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HR POLICY HANDBOOK

STAFF RECRUITMENT & EXIT



**Southwark Diocesan
Board of Education
Multi-Academy Trust**
Developing Church of England Education

1. INTRODUCTION

- 1.1 This policy sets out our requirements for all our Schools and Headteachers to follow when recruiting employees and the process to take on the exit of employees.
- 1.2 It does not apply to the hiring of **agency workers**. The School must have in place a process to ensure that any agency supplying staff to it has confirmed that it has conducted the checks at **Paragraphs 13-19** and **21** below and verify that the person for whom the checks has been conducted is the person who has turned up for work.

2. IDENTIFYING THE VACANCY

- 2.1 Each Local Governing Body should produce a Staffing Structure for approval by our Executive Team.
- 2.2 The School may advertise for any vacant posts on the-approved Staffing Structure.
- 2.3 If the School wishes to advertise for a post (which includes any TLR) not on the current approved Staffing Structure it must obtain approval from the Executive Team.

3. ADVERTISING THE JOB

- 3.1 Except with the permission of our Executive Team (or as allowed under any Organisational Change), all vacant posts must be advertised internally and externally.
- 3.2 Internal advertisement includes ensuring that any vacancies are drawn to the attention of employees who are on leave and to fixed-term employees, part-time employees and agency workers. This can be achieved by:
- a) Emailing all staff with details of the vacancy;
 - b) Writing to those staff on leave (across the Trust and not just the School), with details of the vacancy;
 - c) Placing an advert on the staff room noticeboard;
 - d) Placing details of the vacancy on all our School and Trust intranets; and

- e) Placing details of the vacancy on all our Schools' websites and Trust website.
- 3.3 In addition to those activities the School can at its discretion place external adverts for vacancies with appropriate national and local print and on-line media.
- 3.4 In selecting appropriate media the School may advertise in media accessed by groups who are under-represented in our workforce as a means of lawful positive action.
- 3.5 As set out in our **Teacher Pay policy** any vacant posts for classroom teachers will be advertised as being between the minimum of the Main Pay Range and the Maximum of the Upper Pay Range by reference to the values in Appendix 1 to the **Teacher Pay policy**.
- 3.6 As set out in our **Teacher Pay policy** the range for a Leadership role will be set by our Executive Team and will ordinarily be a 7 point range for Headteachers and a 5 point range for other employees on the Leadership Pay Range. These ranges should be advertised.
- 3.7 For support staff the School should advertise the rate for the role as set out in the support staff pay scales adopted by the Local Governing Body. We will over time seek to harmonise the support staff pay scales in use across the country.
- 3.8 No School may advertise that a role is reserved for any person with a protected characteristic under the **Equality Act 2010** unless prior approval for the text of the advert has been obtained from our Executive Team.
- 3.9 Every advert (whether internal or external) must include the following wording:
- “As this role will involve contact with children we will take up at least two references before interview asking about your suitability to work with children. Any job offer will be conditional on you having a satisfactory Enhanced Disclosure & Barring Service Criminal Records Check and Barred List Check, having the legal right to work in the UK and having satisfactory overseas criminal records checks if deemed necessary.”**
- 3.10 The School should ensure that either the advert links to a person specification (showing essential and desirable characteristics for the ideal candidate) and a job description of the role or that candidates who have expressed an interest in the role are sent copies of those documents.



4. APPLYING FOR THE JOB

- 4.1 All candidates for jobs (whether internal or external) shall be required to complete our common application form which will be available on our website.
- 4.2 We request the contact details of two referees from all applicants (including internal candidates): their current or immediately previous employer and a second employer. If an applicant has not been employed, we will ask the applicant to provide contact details for an academic and a character referee.
- 4.3 The **Common Application Form** will be on the Trust’s website.
- 4.4 We will not accept C.Vs.

5. SHORTLISTING

- 5.1 The Headteacher, School Business Manager, Designated Safeguarding Lead, Safeguarding Governor and the Executive Team must have completed training on safer recruitment within the last three years.
- 5.2 Anyone involved in shortlisting must withdraw from the process immediately if it becomes apparent that a Connected Person (as defined in our **Code of Conduct**) has applied for the role.
- 5.3 Once the deadline for applications for the following roles has passed the following people shall assess all the application forms against the essential and desirable criteria in the Person Specification.
- 5.4 There should be no more than 6 people on a shortlist. Only if there is one application may there be a shortlist of one.
- 5.5 The Shortlisters will agree the structure of the assessment process.

Advertised Role	Primary Shortlister	At least two Shortlisters from:
Teaching Staff	School’s Headteacher	Business Manager, Governor, Leadership Team member
Support Staff	Relevant Senior Leader	Headteacher, Governor, Leadership Team member
Leadership Team (other than Headteacher) & Business Manager	School’s Headteacher	Chair of Governors, a member of our Executive Team
Headteacher or Non-School Trust Staff	A member of our Executive Team	Chair of Governors, a member of our Executive Team

6. CALLING THE CANDIDATES FOR ASSESSMENT

Each shortlisted candidate will be:

- (a) invited to the assessment process;
- (b) given an opportunity to visit the School before the assessment; and
- (c) informed in general terms of the structure and timings of the assessment process.

7. TAKING UP REFERENCES PRE-ASSESSMENT

- 7.1 The Primary Shortlister will write to the named referees of each shortlisted candidate (including internal candidates) asking them to complete **our common pre-employment reference questionnaire**, a copy of which will be on our Trust Website.
- 7.2 References must be obtained direct from the referee. We will not rely on references provided by candidates or an open reference (“to whom it may concern”), as there is no way of checking authenticity and accuracy.



7.3 Information contained within a reference is highly confidential and will not be disclosed to any person not involved in the recruitment process. References for unsuccessful candidates will be retained for **12 months** in the event of any legal challenge and will then be destroyed.

7.4 We do not accept or request oral or telephone references.

7.5 We must though verify with the referee by telephone that they have provided the reference to ensure that forged references are not being used.

8. GAP ANALYSIS

8.1 The Primary Shortlister must prior to the assessment day, analyse the education and employment history of each shortlisted candidate to identify if there are any periods of time where the candidate has not indicated what they were doing. This Gap Analysis may reveal periods where the candidate acted so as not to be suitable to work with children.

8.2 The Primary Shortlister should bring the Gap Analysis to the assessment and ensure that any gaps are satisfactorily explained which may involve making contact with named organisations to establish if the newly supplied information is accurate. For example this may involve writing to previous employers to confirm the dates of employment and the reason for leaving.

8.3 The Gap Analysis will also check that all questions asked have been answered and that any vacancies.

9. ASSESSING SHORTLISTED CANDIDATES

9.1 The assessment process will have been designed by the shortlisters. In addition to a final interview it may involve:

- (a) a lesson observation (which must be at least Good to allow the candidate to proceed further in the assessment process);
- (b) feedback from pupils on the observed lesson;
- (c) an in-tray exercise;

(d) a pupil data exercise;

(e) an interview by pupils, reporting back to the Primary Shortlister;

(f) a presentation;

(g) an interview with other relevant stakeholders;

(h) a specific interview about any issues raised by the Gap Analysis or response to our reference requests.

(i) a psychometric test; and

(j) for leadership roles a video-recorded interview.

9.2 In the final interview the Primary Shortlister must ensure that at least one question relating to child protection is asked, in accordance with the specialist safer recruitment training.

9.3 The **Assessment Panel** must comprise the Primary Shortlister and at least one other person who either was or could have been a shortlister for that role.

10. DECIDING TO APPOINT

10.1 It is our firm policy that it is better to have an ongoing vacancy than to appoint an unsuitable candidate. If the Assessment Panel is not unanimous in supporting an appointment then ordinarily there would be no appointment.

10.2 The Primary Shortlister should ensure that all the notes taken by the Assessment Panel are collected and retained on file for at least **12 months** in case of a legal challenge under the **Equality Act 2010** by a candidate not appointed.

10.3 The Assessment Panel must have seen at least two references which they unanimously consider to be satisfactory and have confirmed as such in writing or by email.

10.4 The Assessment Panel must also agree the starting salary to be offered to the successful candidate. For classroom teachers this must follow Section 5 of our **Teacher Pay Policy**. For Leadership or Learning Practitioner roles this must be



within the advertised (and Board-approved) 5 point pay range unless explicit written approval is obtained from the Executive Team.

11. OFFERING THE JOB

The successful candidate will be made a formal offer of employment in writing which must be subject to receipt of a number of pre-employment checks, which must be deemed satisfactory before a Contract of Employment will be issued.

12. POST-OFFER/ PRE-CONTRACT CHECKS

The pre-employment checks are as follows:

- (a) at least two satisfactory confidential references (**which ought to have been seen prior to the assessment process**) and any further references sought following up on earlier references or the Gap Analysis;
- (b) verification of identity and qualifications;
- (c) an Enhanced DBS Criminal Records Check;
- (d) a DBS Barred List Check;
- (e) an Teacher Services' Check www.gov.uk/guidance/teacher-status-checks-information-for-employers for Teacher Prohibition Orders and Section 128 directions as well as QTS status and induction status;
- (f) any overseas criminal records checks if relevant;
- (g) verification of entitlement to work in the UK; and
- (h) a health check to ensure mental and physical fitness to work in a school setting as required by the **Independent Schools Standards 2014**.

13. REFERENCES

- 13.1 Applicants **cannot** start working for us unless their references have been checked and deemed satisfactory together with the other pre-employment checks.

- 13.2 Under the Data Protection Act 1998, employees are not entitled to view references given in confidence by their employer or former employer. A candidate could apply to us for a copy of the reference which we received. However, disclosure of the reference would entail disclosure of its author's identity. If any such request is received, we will seek permission from the current or former employer for the reference to be disclosed. If permission is refused, we will consider whether we should still disclose all or part of the reference under the 1998 Act (including redacting any opinions or the identity of the referee).

14. VERIFICATION OF IDENTITY AND QUALIFICATIONS

- 14.1 It is our policy to verify the candidate's identity by checking and copying at least one form of visual identity, preferably their current passport.
- 14.2 It is our policy to ask to see originals of academic qualifications referred to in the application form.

15. ENHANCED DBS CRIMINAL RECORD CHECK

- 15.1 It is our policy that an employee cannot commence work at all unless either
 - (a) a satisfactory Enhanced DBS Criminal Record Check has been received; or
 - (b) the employee has worked in the **three months** before their start date with us:
 - (i) in a school in England which brought them into close contact with children or
 - (ii) in a college in England in a position which involved the care.
- 15.2 In the event that a check discloses a criminal record an offer to appoint can only be made with our Executive Team's express prior approval.

16. DBS BARRED LIST CHECK

It is our policy that an employee cannot commence work at all unless a clean Barred List Check has been received. It is a criminal offence for us to employ someone we knew or have reason to believe to be barred from working with children.



17. TEACHERS SERVICES CHECK

17.1 It is our policy that a teacher, cover supervisor, teaching assistant or Bursar cannot commence work at all unless a clean Teacher Services Check has been obtained. This check will reveal if the person has:

- (a) Qualified Teacher Status;
- (b) completed their induction;
- (c) failed their induction or probation period;
- (d) an active teaching restriction;
- (e) been the subject of an investigation by the National College leading to a decision by the Secretary of State not to impose of prohibition order;
- (f) been prohibited from teaching in England;
- (g) a suspension or conditional order imposed by the GTCE which is still current;
- (h) has been barred from the management of an independent school under section 128 of the Education Act 2002; and
- (i) had restriction imposed by another European Economic Area regulating authority for teachers.

17.2 If the teacher has worked in Scotland Wales or Northern Ireland the School must make further checks with the GTCS, GTCW and GTCNI as appropriate. These checks must be satisfactory.

17.3 Even if the candidate does not have a Teacher Reference Number the search must be undertaken and appropriate entries made on the Single Central Record.

18. OVERSEAS CRIMINAL RECORDS

18.1 It is our policy that if there is evidence that a successful candidate has lived or worked in a jurisdiction outside the UK as an adult for more than **3 months** we should:

- a) initiate an overseas criminal records check in each such jurisdiction; and

- b) initiate further reference requests in relation to any employer identified at that time.

18.2 Details of how to make overseas applications are set out by the Home Office:

www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants

19. VERIFICATION OF LEGAL RIGHT TO WORK IN THE UK

19.1 The School is at risk of a fine of up to **£20,000** per person us to employ anyone who does not have the right to work in the UK. This can include students with expired visas, students working more hours than they are allowed to, people on just a visitor's visa.

19.2 The Home Office has issued several documents and codes of practice to employers which the Primary Shortlister should familiarise themselves with:

www.gov.uk/government/collections/employers-illegal-working-penalties

19.3 This includes the list of acceptable documents which must be obtained, checked and copied **before they commence work for us**, a list of EEA countries and guidance on avoiding race discrimination claims in making these enquiries.

19.4 If a person cannot show valid documents we must contact the **Home Office's Employer Checking Service**.

20. SINGLE CENTRAL RECORD

20.1 For all employees we must keep a Single Central Record identifying the dates when the checks set out at Paragraphs 14 -19 above were completed and the DBS check certificate numbers.

20.2 The documents at Paragraphs 14-19 and 21 should be retained on the employee's personnel records.

20.3 The Single Central Record will also contain information relating to volunteers, governors and contractors as set out in our Child Protection and Safeguarding policies.



21. HEALTH CHECK

- 21.1 We have an obligation under the **Education (Independent School Standards) (England) Regulations 2014** to be satisfied that a prospective employee is medically fit for work in a school setting.
- 21.2 Because of this legal requirement we are entitled to ask questions in the application form and in the assessment process about a person's health and its impact on their ability to fulfil the role.
- 21.3 Prior to commencement of employment each school should make its own arrangements to have applicants complete a confidential medical questionnaire to be sent to their Occupational Health Adviser who will in turn report to the School whether the candidate is fit to undertake the role.
- 21.4 When assessing any response to questions from the candidate or the Occupational Health adviser we must consider the duty under the **Equality Act 2010** to make reasonable adjustments to accommodate a person with a disability.

22. ISSUING CONTRACT OF EMPLOYMENT

The successful candidate will be sent a contract of employment in our common format which includes conditions relating to pre-employment checks. Any deviation from the common format must be explicitly approved by our Executive Team.

23. INDUCTING NEW EMPLOYEES

Each School is responsible for ensuring the induction of its employees and in particular ensuring that each employee is aware of and understands the **School's Child Protection and Safeguarding policies** from the first day of employment.

24. EQUALITIES MONITORING

- 24.1 As a matter of policy we have decided not to include a full equal opportunities monitoring form as part of our application pack to avoid the risk of the documents being disclosed to and influencing a shortlister or member of the Assessment Panel.
- 24.2 The application form does allow for candidates to indicate if there are reasonable adjustments that could help them participate in the assessment process.

25. STAFF EXIT

Once a resignation letter has been received from a member of staff or the employee has been dismissed (whether or not on notice) the School Business Manager or our Executive Team shall send the letter below to the member of staff and ensure that the actions set out in that letter are complied with.

Dear NAME

Your departure

I have been informed that your last day of employment with us [was] [will be] DATE (your "Employment End Date") and that the last date on which you are required to be in School [was] [will be] DATE (your "Last Working Day"). I am writing this rather formal letter to deal with the mechanics of your departure.

Work

Handover

You should liaise with [NAME] to arrange for a handover of any ongoing work.

Site Security

Security Pass/Keys

You should return your security pass and keys to me [immediately] [on your Last Working Day]. [Your security pass will be disabled from 4:00pm on your Last Working Day.]

[Door Code Change

As a matter of routine, when a staff member leaves, we issue a new door code to all remaining members of staff.]

Returning to Site

If you wish to return to the School at any time in the future to meet with former colleagues or students do make contact with our [Headteacher] [Executive Team].

Property

Return of our Property

You must return to me all property belonging to the School or pupils in your possession, including any laptop, tablet, phone, text books, coursework [immediately][by 12 noon on your Last Working Day].

[Collection of Personal Belongings

You may attend the School on [DATE] to collect your personal belongings under my supervision.]

IT

Closing Email address



Your email account [will be] [was] closed on your Last Working Day. It will be archived for six months and will then be deleted. We will set an out of office message stating that you are no longer employed at the School and directing school-related queries to Reception.

Telephone/Voicemail

Your telephone account [will be][was] closed on your Last Working Day.

Documents on the IT System

As part of your handover you should identify which documents on our system are ones which you want to keep. No document containing personal data on students or staff may be kept. Those documents which we do decide to allow you to keep will be transferred to a memory stick provided by you, at your cost, for the purpose.

Financial Matters

Outstanding Expense Claims

You must submit any outstanding expenses claims [immediately][at least one week before your Last Working Day].

Outstanding Loans

If allowed under your loan agreement the outstanding balance of your loan will be deducted from any remaining sums due to you.

[FOR SUPPORT STAFF: Accrued but untaken holiday

You have taken [XX] days' holiday and your accrued entitlement as at today is [XX] days leaving you a balance of [XX] days. We [do][do not] require you to take this holiday before your Last Working Day. You will be paid for any remaining accrued but untaken holiday.

P45

You will be sent a P45 setting out your Employment End Date as the leaving date.

Future Employment

Reference

We do not issue "to whom it may concern" references. We will only supply a confidential reference to a prospective or actual employer if you provide us with explicit prior authorisation using the following wording:

"I authorise SDBE Multi Academy Trust to supply a confidential employment reference to NAME OF YOUR PROSPECTIVE OR ACTUAL EMPLOYER in accordance with your current policy on giving employment references and I consent to the disclosure of personal data set out in that policy."

If you have any questions about any administrative aspect of your departure please do contact me.

