

# East Midlands Academy Trust

## Recruitment and Selection Guidance

**'Every child deserves to be the best they can be'**

| Scope: East Midlands Academy Trust & Academies within the Trust |  |
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| <b>Version: V3</b>  | <b>Filename:</b><br>EMAT Recruitment and Selection guidance  |
| <b>Approval: April 2025</b><br>Head of People & Culture         | <b>Next Review: April 2026</b><br><i>This guidance will be reviewed annually by the Head Of People &amp; Culture</i> |
| <b>Owner:</b><br>Head of People & Culture                       | <b>Union Status:</b><br>Not Applicable   |

| RevisionDate  | Revisor | Description of Revision   |
|---------------|---------|---|
| April 2025 V3 | HF      | Reviewed against KCSIE 2024 and process/departmental changes      |
| April 2024 v2 | VD      | Updated with new department title and reviewed against KCSIE 2023 |

## 1. Introduction and Purpose

East Midland Academy Trust's (EMAT) vision and purpose: Every child deserves to be the best they can be.

The Trust is driven by a strong moral purpose that every child has the right to outstanding teaching and leadership. It is the Trust's passion to work with our children, their parents and carers and our exceptional staff to create great schools that demonstrate integrity of purpose through high aspiration for every child.

Our employees are at the heart of achieving this vision. Delivering high quality teaching and learning opportunities to pupils/students depends on the caliber of the people EMAT employ. The key drivers for the overall success of the trust are establishing and retaining a highly effective and motivated workforce: recruiting employees with a desire for excellent and a commitment to achieving the Trust's vision; a willingness to take individual responsibility and be flexible.

This guidance provides procedural information and resources for all stages of the recruitment and selection process, including safer recruitment practices and regulatory requirements around the appointment of EMAT staff.

Throughout the recruitment and selection processes, EMAT staff should be mindful of their responsibilities under equalities legislation, ensuring their practices are not discriminatory and consider reasonable adjustments related to disability.

At all times recruitment and selection must be fair, effective, robust and safe for the purpose of building and maintaining an effective workforce, ensuring individuals with the right skill are in the right post at the right time.

The trust's objective in carrying out recruitment is to fill vacancies with people of the highest quality, drawn from the widest possible 'pool', cost effectively and without undue delay, whilst adhering to principles of fairness and equality.

This guidance is also designed to ensure that people who are unsuitable to work with children, young people are deterred and prevented from working within the trust. This guidance endorses and supports the mandatory guidance in Keeping Children Safe in Education (September 2019). Recruitment and selection in EMAT will focus on safeguarding children by reducing the risk of harm through the employment of suitable, appropriately screened, vetted and checked individuals.

The Recruitment and Selection guidance will apply to the appointment of all roles within EMAT schools and sets out the standards and stages for all recruitment activities.

## 2. Staffing structures

All schools part of EMAT should have a staffing structure approved by the Finance and Resources Committee and the Board of Trustees. The staff structure will be developed in conjunction with the budget setting process. This will commence with the curriculum review and completion of the curriculum-based planning tool. The staffing structure should be reviewed periodically to ensure that it makes effective use of staffing resources and whenever it is proposed to make significant changes.

All recruitment should be to a post in the staffing structure, following a review of the post by appropriate level of management and consideration as to whether it is necessary to fill the vacancy at all, or whether the post be changed in some way.

Those managing the recruitment process should ensure there is an up-to-date job description (setting out the duties and describing the context of the post) and person specification (setting out the qualifications, experience, etc., required to carry out the duties of the post) available and these inform every stage of the recruitment and selection process. The job description will need to be reviewed and approved by the HR Business Partner. Example job descriptions and person specifications are available from the People & Culture team.

### 3. Safer Recruitment and pre-employment checks

EMAT is committed to safeguarding and promoting the welfare of our pupils/students. We have a robust Safeguarding policy, and all staff will receive training relevant to their role at induction and throughout their employment with the Trust. We expect all staff and volunteers to share this commitment.

All EMAT schools will follow current statutory and DfE guidance on safer recruitment.

This guidance will ensure that the recruitment panel meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out the necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this guidance.

All recruitment processes will adhere to the key elements of safer recruitment.

- Including information on the trust's commitment to safeguarding children in the advert, job description, person specification and any other relevant documentation throughout the recruitment process
- All EMAT schools should always use the EMAT standard application form and ensure that candidates complete it properly and fully and sign the form
- The applicant's employment history should give precise dates of employment (i.e. month as well as year) so that any gaps in employment history cannot be disguised
- Obtaining and scrutinising comprehensive information from all applicants, investigating any discrepancies or anomalies, including any gaps in employment
- Obtaining robust, relevant and appropriate references that fully
- the candidate's recent work history and that one reference is from an educational institution where applicable
- Ask specific questions relating to the applicant's suitability to work with children, exploring at interview the applicant's suitability to work with children
- Verifying the applicant's identity
- Verifying the successful applicant's identity, medical history, qualifications, employment history and experience
- Obtaining a satisfactory DBS clearance prior to the candidate commencing in post, except in exceptional circumstances and with an appropriate risk assessment signed off by the Headteacher and HR Business Partner

- All records leading up to the appointment of a new member of staff will be retained for:
  - Unsuccessful applicant – six months after the date of appointment and then securely destroyed
  - Successful candidate – relevant information retained in staff file and all other information 6 months and then securely destroyed

The following pre-employment checks must be undertaken for EMAT appointments:

1. Employment references – where possible obtained prior to interviewing
2. Identity – must be checked at interview or soon after
3. Fully enhanced DBS check (including the barred list if the post involves regulated activities) - part of conditional offer
4. Disqualification under the Childcare Act 2006 – part of conditional offer
5. Teacher prohibition and Section 128 – part of conditional offer
6. Medical fitness to perform role – part of conditional offer
7. Right to work in the UK – where possible obtained at interview or at least, prior to first day of employment
8. If the person has lived or worked outside of the UK, any further checks which the People & Culture team considers necessary – part of conditional offer
9. Professional qualifications, as appropriate – part of conditional offer
10. Online suitability check- part of conditional offer

All EMAT schools working closely with the People & Culture team should actively manage the progress of pre-employment checks to ensure that wherever practicable the checks have been completed before the applicant starts employment. A compliance checklist will be sent by the People & Culture team to the school contact to confirm compliance checks are complete and candidate is clear to start.

A thorough risk assessment, if necessary, with the advice of the People & Culture team, should be undertaken where considering allowing an applicant to start employment while any pre-employment checks remain outstanding and additional supervision may be necessary if this is signed off by the Headteacher and HR Business Partner.

Written confirmation should be obtained from any employment agency that is used (for example, to obtain supply teachers) to ascertain that the agency has undertaken all necessary pre-employment checks.

- **Employment references**

References should always be sought on applicants and volunteers, including, one from the applicant's current or most recent educational employer

References should be sought using the standard pro forma which ask referees for specific information about the candidate's suitability to work with children and young people

References should be sought on all short-listed candidates and where possible before interview so that any issues of concern they raise can be explored further with the referee and taken up with the applicant at interview

- **Identity**

All EMAT schools must verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available. All documentation needs to be checked, copied, certified as a true copy of the original and retained on the employee's file.

Suitable documents are:

1. Passport to confirm nationality
2. Driving License to confirm identity
3. Bank statement / utility bill to confirm residency

- **Disclosure and barring service (DBS checks)**

All EMAT employees are required to obtain a satisfactory enhanced disclosure from the Disclosure and Barring Service (DBS) as part of their pre-employment checks. All offer of employments will be conditional upon a satisfactory DBS disclosure.

A separate barred list check must be made as part of the risk assessment if an individual is to start work in regulated activity before the DBS certificate is available

A person may not be employed to work with children and young people if they are barred by the DBS, i.e. their name appears on DfE barred list

- **Disqualification under the Children Act 2006**

Under the Childcare (Disqualification) Regulations 2009, made under the Childcare Act 2006, individuals may be disqualified from providing certain early and later years childcare or being directly concerned with the management of that provision, where they are included on the Children's Barred List, have committed certain violent and sexual criminal offences or because of certain orders or determinations made in relation to the care of children, childcare and private fostering.

#### 4. **Delegation of responsibility for Recruitment and Selection**

Recruitment and selection decisions are delegated as follows:

|   |             |
|---|-------------|
| Headteacher                               | CEO         |
| Central leadership team appointments      | CEO         |
| Head of Schools/SLT members of the school | Headteacher |
| Other school-based appointments           | Headteacher |

#### 5. **Headteacher appointments**

When a Headteacher vacancy occurs the CEO, working with the HR Business Partner will:

- As necessary, appoint a member of staff to carry out the functions of the post pending the appointment of a permanent incumbent
- Review the salary range attached to the post
- Establish a selection panel. The panel must consist of at least two individuals and ideally three will be identified, including the CEO, HR Business Partner and the Chair of the Local Advisory Board. If the Chair is not available, then a member of the Local Advisory Board
- Advertise the post in appropriate manner. Any decision not to advertise will only be taken where the CEO can demonstrate there is a good reason not to advertise.

## 6. Selection panel

- Headteachers will normally be expected to bring staff appointments to the CEO or the HR Business Partner.
- Prior to the selection process beginning, a selection panel of at least two people and ideally three will be identified. For senior leadership roles this panel where possible must include a member of the People & Culture team. It is mandatory that the two people who conducted the shortlisting exercise are included in the interview panel (KCSIE 2023 para 220)
- The School Staffing Regulations (England) 2009 require governing bodies of a maintained schools to ensure that at least one person on any appointment panel has undertaken safer recruitment training. EMAT upholds this requirement
- It will be checked that the selection panel are not related to or have any close personal relationship with any candidates

## 7. Analysis of Post requirement

- When a post becomes vacant, an analysis will be undertaken to establish whether the vacancy needs to be filled with the People & Culture team. If it does, the requirements of the post will be reviewed. This will include the working hours of the post, aspects of the role and how they relate to the overall objective of the school
- The Headteacher will need to consider the financial implications of creating a new post, changing the grading of a role, or increasing the working hours of an existing post. Approval must be obtained from the CEO or the HR Business Partner
- All changed/new support staff job descriptions will be evaluated by the People & Culture team.
- Any amendments to a teachers' job description will be made in line with the conditions of service and the framework of professional standards for teachers as set out in the School Teachers' Pay and Conditions document. The People & Culture Team must be involved in this process

## 8. Advertising the post

For each vacancy which may arise, the Headteacher in conjunction with the HR Business Partner will consider the most appropriate way of advertising the post and the best way of reaching the most suitable target audience. A decision not to advertise will only be taken if the governing body can demonstrate there is good reason not to. In some circumstances the vacancy may only be advertised internally. All decisions will be documented fully as the Headteacher will need to demonstrate that it has acted reasonably if it is challenged.

Advertisements will be appropriate, cost effective and non-discriminatory and will:

- be based on the details in the job description and the agreed selection criteria in the person specification
- avoid any gender, age, or culturally specific language or implication
- be clear and precise to attract applicants to seek more detail
- include the safeguarding statement

## 9. Shortlisting

The person specification for the post should detail all of the essential and desirable criteria against which the final appointment decision will be made. Before shortlisting, the recruiting manager should identify those criteria that can/will be assessed from the application form and those that will be assessed during the later stages of the interview process.

## 10. Interviews

All EMAT schools should conduct a formal interview for all appointments, even if there is only one candidate. Internal applicants should be subjected to exactly the same procedure as external applicants. The interview process should be compliant with the Safer Recruitment practices as detailed in this guidance document.

Wherever possible, those involved in the shortlisting process will also be included in the interview panel

All candidates will be required to undertake the same interview process including the same questions to ensure consistency

All internal candidates who apply will be considered for an interview where possible. If they do not yet meet the role requirements, we will use the process as an opportunity to discuss their development needs and explore how we can support them in preparing for future opportunities

All candidates should be offered the opportunity to receive feedback. For internal candidates this will be included in the annual appraisal process and development areas will be identified and addressed

## 11. Appointment and follow up

- **The appointment decision**

The recruiting manager may make a provisional and conditional offer of appointment to the preferred candidate on behalf of the trust. The preferred candidate should be given a verbal offer. The preferred candidate should be asked to give a verbal acceptance of the offer.

A conditional offer of employment should be confirmed in writing by the HR Business Partner.

If no appointment is made for whatever reason the panel should decide whether a further selection process could be held on the basis of the applications already received or if the post should be re-advertised.

- **Feedback to candidates**

Feedback should normally be offered to all candidates, both successful and unsuccessful.

- **Actions following a conditional offer**

The conditional offer should make clear the basis of the offer and the pre-employment check.

The school should officially notify the HR Business Partner of the appointment through the completion of the new starter offer checklist



## 12. Additional requirements

- **Internally promoted posts**

There may be occasions where the Headteacher/CEO will consider an internal promotion without first advertising externally. In the first instance, this should be discussed with the HR Business Partner.

- **Temporary appointments**

Any teaching appointment for more than four months should be made in accordance with the EMAT full appointment procedure. Where the post is less than four months a simpler process is available; posts do not need to be advertised, nor formal interviews arranged. However, all appointments should be subject to an interview process and the KCSIE statutory guidance should still be followed. Pre-employment checks are still required, and any offer of employment must therefore be made subject to those requirements.

- **Teaching Qualifications**

Newly qualified teachers must complete an induction period of three school terms in order to remain eligible for employment as a teacher in EMAT. EMAT schools must provide the necessary monitoring, support and assessment for the NQT induction period.

Employment of teachers from within the EU/EEA Member States and other overseas trained teachers should be undertaken in accordance with the KCSIE and the DfE guidance on overseas check in obtaining a police check.

A person with QTLS status and membership of the IFL will automatically be recognised as a qualified teacher in all EMAT schools. The membership will be checked against the appropriate databases along with copies of certificates.

## 13. Data Protection

Applicants' personal details provided in application forms and all other documents relating to their application for employment will normally be retained for a period of six months' before being securely destroyed. Applicant's personal data will not be shared with any third parties without applicant's prior specific consent being given.