

RECRUITMENT AND SELECTION POLICY AND PROCEDURE

1. Introduction

- 1.1. Plantsbrook Learning 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, Keeping Children Safe in Education and the Trust's Equality and Objectives policy.
- 1.3. We 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 with the 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 Recruitment Privacy Statement provides specific details in accordance with the GDPR principles.

2. Delegation of Appointments and Constitution of Appointments Panels

- 2.1. The Chief Executive Officer will lead the recruitment and selection of all Leadership scale posts. At least one Trustee will be involved in the selection of a Headteacher and at least one local Governor for all other leadership posts.
- 2.2. Academy Headteachers will lead the recruitment and selection for all posts within their school below leadership level. Whilst the interview process may be delegated to a relevant line manager within the school structure, the Headteacher cannot delegate their authority to formally offer employment.
- 2.3. Recruitment and selection of all Trust operational posts is delegated to the CEO with the exception of the recruitment of a CFO where Trustees retain responsibility.
- 2.4. 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.

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. However, 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.

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. This will also include a statement on behalf of the Trust of their commitment to safeguarding and promoting the welfare of children and young people.
- 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 Trust's policy on Equality and Diversity.
 - Reference to the Child Protection/Safeguarding Policy.
 - DBS and other pre-employment checks required.
 - 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.
 - An outline of the terms of employment including salary.
 - Reference to the Trust'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 based on the essential and desirable criteria for the post. 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 working with children, 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
 - All formal time-limited capability warnings which have not passed the expiration date.
 - All formal time-limited 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 welfare of children.
 - Whether the referee has any reservations as to the candidate's suitability to work with children. If so, the Trust 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 will be provided to the selection panel and treated in the strictest confidence. 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. 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.

6. Interviews

6.1. The format, style and duration of the interviews are matters for the Headteachers to decide in consultation with the Chief Executive Officer, 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 Trust and School(s) 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. 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:

- Verification of identity.
- Verification of right to work in the UK
- Proof of relevant qualifications.
- Satisfactory DBS Enhanced Disclosure
- A letter of professional standing from the professional regulating authority in the country in which the applicant has worked (if applicable)
- 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.

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 qualifications
 - A letter of professional standing from the professional regulating authority in the country where the applicant has worked (where applicable)
 - Evidence of medical clearance from the Occupational Health service
 - Evidence of DBS clearance and barred list check
 - Teacher prohibition checks
 - Evidence of 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. 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.
- 8.3. The Trust 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.
- 8.4. The Trust 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 Trust 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.
- 8.5. 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 the documents that are required for a statutory requirement.
- 8.6. The Trust will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education.

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. All new employees will be provided with an induction programme which will cover all relevant matters of Trust policy but in particular safeguarding and promoting the welfare of children.

APPENDIX 1

RECRUITMENT PRIVACY NOTICE

The categories of information that we collect, process, hold and share for recruitment purposes are:

- personal information (such as name, DOB, contact details)
- special categories of data including characteristics information such as gender, age, ethnic group, criminal record information if relevant
- previous employment information (such as post, roles and salary information and referees)
- relevant qualifications (and, where relevant, subjects taught)
- documents submitted as proof of identity and right to work on interview day
- medical check to indicate fitness to work
- if you are a teacher, we will check the Teaching Regulation Agency (“TRA”) Teachers Services about your teacher status, whether you are subject to a prohibition from teaching order and any other relevant checks (for example Section 128 direction for management posts).

Why we collect and use this information

We use candidate data to:

- shortlist applicants
- to verify candidate identity under safeguarding regulations, check right to work and a DBS with barred list check where applicable
- to monitor equality of opportunity in recruitment and selection as part of the Equality Information and Objectives Policy
- inform the development of recruitment and retention policies

The lawful basis on which we process this information

- By law we have to process your data to make sure we meet the requirements of [The Education Act 1996](#)
- We need to process your data to ensure that we comply with [Keeping Children Safe in Education Guidance](#)
- So that we are able to monitor applications for posts at Plantsbrook Learning Trust to ensure that we are fulfilling our obligations under the public sector equality duty under the Equality Act 2010.

We use your data:

- We will process your personal data during your application process for the purpose of complying with safeguarding and statutory obligations, carrying out tasks which are in the public interest, and taking steps with a view to entering into an employment contract with you. For successful candidates, without it you would not meet your contractual obligations.

Collecting this information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis e.g. car registration details, next of kin etc. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing this information

Successful applicants: We hold school workforce data until your employment ends +6 years as detailed in our Retention Guidelines, a copy of which is available on the Trust website:

Unsuccessful applicants: we retain application data including electronic files for 6 months after the completion of the process after which data will be deleted or disposed of securely, either by in-house shredding or by using an accredited confidential waste disposal company, depending on volume.

Right of Erasure This is also known as the ‘right to be forgotten’.

In certain circumstances, you have the right to request that personal information we hold about you is erased e.g. if the information is no longer necessary for the purposes for which it was collected or processed or our processing of the information is based on your consent and there are no other legal grounds on which we may process the information.

All personal data held on applicants and employees is kept securely with restricted access to relevant personnel only.

Who we share this information with?

We will not share information gathered during your application process with third parties, other than professional advisors such as legal as HR advisors.

If an applicant is successful and commences employment with us they become subject to the Privacy Notice for Staff provided in the staff handbook.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact Mrs G Wosket, Trust HR Director at g.wosket@plantsbrookschool.co.uk. Please also refer to our Data Protection Policy for further details on making requests for access to personal data.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with the Trust in the first instance. Alternatively, you can contact the Information Commissioner’s Office at <https://ico.org.uk/concerns/>