panels*

NB. The DfE encourages delegation of support staff appointments to the Headteacher. The Governing Body should determine and minute its position on this matter. In all cases the interview panel should comprise at least 2 persons.

For a very senior member of the support staff, paid at the principal officer (PO) rate on the NJC pay spine, the selection panel will consist of the Headteacher (or the Headteacher's representative) plus 2 governors.

For the appointment of senior members of the support staff, paid at SO1 or SO2 on the NJC pay spine, the selection panel will consist of the Headteacher (or the Headteacher's representative) plus 1 governor.

For those members of the support staff paid at the equivalent of scale 6,5 or 4 on the NJC pay spine, the selection panel will be the Headteacher (or the Headteacher's representative) plus 1 governor.

For all other appointments to the support staff of the school, the appointment will be delegated to the Headteacher.

There will be occasions where it would be appropriate to involve relevant Line Managers/Supervisors in appointments.

### *Qualification*

Apart from the requirement for the governors to be satisfied that the candidate has the necessary health and physical and mental capacity for the post as advertised, there are no other statutory requirements regarding qualifications for support members of staff. Therefore, where necessary, the selection panel will identify any relevant qualifications appertaining to the post to be advertised and include these as essential criteria in any person specification.

### *Ratification*

For all schools, the Governing Body can appoint the candidate recommended by the selection panel. However, as already mentioned, for Community schools there is the requirement for the selection panel to consult with the appropriate LA Director before a final recommendation is made.

### **References:**

- The Education (Induction Arrangements for Schoolteachers) (England) Regulations 2008
- The School Staffing (England) Regulations 2009
- The School Standards and Framework Act (1998) - Schedule 16 and 17
- The QTS Standards

- The Safeguarding Vulnerable Groups Act 2006
- Chapter 9 from “A Guide to the Law for Governors” (all categories of schools), published by the DfES  
The Equality Act 2010 – Including Race, Gender, Disability issues
- Asylum & Immigration Act 1997
- The School Teachers’ Pay and Conditions of Employment Document 2009 Part-time workers  
(Prevention of Less Favourable Treatment) Regulations 2000
- Fixed Term Work Directive
- The National Agreement on Pay and Conditions of Service, published by the National Joint Council  
for Government Services (NJC)
- Croner’s: The Head’s Legal Guide
- The Education (School Government) (Terms of Reference) (England) Regulations 2000
- Rehabilitation of Offenders Act 1974 (exceptions) Order 1975
- Education (Restriction of Employment) Regulations 2001
- The Education (Teachers Qualifications and Health Standards) Regulations 1999
- Butterworths' “The Law of Education”
- The Education (Specified Work and Registration Regulations)(England) Regulations 2003
- The Education (School Teachers’ Qualification)(England) Regulations 2003
- The Education Act 2002
- The Education (Headteachers’ Qualifications) (England) Regulations 2003, as amended from May  
2005.
- Children’s Workforce Development Council ‘Safer Recruitment’ training material.