



School Safe Recruitment and Selection Policy

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1. INTRODUCTION

Rhondda Cynon Taf Council recognises that safeguarding and promoting the welfare of children while hiring talented individuals are two of the most important roles of Headteachers, Governing Bodies and HR professionals.

Safer practice in recruitment means thinking about and including issues related to child protection, and safeguarding and promoting the welfare of children, at every stage of the process.

This policy provides headteacher's with specific advice and guidance on how to approach a new or existing vacancy.

2. PROMOTING EQUALITY

Equality of opportunity is an integral part of the recruitment and selection process. The school is committed to ensuring that no unlawful discrimination occurs (either directly or indirectly) in the recruitment and selection process on the grounds of a protected characteristic. Under the Act the protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

2.1 Reasonable Adjustments

The Equality Act 2010 sets out the legal requirements for employers. The provisions of the Equality Act not only make it unlawful to discriminate against disabled individuals without justifiable reason but also when considering applicants with disabilities, headteachers should note the positive obligation to make reasonable adjustments to ensure that a disabled person is not disadvantaged in the recruitment process because of their disability. This could be by, for example, ensuring that arrangements are made to facilitate attendance at interview. There is also a requirement that headteachers make reasonable adjustments to the workplace or working arrangements. The school has a Reasonable Adjustment Scheme, which can assist headteachers in this process.

2.2 Genuine Occupational Requirements

There are rare circumstances where some types of discrimination can be justified. Under certain limited circumstances (Section 13 Equality Act) discrimination may be lawful if this is categorised as a genuine occupational requirement (GOR) and/or a genuine occupational qualification (GOQ). These exceptions are very narrow and will be strictly interpreted by any court or tribunal. There is also variation in the exceptions depending on what type of discrimination is alleged. If you believe that you have a situation, which might arise within an exception, you are encouraged to speak with the Equality and Diversity Team or the Employment Services Team.

2.3 Positive Action

Positive action applies to all the protected characteristics. Positive action means that it is not unlawful discrimination to take special measures aimed at alleviating disadvantage or under-representation experienced by those with any of these characteristics.

When applied to recruitment and selection the positive action provision means that it is not unlawful to recruit or promote a candidate who is of equal merit to another candidate, if the employer reasonably thinks the candidate:

- has a protected characteristic that is underrepresented in the workforce, or
- that people with the characteristic suffer a disadvantage connected to that character.

However, positive action does not allow an employer to appoint a less suitable candidate just because that candidate has a protected characteristic that is underrepresented or disadvantaged.

2.4 The Welsh Language (Wales) Measure

The Welsh Language (Wales) Measure 2011 gave official status to the Welsh language in Wales and makes provision for the specification of statutory Welsh Language Standards in relation to the Welsh Language. Local authorities and other public bodies must comply with these standards. The standards replace the Welsh language schemes provided for by the Welsh Language Act 1993. The two principles which underpin the Standards are:

- the Welsh language should be treated no less favourably than the English language in Wales; and
- people in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

Headteacher's must ensure they have sufficient resources to deliver services through the medium of Welsh and therefore the Welsh language becomes an integral part of the School's recruitment procedures. This includes:

- looking for ways to promote the use of the Welsh Language
- identifying vacancies where the Welsh Language is an essential requirement
- ensuring applicants can progress through the recruitment process in the Welsh language if that it their preferred choice
- that correspondence and any other documents will be offered in the Welsh language.

3. HEADTEACHER'S RESPONSIBILITIES

3.1 Existing posts

When a vacancy arises for an existing post the Headteacher will need to take the following points into consideration:

- does this align with the School Improvement Plan?
- is the post still required?
- have the needs of the school changed?
- have work patterns, new technology or new products altered the job?
- are there any changes anticipated which will require different, more flexible skills from the jobholder?

Other considerations will be:

- i. does the job appear on the current structure of the school?
- ii. is there a budgetary provision for the job available within current financial arrangements?

Once the Headteacher has satisfied him/herself with regards to the above, consideration will need to be given as to whether the job description and person specification will require amendment.

3.2 New Posts

The need to create a new post(s) may occur for a number of reasons including:

- i. Workforce Planning Requirements
- ii. a change in school needs;
- iii. additional or new grant funding; or
- iv. the restructure of the existing staffing structure

All new support staff posts must undergo a desktop Job Evaluation to identify the appropriate grade before advertisement.

Before the Headteacher sends the advertisement to Human Resources to place, a job description and person specification will need to be created.

3.3 Application form

Schools should use an application form to obtain a common set of core data from all applicants. It is not good practice to accept curriculum vitae drawn up by applicants in place of an application form because these will only contain the information the applicant wishes to present and may omit relevant details.

The application form should obtain:

- full identifying details of the applicant including current and former names, date of birth, current address and National Insurance Number
- a statement of any academic and or vocational qualification the applicant has obtained that are relevant to the position for which s/he is applying with details of the awarding body and date of award
- a full history in chronological order since leaving secondary education including periods of any post-secondary education or training and part time and voluntary work as well as full time employment, with start and end dates, explanations for periods not in employment, education or training, and reasons for leaving employment
- a declaration of any family or close relationship to existing employees or employers (including councillors and governors)
- details of referees, one referee has to be the applicant's current or most recent employer and two referees are sufficient. Where an applicant who is not currently working with children but has done so in the past it is important that a reference is obtained from the employer by whom the candidate was most recently employed in work with children. The form should make it clear that references will not be accepted from relatives or from people writing solely in the capacity of friends.
- A statement of the personal qualities and experience that the applicant believes are relevant to his or her suitability for the post advertised and how s/he meets the person specification.

The application form should include an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974 and therefore all convictions, cautions etc. including those regarded as "spent" must be declared. It should also have a signed statement that the person is not on a barred list, disqualified from work with children, or subject to sanctions imposed by a regulatory body e.g Education Workforce Council (EWC).

The application form should record that:

- Where appropriate the successful applicant will be required to provide a DBS check at the appropriate level for the post
- The prospective employer will seek references on short-listed candidates and may approach previous employers for information to verify particular experience or qualifications, before interview
- If the applicant is currently working with children, on either a paid or voluntary basis, his or her current employer will be asked about disciplinary offences relating to children and whether the applicant has been the subject of any child protection concerns and if so the outcome

- of any enquiry or disciplinary procedure
- Providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, as well as possible referral to the police.
- For teaching posts applicants will be asked whether s/he has Qualified Teaching Status (QTS) and whether s/he is registered with the Education Workforce Council (EWC)

3.4 Job description

A written job description is an essential part of the selection process and is used to communicate expectations about tasks and standards to ensure effective performance in the job.

This benefits the recruitment process by:

- providing information to potential applicants; and
- acting as an aid in selection; for example when designing assessment activities and making decisions between candidates.

When writing the job description consider if bias exists, particularly when recruiting to male/female dominated posts. Ensure the wording is clear and free of jargon.

The job description should state that is the individual's responsibility for promoting and safeguarding the welfare of children and young person s/he is responsible for, or comes into contact with.

The Employment Services team in Human Resources will provide advice and support in writing job descriptions.

3.5 Person Specification

A person specification states the essential and desirable criteria for selection. Essential criteria can be defined as a qualification, skill or level of experience without which an individual will not be able to undertake the duties of the post and would include the need to speak Welsh in some posts as determined by the school. If the ability to communicate through the medium of Welsh is not essential it should always be included as a desirable element. This will reflect the requirements of the Welsh Language Standards. A successful candidate should match all essential criteria. Care should be taken in choosing essential and desirable criteria, as it needs to be measurable and impartial.

Drawing up the person specification allows the Headteacher to profile the ideal person to fill the job. It is very important that the skills, aptitudes and knowledge included in the specification are related precisely to the needs of the job. The person specification helps the selection and subsequent interview to operate in a systematic way, as bias-free as possible.

The person specification should not include statements that could be viewed as indirectly discriminatory to a person or group of people, for example, it should not state that the candidate must have the “ability to drive” unless the job being advertised requires the candidate to drive as part of their duties.

3.6 Candidate Information Pack

Where appointments are made for Headteacher’s and Deputy Headteacher’s a candidate information pack is created before being placed for advert. The pack should include a copy of:

- A link to where the application form and explanatory notes can be found
- The job description and person specification
- Any relevant information about the local authority or establishment and the recruitment process and statements of relevant school policies.

3.7 Job Sharing

The school has a comprehensive Job Share Policy and encourages Headteachers to consider the suitability of posts for job sharing when they become vacant. All vacancies are considered eligible for job share unless the Headteacher can show that this would not be justified for a specific post.

4. WHERE TO ADVERTISE A VACANCY

All school posts are advertised on the E-teach website.

The site is available for prospective applicants to view and download the job description and person specification as well as completing and returning their application form online.

For some vacancies, for example, those requiring scarce skills, a broader advertising campaign may be required and the Human Resources Employment Services team will advise of suitable advertising routes.

5. THE ADVERT

Job advertisements are a key element in attracting the right people. Adverts, as well as outlining the vacancy should detail what the school can offer the candidate. Adverts should be written to attract a diverse range of applicants and be free of bias and discriminatory language.

All posts should be advertised for a minimum period of two weeks.

The Headteacher will be required to draw up an advert for the vacancy having regard to the information contained in the job description and person specification. Advertisements should be clear, concise and indicate the:

- Job title, location and salary
- Hours to be worked
- Requirements of the job
- Qualifications/experience required
- Type of contract (for example, contract length)
- Details of how to apply and closing date
- Interview Date
- Language Requirements
- Whether appointment is subject to a DBS check, South Wales Police NPPV3 check or the satisfactory completion of a Criminal Record Declaration
- Whether the appointment is subject to initial and ongoing Medical Screening

Once the Headteacher has prepared the advert, job description and person specification they will be required to complete the advertising request form and forward to Human Resources who will carry out a quality assurance check before placement.

In addition to verifying the advert request form, HR will check whether the vacancy is suitable for consideration as alternative employment for employees seeking redeployment. This stage will be completed prior to the advert progressing any further.

Rhondda Cynon Taf Council displays the Positive About Disabled People '2 ticks' symbol to encourage disabled people to apply for vacancies. Adverts will also include reference to the Council's commitment to equal opportunities.

The Human Resources Employment Services team can provide you with support to write job advertisements.

The redeployment of existing employees where there is a need to safeguard future employment as outlined in the School Managing Change Policy will take precedence in all cases.

6. SHORTLISTING

All involved in selection and interviewing procedures should be aware of the importance of a non-discriminatory approach to these processes and the need to simply choose the best candidate for the post, based on merit, ability and experience. No person who has a close personal relationship with a candidate for a specific job may be involved in the short listing or interview process for that job.

Application forms will be anonymised prior to being forwarded to members of the short-listing panel. This ensures that only essential information is used for short listing, reducing the risk of discrimination occurring.

The shortlist exercise will be based on an assessment of the essential attributes of the person specification against the application forms of candidates. When completing their application form the candidate will be specifically requested to identify how their qualification(s) and experiences meet the person specification.

An interview must be offered to all disabled applicants, who have indicated they wish to participate in the 'Positive about Disabled People Scheme', who meet the essential requirements in the person specification identified. If requested by the candidate, reasonable adjustments must be made for the disabled candidate invited to attend for interview.

Once the shortlisting exercise has been completed and verified, arrangements will be made for candidates to be advised of:-

- the date, time and location of the interview;
- the format of the interview and details of the names of the interview panel;
- details of any other selection methods which will be used in addition to interview;
- the responsible officer who should be contacted for any further information on recruitment arrangements.

All candidates invited for interview will be asked to indicate if they require any specific facilities or assistance. Notification of interview may be done electronically or by letter as appropriate to their application.

We operate a policy whereby we do not send letters to candidates not selected for interview. Candidates who have not heard from Human Resources within 3 weeks of the closing date should assume they have been unsuccessful on that occasion.

7. INTERVIEW AND SELECTION TECHNIQUES

Face to face interviews will be the primary means of recruitment to all vacant jobs. A range of other selection methods and processes will also be considered in relation to each vacant job. The school will only use tests that relate to job requirements and measure an individual's actual or potential ability to perform or to train for a particular job or career. Any additional selection methods identified must be carried out by a person qualified and competent to do so. The Equality & Diversity Team should be notified of any new selection tests to eliminate any bias or potential discriminatory issues. The final selection process to be followed will be determined by the Headteacher responsible for the job, in conjunction with HR.

All interviews must be conducted with an interview panel with a minimum of two interviewers. There must also be a gender balance of officers/members on the interview panel. Where the post in question requires the need to speak Welsh, interviews, or parts/elements of interviews, may take place through the medium of Welsh.

The interview has two main purposes – to find out if the candidate is suitable for the job, and to give the candidate information about the job and the school. Every candidate should be offered the same opportunities to give the best presentation of them, to demonstrate their suitability and to ask questions of the interviewers.

When recruiting staff to work with vulnerable adults or children both the interview panel and HR Officer dealing with the post will be mindful of best practice guidance for safe recruitment in addition to this policy.

To ensure that there is no discrimination, the school expects all interview panel members to observe the following selection practices

- Not to ask questions at interview about a candidate's personal life including for example marital status, children, family arrangements, religion or belief, or sexual orientation. Interview questions must only be related to ability to carry out the duties of the post. Residential status will not be queried at interview but any appointee will be expected to provide proof of the right to work in this country in accordance with current legislation.
- Not to use fluency in English/Welsh or any other language as a selection criterion unless it is a legitimate and justifiable job requirement or is essential for post entry training
- To make selection decisions only on the basis of the requirements of the job set out in the job description and the person specification.
- Not to ask candidates irrelevant questions which could be seen as directly or indirectly discriminatory e.g. asking a candidate from a minority ethnic background questions to test their understanding of the customs of the United Kingdom.

Detailed documentation and records will be kept for a six month period relating to all aspects of the recruitment process, including information on the assessment of individual candidates, and information required to review and monitor implementation of the Council's policy on recruitment and selection and equal opportunities. The sensitivity of information gathered on individual candidates will be respected at all times and treated as strictly confidential. However, there are occasions when the Council may be required to provide such information e.g. to an Employment Tribunal.

No person who has a close personal relationship of any nature with a candidate for a specific job may sit on the interview panel or participate in any part of the recruitment process for that job. Where an officer or elected Member is unsure as to the appropriate course of action in relation to their prior knowledge of a candidate, they should consult their line manager and HR. Officers and elected

Members must be aware that if they fail to declare an actual or potential interest and this is found to be contrary to the above, the appointment could be jeopardised.

Canvassing of any officers or elected Members involved in the selection process by candidates, or attempts to influence on a candidate's behalf may result in disqualification of that candidate or the withdrawal of a job offer.

All members of the interview panel will be required to have undertaken appropriate recruitment training.

Service User and Parent/Carer participation - As a point of best practice, some Service areas will want to include service users and/or parents/carers in the selection process for employees. There will be guidance in place to assist managers to facilitate the inclusion of service users/parents/carers in the recruitment process. Although Service users/parents/carers may take part in the process the decision making responsibility remains with the chairperson of the panel. All those asked to participate should be trained in what is expected and the purpose, value and boundary of their role.

In accordance with best practice guidance on Safer Recruitment, for some posts within the Social Care Setting a HR Officer will also sit on the Interview Panel as an independent panel member.

8. OFFER AND APPOINTMENT

When agreement has been reached on the successful candidate, arrangements should be made for the manager to contact them with a view of making a conditional offer of appointment. This should be undertaken as soon as practicable after the interview process has been completed, and the decision to appoint has been made. Once an acceptance of the job offer has been secured verbally, the unsuccessful candidates will be notified of the outcome. In some areas, for example within Social Care this role is undertaken by HR due to the pre employment vetting and screening requirements and these will be discussed at this stage.

The successful candidate will receive a conditional offer of employment and information pack via email, this will come from the HR Officer dealing with the appointment. When submitting an application candidates will be giving their permission to the following :

- Receiving a conditional appointment letter via email, which will contain personal information, e.g your name, address, job details, salary scale.
- Some elements of your electronic staff record, transferring to other workforce systems, in order to support and manage your recruitment and employment within the Council.

Should there be a delay between interviews being undertaken and a decision to appoint, a letter will be issued stating the reasons for the delay in making a decision.

Notification will be given to unsuccessful candidates by the manager following interview. Feedback on their application and/or interview will also be made available on request from the manager involved. This practice demonstrates the objectivity and openness used in the selection process.

All appointments will be subject to the satisfactory completion of relevant pre-employment conditions e.g. medical assessment if relevant to the post and identified at recruitment stage, receipt of at least two references satisfactory to the Council, a disclosure application via the Disclosure and Barring Service (DBS), (where the individual will be working unsupervised with children or vulnerable adults) etc. No appointment will be confirmed, nor a start date set, until satisfactory replies have been received for all pre-employment conditions.

9. PRE-EMPLOYMENT CHECKS

9.1 References

References will be sought once a conditional offer of appointment has been made. A copy of the relevant job description and person specification for the job should be included with the reference request, which will be in a standard format.

The purpose of a reference is to check factual information such as employment history. The reference request form should not ask an employer/manager to supply a subjective opinion as to an applicant's likely future performance. Such data is unreliable and can be misleading.

Reference requests should not ask for details of previous sickness absence.

One reference must be from a candidate's current/most recent employer, or if a school leaver with no previous employment, should include a school or tutor reference.

A commencement date cannot be confirmed until two satisfactory references have been received. Additional references may be necessary for posts involving vulnerable adults and children. These references must be satisfactory to the Council.

9.2 Disclosure and Barring Service

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

An individual who is required to work with children (those under age 18) or vulnerable adults (i.e. the elderly, people with disabilities, people in residential accommodation or in custody and those receiving domiciliary care) will be required to undertake an enhanced disclosure as part of their conditional offer of appointment. These positions will also be subject to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 which requires applicants to

disclose information about spent, as well as unspent convictions.

For further information on the DBS and dealing with disclosure applications please see the following policy documents which may be viewed on the intranet or obtained from Human Resources:

- Disclosure and Barring Service (DBS) – Policy Statement on the Council's Responsibility as a Registered Body
- Recruitment of Ex-Offenders Policy
- Secure Storage, Handling, Use, Retention, Disposal of Disclosures and Disclosure & Barring information [Policy](#)

Further information is also available on the DBS website: www.homeoffice.gov.uk/DBS

9.3 POVA/POCA /List 99

As part of the implementation of the then ISA's responsibilities, the DBS undertook a process to appropriately transfer those people who had been previously placed on POCA, POVA and List 99 for safeguarding reasons onto its own lists – the ISA Children's List and the ISA Adults List. This result is that POCA, POVA and List 99 for all practical purposes, are no longer in use. Anyone who has been placed in the ISA barred lists now has their inclusion transferred to the DBS barred lists. Checks against the relevant list are made as part of the application process for a DBS check

9.5 Medical Assessment

Some posts (such as night workers or those working with vibratory machinery) may require a medical assessment at recruitment stage, followed by annual assessments; this requirement will be clearly stated at advert stage.

9.6 Confirmation of the right to work in the UK

It is a criminal offence to employ a person who has no right to work in the UK. The UK Border Agency introduced a civil penalty system for employers on 29 February 2008. Employers found to be using illegal migrant workers may be issued with a notification of liability (NOL) and a civil penalty of up to £10,000 for each illegal worker.

In the interests of equality, all persons offered employment with the Council are asked to produce documentation that verifies their eligibility to work in the United Kingdom. For further information on this issue please contact HR.

9.7 Sight of qualifications

A conditional offer of appointment will be subject to sight of original qualification certificates. Certified copies will be maintained on the individual's personal file

for future reference.

9.8 Registration with professional bodies

Certain positions will require the successful applicant to be a member of a professional body. This requirement should be clearly identified in the person specification. The conditional offer of appointment will request sight of original certification of membership, a copy of which will be maintained on the individual's personal file for future reference.

9.9 Children and Vulnerable Adults Posts

All posts that involve working with children and/or vulnerable adults require additional pre employment screening to those already identified above in order to comply with legal requirements and care standards. These include:

- Confirmation of reasons for leaving previous care posts
- Satisfactory explanation of any employment/educational gaps

9.10 Baseline Personnel Security Standard and GCSx

GCSx stands for Government Connect Secure Extranet. It is a secure private Wide-Area Network (WAN), which enables secure interactions between connected Local Authorities and organisations.

GCSx is connected to the Government Secure Intranet (GSI), which enables secure interactions between Local Authorities and Central Government Department/National bodies. Employees employed by the Council who will be required to have access to the system will need background checks, employees which are accessing GCSx must be cleared to "Baseline Personnel Security Standard" which specifies the following:

- Minimum of 2 satisfactory references
- Completeness and accuracy check of application form
- Confirmation of qualifications
- Identity check against a passport or equivalent document which contains a photograph
- Verification of full employment history for the past 3 years
- Verification of nationality and immigration status
- Verification of criminal record (unspent convictions)

The Baseline Personnel Security Standard (BPSS) has been developed by the Cabinet Office and is one of five levels of personnel security controls. BPSS should be applied to *'employees who require access to, or knowledge or custody of, government assets protectively marked up to and including CONFIDENTIAL level'*.

Further guidance on this issue may be obtained from the Council's Baseline Personnel Security Standard Procedure or your respective HR officer appropriate to the classification of the information to be accessed.

10. INDUCTION

The line manager has a responsibility to ensure that on commencement of employment the employee is inducted into the service area. The line manager will follow the 'corporate' induction checklist which includes explanation of terms and conditions of employment; health and safety and procedural issues but will also ensure that the induction covers, in detail, the specific role, area of service and individuals physical location e.g. tour of the workplace.

Newly appointed employees to the Council may also be required to undertake the Council's induction e-learning module.

11. PROBATION

All newly appointed employees to this Council shall be subject to a period of probation of not less than 3 months or more than 6 months. At the end of the probationary period and, subject to satisfactory performance, the employee will have their employment confirmed.

Related policies

All of the following policies may be viewed on the intranet or obtained from your respective HR officer.

- Equality & Diversity Policy
- Welsh Language Standards – Guidance for Staff
- Disclosure and Barring Service (DBS) – Policy Statement on the Council's Responsibility as a Registered Body
- Recruitment of Ex-Offenders Policy
- Secure Storage, Handling, Use, Retention, Disposal of Disclosures and Disclosure & Barring information [Policy](#).
- The Competency Framework
- Recruitment & Selection Policy Statement

Sources of reference

ACAS
Chartered Institute of Personnel and Development (CIPD)
Department for Business Enterprise and Regulatory Reform (BERR)
Equality and Human Rights Commission
Disclosure and Barring Service (DBS)
UK Border Agency
HMG Baseline Personnel Security Standard (BPSS)

