

SCHOOLS HUMAN RESOURCES CONSULTANCY

**Guidance for the recruitment and
selection of school staff
(revised 2009)**

RECRUITMENT AND SELECTION GUIDANCE – SCHOOL STAFF

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1. Preamble

Effective recruitment and selection requires time, careful preparation and skill. This guidance document, including the appendices, covers the processes involved in all aspects of the recruitment and selection process for all school staff.

The quality of service delivery and effective team work all depend on the successful recruitment and selection of the right staff. Mistakes in selection are always difficult and costly to correct. It is therefore vital that each stage of the recruitment and selection process is completed carefully and professionally. These recruitment and selection guidelines outline an attainable standard of good practice. The advice given is designed to reflect the needs of schools, good human resources practice and legal requirements.

Guidance for Safer Working Practice

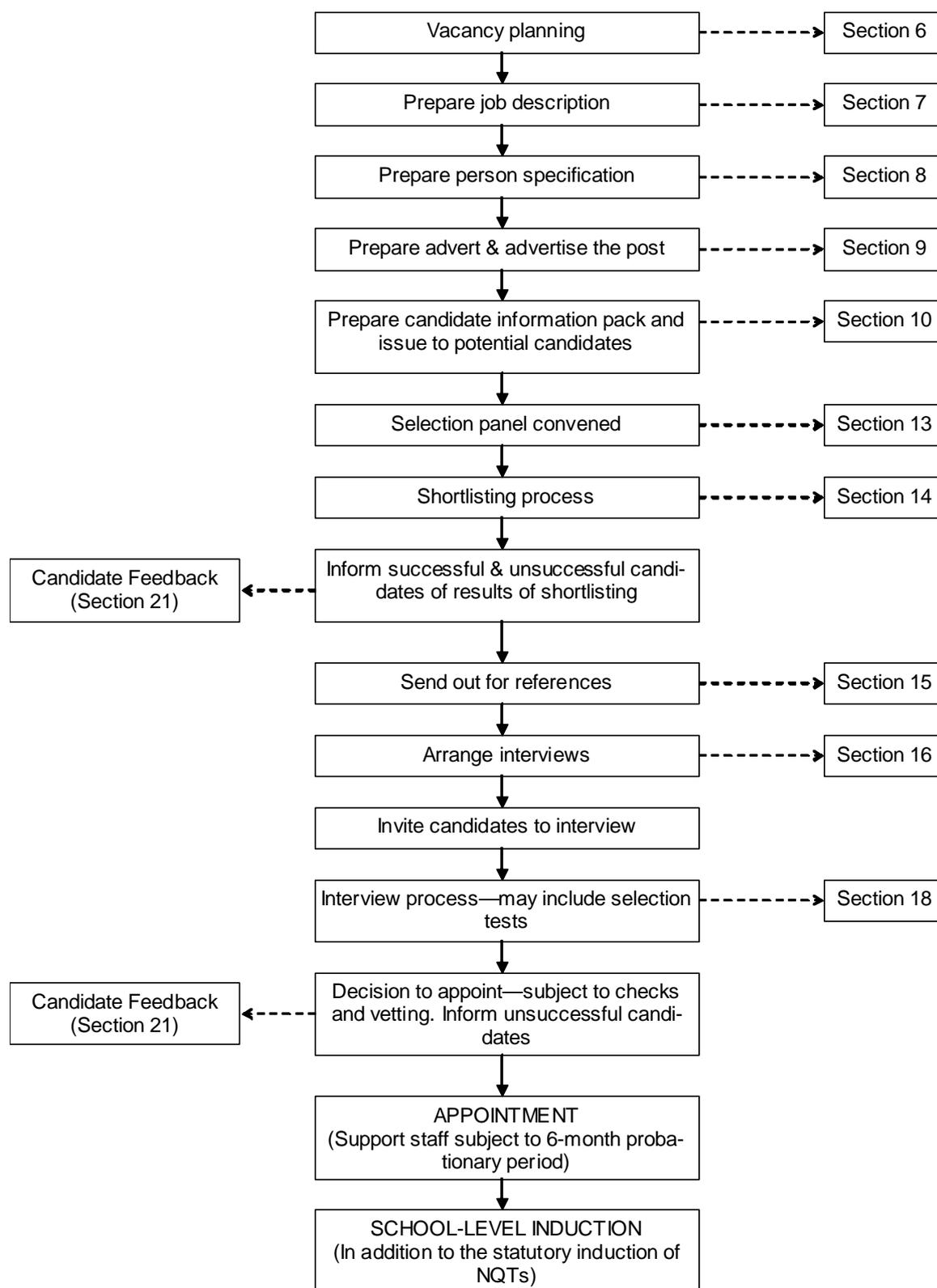
Schools need to be vigilant in the recruitment and selection of their staff. Abusers will target such organisations and be extremely adept at presenting themselves as caring and trustworthy individuals. Indicators of abusive behaviour can emerge through inappropriate attitudes or inconsistent reactions. A vigorous recruitment and selection process provides important opportunities to deter and prevent offenders from gaining access to children and young people through their work.

Schools can reduce the risk of employing adults who pose, or may pose a risk to children and young people by being vigilant in their employment practices and by adopting a structured and systematic approach to recruitment and selection for all staff, including volunteers.

The material contained in these guidelines supports the DCSF guidance '**Safeguarding Children and Safer Recruitment in Education**' which came into force on 1 January 2007.

All staff involved in recruitment or selection should receive adequate instructions and guidance. Selection panels should be constituted with at least one member who has undertaken some form of relevant training. At least one member of the panel should have completed the on-line training that is provided by DCSF via the National College for School Leadership or the Authority-based training that is based on this.

1.1 Recruitment & Selection flow-chart



2. Introduction

This guidance should be used in a common-sense manner in order to appoint the most suitable applicant for the vacancy.

This guidance should be used for recruitment, selection and interviewing for all school posts. However, whilst its basic principles still apply, this guidance does not specifically cover the appointment to Headteacher and Deputy Headteacher posts.

The guidance should be applied to all full and part-time appointments although on occasion, temporary posts or posts for volunteers may be filled via varying procedures, providing that the alternative arrangements themselves are in accordance with equal opportunities legislation, and the principles of good human resources and equal opportunities practice are applied in such procedures.

If schools take a decision not to follow the guidance contained within this document, any alternative procedures followed must achieve the same objectives and not conflict with good practice or legislative requirements.

Lancashire County Council, as an equal opportunities employer, intends that no job applicant or employee shall receive less favourable treatment because of his or her gender, marital status, race, colour, nationality, national origin, ethnic origin, disability, age, sexual orientation, culture, religion or belief, nor be disadvantaged by any other condition or requirement which cannot be shown to be justifiable.

The above approach is commended to the Governing Bodies of fully delegated schools.

The guidelines agreed by the County Council for the implementation of its Equal Opportunity Policy in Employment state that "all persons making appointments should endeavour to conduct interviews on an objective basis and shall deal only with the applicant's suitability for the job and ability to fulfil the job requirements".

In voluntary aided church schools, those involved in recruitment and selection may also wish to refer to the Equal Opportunity Policy of the relevant Church Authority.

The Race Relations Act (1976) and Sex Discrimination Act (1975/86) (amplified by Codes of Practice on Employment and Discrimination) issued by the Commission for Racial Equality/Equal Opportunities Commission make discrimination on grounds of race, gender (including transsexuals and those undertaking gender reassignment) and marriage, illegal in respect of recruitment and selection. The Disability Discrimination Act 1995 makes it unlawful to discriminate against disabled people in relation to recruitment and selection. The Employment Equality (Sexual Orientation) Regulations 2003

make it unlawful to discriminate on the grounds of sexual orientation, and the Employment Equality (Religion or Belief) Regulations 2003 make it unlawful to discriminate on the grounds of religion or belief. The Employment Equality (Age) Regulations 2006 make it unlawful to discriminate on the grounds of age.

Appendix O contains a brief reference to the main legal considerations relating to Recruitment and Selection.

The contents of this guidance have been shared with the Diocesan Authorities, who commend the document for use in Church Schools.

3. Safeguarding children and young people – safer recruitment

Safe environments do not happen by accident. They are purposefully built and carefully maintained. Safe recruitment and selection processes are essential if schools and other educational establishments are to attract the best staff and deter or reject those who may pose a risk to children or who are unsuited to work with them.

In following DCSF guidance and using the information and templates provided in this pack, schools and other educational establishment can be confident that they are working towards the standards outlined below.

- *The school's management team is vigilant in ensuring that all recruitment and selection systems, processes and procedures are examined from a staff/child protection focus.*
- *The school makes explicit its commitment to the provision and maintenance of a safe and supportive environment for all pupils, staff and others within the school community.*
- *All applicants, short-listed candidates, contractors and service providers are advised about and understand the necessity of robust recruitment and selection practices that safeguards and supports pupils and adults within the school.*
- *The school is clear about personal and professional boundaries, provides clarity about what is proper behaviour, and has managers who are vigilant in pursuing inappropriate, unprofessional or abusive behaviour. In this regard, attention is drawn to the document 'Guidance for safe working practice for the protection of children and staff in education settings', which was issued to schools in early 2008.*
- *The school's child protection strategies include disciplinary procedures which deal effectively with those adults who fail to comply with school policies.*

- *Schools paying for or using services satisfy themselves that those services have in place appropriate and effective arrangements for safeguarding and protecting children.*

Schools should widely publicise their commitment to building and maintaining a safe environment which safeguards and promotes the welfare of children and staff by the use of a general statement similar to the following:

"This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment."

This statement should be included in:-

- All publicity and information sites
- Advertisements
- Information packs for applicants
- Job description and person specification
- Letter of appointment
- Induction Training
- Competency Frameworks

Where a school elects not to adopt these Recruitment and Selection guidelines, the Governing Body must ensure that a similar policy is in place which works to the principles and standards outlined in the DCSF 'Safeguarding Children: Safer Recruitment and Selection in Education Settings' document, and that the application and effectiveness of such a policy is reviewed by the Governing Body on a regular basis.

4. Power of Appointment

The appointment of school staff in community, voluntary controlled, voluntary aided and Foundation schools is governed by the provisions of the Education Act 2002.

The governing body has overall responsibility for all staff appointments in its school. With the exception of the appointment of headteachers and deputy headteachers (and assistant headteachers), it may delegate this responsibility to the headteacher, an individual governor, or a group of governors with or without the headteacher.

The governing body (or headteacher where the responsibility for appointments outside the leadership group has been delegated by the governing body) should determine through their formal processes who will be involved in the selection process and what delegation arrangements shall apply in respect of the various categories of post. Governing bodies should

ensure that the selection panel that is convened is proportionate to the post on offer.

The governing body of a voluntary aided church school should refer to any guidance issued by the relevant church authority concerning the delegation of responsibility for staff appointments.

5. Confidentiality

For a selection process to be successful it is essential that appropriate levels of confidentiality are maintained throughout the process.

Candidates need to be certain that their applications are being considered within strict limits of confidentiality, that their interview performance will be discussed confidentially and documentation relating to the process will be stored in a confidential place.

In practice this means that all discussions relating to applicants at shortlisting and interviewing stages must remain confidential. Views expressed in such discussions should not be communicated beyond those participating in the appointment process, unless exceptional circumstances apply, or there is the requirement to discuss the process under an alternative procedure or in an Employment Tribunal.

6. Recruitment and Selection – initial stages

6.1 Vacancy Occurs

A vacancy may occur as a result of the resignation, promotion or retirement of an existing member of staff or from the identification of funding for an additional post.

When a post becomes vacant the opportunity should be taken to assess clearly the need for the post to be filled having regard to workload and future anticipated need. The details of the post may need to be amended; therefore discussion with the out-going post holder and the line manager for the post may be necessary.

In respect of any vacancy or new post an outline of the main duties, responsibilities and organisational setting for the post shall be prepared and drawn up in the form of a job description (see 6.3 below). The knowledge, skills or abilities required must be separately identified in a person specification (see 6.4 below).

Is the post absolutely necessary?

No recently vacated post should ever be considered as automatically needing to be filled. A well managed school will be engaged in a process of ongoing review and workforce planning. Therefore, a

vacancy ought to act as a catalyst for a careful examination of the school's needs in relation to the School Development Plan.

The Headteacher should review the job and consider the following:

- Is the post still required? Has the situation changed? Is there a need to re-focus support or finance?
- If it is still required, is it still required at the same level? (Are you getting what you need from this post, is it pitched at the right level, do you need to address a grading issue?)
- Should there be any changes to the hours or contract, bearing in mind current and future needs?

This should include a review of:

- the current situation;
- probable/intended future developments;
- the strengths of current staff;
- gaps in curriculum/age range expertise;
- the aspirations of the remaining staff for a personal change of role.

The needs of the school will be best identified by wide discussion and consultation involving:

- Chair of Governors/Governing Body;
- the whole staff;
- the Deputy Head/Senior Management;
- the School Adviser/School Improvement Partner/Area Human Resources Manager.

Cases of potential overstaffing – either future or current

Vacant posts should be examined in the context of planned management of staffing over a period of time, particularly when the budget of the school is likely to decrease over time due to falling roles. For example, in cases of potential overstaffing elsewhere in the school, consideration should be given to the possibility of internal transfers, with appropriate training if necessary. The Authority's *Guidance on the planned management of staffing establishments and measures to avoid compulsory redundancy* contains advice on the strategies which should be considered as part of an ongoing process of review and adjustment.

6.2 *Exit Interviews/Job Analysis*

As an aid to compiling the job description and person specification an Exit Interview can be a useful first stage. An Exit Interview is an interview with the previous postholder prior to him/her leaving the employment of the school or transferring to another post. The purpose

of this is to give the experienced job holder the opportunity to comment on the role and suggest ways it could be amended to ensure it is structured effectively. It will also help to provide a realistic assessment of the weighting of the various tasks involved in the job.

6.3 *Internal appointments/promotions procedure*

All staff should be given the opportunity to apply for the vacancy. Therefore the Headteacher/Teacher-in-Charge must notify staff of the vacancy and in the case of teaching staff, the purpose for which any TLRs are to be allocated and the intended operative date. Staff interested in applying for the vacancy should also be notified of the closing date for applications.

Displaying the advert on school notice boards and/or notification in internal bulletins will normally be sufficient for these purposes but special arrangements may be necessary to notify teachers on long term absence from the school due to maternity leave, illness, unpaid leave or secondment.

After the notified closing date the Headteacher should make arrangements for the appointment through an open and fair selection process. This should include an interview process.

Where an appointment is made, all staff should subsequently be notified of the outcome.

These procedures should be followed whether the internal promotion is available on a temporary or permanent basis.

6.4 *Temporary appointments*

Where a temporary vacancy arises, schools must ensure that a fair and open recruitment and selection process is undertaken. The vacancy should be advertised on the County Intranet/Internet, and the advertisement should clearly stipulate the reason why the post is temporary and the proposed duration of the post if the post is fixed-term. This information should be reiterated at all stages of the selection process, ie at interview, in the appointment letter and statement of particulars.

Where a temporary vacancy has arisen, the school may wish to utilise the services of a Supply Teacher or an Agency member of support staff until such time as the temporary post may be advertised, the normal recruitment procedures applied and the post filled. Lancashire Teaching Agency can assist in identifying and placing Supply Teachers. Please also consider section 20.3 in relation to the use of Agency staff.

6.5 Temporary posts that carry TLRs

Schools are not able to award TLRs on a temporary basis. However, they may wish to establish a temporary post that carries a TLR. In these cases, there should be an internal fair and open selection process, with information relating to the duration of the temporary post clearly stated at the outset of the advertisement for the post and upon appointment to it. Once the temporary post reaches its end date, the successful candidate must revert back to their original substantive post in school, assuming they are an internal appointment.

7. Job Description

A focused job description is the essential starting point for an effective recruitment process and should be constructed carefully to ensure that it reflects the nature of the post and the duties and responsibilities related to it. It should include all the main requirements of the post based on an objective analysis. The job description should outline the main duties of the post, identify lines of accountability and reporting and provide security for applicants of knowing what is expected.

The wording used in job descriptions must be carefully chosen to ensure that it accurately reflects the post and also that there is no possibility of direct or indirect discrimination in the wording used. Attached at Appendix A is a suggested structure for a job description. The information that it contains is the basis from which a clear picture of the required knowledge, skills or aptitudes can be clarified.

The job description must also clearly set out the individual's responsibility for promoting and safeguarding the welfare of the children and young people s/he is responsible for, or comes into contact with. All work in schools or similar settings involves degrees of responsibility for safeguarding children, although the extent of that responsibility and the contact involved will vary according to the nature of the post. In this regard, it is useful for job descriptions to include a standard paragraph in relation to the protection of children, for example:

"This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment."

Schools are reminded that the Authority has developed a number of standard job descriptions for school administrative staff, teaching assistants and site supervisory staff.

For teaching posts, a limited number of standard job descriptions can be found on Teachernet (www.teachernet.gov.uk). However, schools may wish to use the recently published Professional standards documents for teaching staff to assist in the production of job descriptions.

The job description must be sent to all applicants for the vacancy.

8. Person Specification

The information in the job description must be used to produce a person specification. The person specification is used as the basis for shortlisting and at all subsequent stages of the selection process.

The person specification gives a clear identification of the skills, knowledge, experience and qualifications required of a satisfactory candidate. Without this, recruitment decisions cannot be based on objective evidence and it is under these circumstances that direct or indirect discrimination is most likely to occur, even if it is done subconsciously. The qualifications, skills and experience necessary to perform the duties of the post should be stated specifically.

Once completed, the person specification will define clearly and succinctly the **minimum** level of skills, knowledge, experience and qualifications needed by a post holder to carry out the job satisfactorily, including requirements needed to perform the job as it relates to children and young people.

The person specification should stipulate how the candidate's suitability for the post will be assessed, including their motivation for the type of work, their ability to make and sustain professional relationships within clear boundaries and their attitudes to authority, challenge and discipline. The person specification provides information that can be used for writing the job advertisement.

Any criteria used in drawing up person specifications should be realistic. Bear in mind that there may be facilities for in-service training and other support available for candidates who show potential, but do not have the knowledge, experience and skills to the level required within an over-inflated person specification. The inclusion of unnecessary criteria may render schools liable to claims of discrimination, and may reduce the possibility of otherwise good candidates progressing through to the next stage of the recruitment process.

Schools may also want to include information on the person specification that gives candidates an indication of where the individual criteria may be assessed (eg application form, interview, reference, CRB disclosure etc). This 'Method of Assessment' column may lead to less time-consuming shortlisting and/or interview processes as it will mean that the panel does not have to assess each criterion at every stage of the process.

A clear person specification will include:

- A written description of the relevant qualifications, experience, skills, attributes and qualities that are required in order to perform the role
- A basis of objective, specific and factual information that is necessary to avoid discrimination in either shortlisting or interviewing

- The criteria against which candidates can be assessed individually and compared in relation to each other, so that the final appointment decision can be arrived at in a fair and open way
- *Essential* criteria, ie those without which a candidate would be unable to do the job and *Desirable* criteria, ie those which contribute to effective performance but are not essential
- Information on which to base interview questions and the basis for determining the interview structure
- The criteria that will be assessed that relate to safeguarding children. For example, motivation to work with children and young people, ability to form and maintain appropriate relationships and personal boundaries with children and young people, emotional resilience in working with challenging behaviours and ability to appropriately use authority and maintain discipline

A suggested structure is shown at Appendix B.

The person specification must NOT state that a candidate will be of a particular age, ethnic origin, religion (except where agreement has been reached with a Diocesan or other religious body, that being of a particular faith is a requirement of the job), or gender (including marital status or home circumstances), unless the particular gender is a Genuine Occupational Qualification (GOQ). See Appendix P (GOQs) for legal exemptions.

Requirements such as a need to be on call during the evening or weekend, or be absent from home on a regular basis, on for instance, school journeys, should be made clear to enable applicants to decide for themselves whether they can meet the requirements. Again, these requirements must be justifiable and the selection panel must not make assumptions about an applicant's ability to meet these criteria (for example, if they have a young family or a caring responsibility).

When drawing up person specifications, certain job requirements may inadvertently disadvantage certain groups, for example, people with disabilities. It is important, therefore, to check that all stated job requirements are directly related to the needs of the job and that assumptions are not made about the capability of a candidate with a disability. Instead, the panel will need to consider whether a reasonable adjustment to the role/working environment can be made, that will enable a candidate with a disability to meet each job requirement.

It is permissible in appropriate circumstances to include in the person specification aspects which reflect the potential of the post for the career development of the individual in question. Such a post may require a higher standard of qualification than that necessary to perform the immediate tasks of the job in question. Such additional requirements must be fully justifiable within a career development pattern, and must not be listed on the person specification as essential criteria.

Schools are reminded that the Authority has developed a number of standard person specifications for school administrative staff, teaching assistants and site supervisory staff.

A copy of the person specification must be sent to all applicants.

9. Advertising of Vacancies

All posts requiring advertisement should be publicly advertised (public advertisement for these purposes can mean notification to a Job Centre) unless the post has been advertised through the intranet/internet. The content of advertisements should be taken from the job description and person specification and should not contain other extraneous information other than that used for marketing purposes. It is helpful to include any essential requirements, particular experience and qualifications, in advertisements to help applicants self-select appropriate vacancies.

In advertising posts you should avoid wording which may confuse, and avoid specifying gender, age, ethnic origin, religion, marital status, specific home circumstances unless you are certain that they are justifiable in terms of job requirements and legislation (see Appendix O and Appendix P). For example, if the supervision of showering/changing facilities is an essential requirement of the post, then it is permissible to include gender as an essential requirement as this would be a Genuine Occupational Qualification.

The advertisement should include a statement about the employer's commitment to safeguarding and promoting the welfare of children, and reference to the need for the successful applicant to undertake an Enhanced Disclosure via the CRB, as well as the usual details of the post, salary, qualifications etc.

The advertisement should state clearly if the job is temporary or funded from sources which could have an impact on its long-term future, and should specify the end date if it is a fixed-term post.

Copies of all external advertisements must be forwarded to local Job Centres to comply with requirements relating to the employment of disabled people.

Where adverts are placed via the HR Service Centre, they ensure that the standard reference to CRB and Equal Opportunities are included, and also that there is no exclusionary language within the advert that could be potentially discriminatory. Where schools do not use the HR Service Centre for the advert wording, they are advised to follow the guidance above.

9.1 Advertisements for teaching posts

Posts should not be advertised specifying a maximum spine point below U3 (the maximum obtainable on the basis of qualifications, teaching and other experience). Such a practice could be questioned on the basis that it is not a proper and legitimate exercise of the

provisions of the School Teachers Pay and Conditions Document because a decision has already been made in respect of the appointment before the merits of particular applicants are considered.

The finance available to fund a post should be determined and this should be sufficient to support the appointment of a teacher with maximum points for experience. The post should be advertised with the appointment being made on the basis of the qualities of each applicant. Where finance will not support a full-time appointment of a teacher with maximum points for experience, consideration should be given to filling the post on a less than full-time basis.

Advertisements should indicate whether there are any Teaching and Learning Responsibility payments attached to the post and provide information in relation to the responsibilities that relate to the TLR.

If the HR Service Centre is dealing with the recruitment for the post, they will require a copy of the job description and person specification for the post to send to candidates. In the event that these documents are not provided, the HR Service Centre will enclose information within the application pack that directs candidates to the school for further information about the job.

9.2 *Placing of Advertisements*

School posts (both teaching and support staff) are usually advertised on the LCC Internet and in local press where appropriate, unless they are internal appointments. Vacancies for Headteacher and Deputy Headteacher posts must be advertised nationally, throughout England and Wales. They are usually advertised in the Times Educational Supplement. Copies of all external advertisements may also be forwarded to local Job Centres.

In the placing of external advertisements, care should be taken to avoid confining them to those areas or publications which would exclude or disproportionately reduce the number of applicants from a particular gender or ethnic origin.

The County Intranet is accessible by teaching staff in all maintained schools in Lancashire and is a useful and free source of recruitment.

Under Schedule 14 of the Education Act 1996, Community and Controlled Schools have to advertise vacancies in a manner likely to bring it to persons (including employees of the Authority) who are qualified to fill the post. This is best achieved by using the County Intranet and Internet.

Advertisements can encourage applications from groups that are under-represented on the staff, or individuals who might meet the needs of specific pupils. For example, schools may wish to consider

using the ethnic minority press to advertise posts requiring experience of working with ethnic minority pupils or bilingualism.

9.3 *Asian Language Communication Ability*

It is recommended that posts in schools with a high ethnic minority population should include as desirable in the person specification and job advertisement Asian language communication ability and/or an understanding of a particular cultural religious background. In a limited number of posts this requirement may also be made essential where the requirements of the post demand such ability.

9.4 *Word of Mouth Recruitment*

It is important to ensure that a formal and approved recruitment and selection process occurs for each vacancy. Therefore word of mouth recruitment should not be used as a sole method of filling a vacancy.

10. Candidate information pack

Applicants, both internal and external, should be provided with as much information as necessary when they apply for a post. Providing the right sort of information at an early stage means that potential applicants will be able to assess themselves against the information provided and judge for themselves whether they should apply for the position. Identifying key selection criteria, highlighting the screening process and the school's vigilance in ensuring children are safeguarded, will attract good applicants and may act as a deterrent to those seeking opportunities to access and abuse children.

The content of the information pack will vary from post to post, but as a minimum, applicants should be sent:

- Information about the school - the description of the school should be full and accurate and reflect the views of the governing body, to encourage applications from suitable candidates. It will also help applicants to consider whether they would like to work at the school. It may also be useful to provide the School Prospectus and information about the catchment area.
- The job description (Appendix A) and person specification (Appendix B)
- The appropriate application form and guidance notes for completing the form where considered helpful (Appendix C)
- Information about the main conditions of service applicable to the post including hours of work, salary (including TLR if appropriate) clarification regarding term time only/full year appointments and the salary consequences of this, whether the post is temporary and if so, the reason for this and the proposed end date

- The School's Equal Opportunities Policy
- A reference to the School's Child Protection Policy. The pack should also advise that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974, and that any offer of employment will be subject to satisfactory references and CRB check. An advisory note in relation to the Rehabilitation of Offenders Act 1974 should also be sent with the information pack (Appendix D)
- Information pertaining to the requirements of the Asylum & Immigration Act (1996) (Appendix E)
- For more senior posts, schools may wish to include information on the staffing and management structures of the school

Schools that do not use the Authority's standard application forms and accompanying documents should also advise candidates of the following:

- the school reserves the right to approach current and any previous employer
- previous employers will be asked about disciplinary offences, including expired offences
- the post is exempt from Rehabilitation of Offenders Act so all convictions must be listed, with dates
- CRB/police checks will be made
- providing false information makes them liable to summary dismissal
- failure to declare convictions, cautions or pending police action disqualifies them from employment
- further police checks may be carried out as and when required
- the interview will explore candidate's suitability to work with children and young people. This will include an examination of the applicant's attitudes, strengths and awareness of the responsibilities related to the post.
- all offers of appointments are made 'subject to references' and police checks
- employment will not commence until all checks have been made and cleared
- the successful applicant will be required to adhere to all the school's policies. In relation to the Guidance for Safe Working Practice, they may be required upon taking up post to sign the document confirming their commitment to it.

10.1 *Smoke-Free Policy*

All Lancashire County Council establishments operate Smoke-free Policy and this should be referred to in recruitment literature. At interview, selectors should mention the general policy to emphasise the commitment to it.

10.2 *Attendance Policy*

To assist with effective attendance management, schools may wish to include their Attendance Policy within their candidate information pack, or they may wish to refer to it in recruitment literature. This sends out a clear message to potential applicants that the school places great importance on its employees maintaining good attendance.

11. Qualifications

11.1 *Requirements for Qualifications*

Where qualifications are required either for the post itself or in relation to a course of study for career development purposes, such qualifications must be indicated as being either 'essential' or 'desirable'. All candidates should formally be asked to show proof of relevant qualifications (ie those stated on the person specification) prior to appointment.

Care should be taken to avoid being over-prescriptive in listing specific qualifications as being 'essential', rather than 'desirable' as this will debar applicants who may otherwise possess appropriate skills and experience from being shortlisted and in some instances may be discriminatory.

11.2 *Overseas Qualifications*

You should not assume that overseas qualifications are not equivalent to those awarded in the UK. In particular, there are increasingly agreements on equivalency within the European Community. Where there is any doubt, the standard of those qualifications should be checked, if necessary through the National Academic Registration and Information Centre (Tel: 0161 957 7063 or www.naric.org.uk) or The Examination Recognition Office within the British Council (Tel: 0171 389 4302). Advice can also be obtained from Human Resources.

11.3 *Level of Qualifications*

Applicants should not be turned down because their qualifications are considered to be too great for the post on offer, except in the most exceptional circumstances. Care should therefore be taken to ensure that the person specification provides a good basis for qualification demands, in order to avoid common misunderstandings where

applicants may believe that they have been unfairly discriminated against in relation to their qualifications.

12. Application Forms

12.1 Purpose

The application form serves a number of purposes:

- to aid in the selection of candidates for interview;
- to provide a framework on which the interview can be built;
- to act as a record that forms part of the Personal file and the Contract of Employment.

Recruiters should be aware of the dangers inherent in paying too much attention to the way in which the forms themselves are completed. Standards of literacy/neatness should be assessed only in relation to the requirements of the post in question, ie if it was stated on the person specification.

It will greatly assist the process of selection if the Application Form is fully and clearly completed. Internal applicants should also be asked to complete a standard application form. To assist applicants in completing the application form, guidance notes for completing application forms should be issued with the form. An example of such a guidance note is shown at Appendix C.

Curriculum Vitae must not be used as an alternative to an application form as these may only contain the information that the applicant wishes to present, and may omit relevant details.

12.2 Standard Application Forms

Lancashire County Council uses standard application forms that have been drawn up in accordance with DCSF guidance in relation to safeguarding children. Voluntary aided church schools may use the standard application forms recommended by their diocesan or church authority.

The LCC standard application forms, which can be used by schools for recruitment and selection processes, are available from the HR Service Centre. Electronic versions of these forms can also be used for candidates that wish to apply electronically. If a candidate submits an electronic application, the declaration at the end of the application form will not be signed. Candidates should not be disadvantaged or excluded from the process due to the fact that they have submitted an unsigned application form. Instead, the selection panel should ensure

that any unsigned forms are signed by the candidate at the interview stage.

Where a school wishes to amend the standard forms to reflect their needs or to aid in the selection for specific types of post, they should ensure that their own application forms comply with the requirements listed within the Safeguarding Children document at paragraphs 3.23 - 3.26, and with Equal Opportunities legislation.

13. Selection Panel

13.1 Panel composition

Once a decision to recruit has been made, and recognising the number of stages that will be necessary to appoint the most suitable person, this is the right time to establish the membership of the Selection Panel, which may consist of designated governors or a Staffing Committee, so that all those involved can participate actively in all the stages of the process including the interview.

Many schools now have designated governors or a Staffing Committee for the whole process of appointing staff. If neither exists, then a selection panel should be convened by the governing body or Headteacher noting the balance, expertise, representation, interests and number for the panel, as well as their willingness to be a member. The governing body will need to confirm their members' willingness to serve on the selection panel.

The composition of the selection panel should reflect that of the Governing Body. There are no grounds for excluding staff governors other than pecuniary or personal interests under the School Governance Regulations.

In Community and Controlled schools the Executive Director for Children and Young People or his/her representative will be entitled to attend all stages of selection, including the interview. In Aided schools with full delegation the Executive Director or his/her representative may be accorded advisory rights by the Governing Body and they are recommended to do so by the Diocesan Authorities.

The presence of the Executive Director for Children and Young People or his/her representative is usually limited to senior posts although assistance and advice for specialist subject and phase appointments may be appropriate.

Interviews should never be carried out on a one to one basis as this increases the scope for bias and subjectivity. Schools also need to be mindful of the fact that it can be intimidating and off-putting to face a large selection panel. Panel interviews should be used, to reduce the risk of personal biases and to provide a variety of differing opinions and experiences. This ensures that decisions are based on more than one person's assessment. Consideration should also be given to making

the panel diverse by, for example, including male and female members and members of black and minority ethnic groups on the panel.

Once a panel has been constituted, its membership (other than in exceptional circumstances) should remain constant throughout the selection process, and this is particularly important during the interview process.

Representatives from external agencies may be invited to attend selection interviews where appropriate, eg when a post has a significant working relationship with that agency. External representatives will be advised by the Chair of the panel that their role is advisory and that they do not have decision-making rights. Any contribution to an interview to be made by an external representative will be discussed by the Selection Panel at a pre-interview briefing meeting.

For further guidance on the role of the Panel at the interview stage, see Section 18.

13.2 *Training*

It is recommended that staff involved in recruitment or selection should receive adequate instructions and guidance and that selection panels be constituted with at least one member who has undertaken some form of relevant training. **At least one member of the panel should have completed the on-line training that is provided by DCSF via the National College for School Leadership or the Authority-based training that is based on this.**

14. **Shortlisting**

14.1 *Shortlisting Process*

Shortlisting should be a process whereby the Selection Panel assesses the suitability of each applicant in relation to the job description and person specification. Criteria for shortlisting will be the extent to which the details shown on the application form match the requirements specified on the person specification. If the key performance criteria have been identified and a standard application form has been received, then the information should be readily available for the panel to consider.

There should be a systematic and consistent approach in drawing up a shortlist of applicants for interview. Each individual's application must be assessed in terms of the selection criteria. Shortlisting should be based solely on the information contained in the application form and letter and measured against the criteria in the person specification, which can be objectively assessed at this stage. The criteria should be applied equally and consistently to all candidates. Additional criteria should not be introduced at this stage.

Essential criteria are the minimum requirements required to perform the role. If a candidate does not meet the essential criteria, then s/he should not be shortlisted. If an unmanageable number of candidates meet the essential criteria, then the desirable criteria can be used as a further indicator of suitability.

The content of the application form must be measured against the requirements listed on the person specification and not based on assumptions or knowledge held by a panel member about the applicant. This can easily occur if

- i) the applicant is an internal candidate or is/has performed the role on a temporary basis, or is known to a member of the shortlisting panel;
- ii) panel members hold or display discriminatory beliefs and behaviours in relation to, for example, the applicant's gender, ethnic origin, disability, sexual orientation, age or religious beliefs;
- iii) a view is held about the applicant's home life which may affect the job, eg "she will get married, have children and leave", "she will never work late as she has to look after her children", "his wife is disabled, he'll always be looking after her" etc.

Panel members should initially shortlist individually, with each individual member of the panel reviewing the application forms without reference to other panel members. The panel should then convene to discuss and agree their findings, and draw up the final shortlist. All members of the shortlisting panel must have equal status and contribute to the process accordingly.

Panel members should resist the temptation to shortlist internal candidates, or those already performing the role on a temporary basis, simply because they feel they ought to give them a chance.

There is no prescription about the number of candidates that should be shortlisted; this decision should be based on the assessment of candidates against the essential requirements of the person specification. Where this number is low, a judgement will need to be taken on whether it is viable to continue with the selection process. Advice is available from Human Resources in such circumstances. However, if only one candidate meets the essential criteria, then it is perfectly acceptable to shortlist and interview only this candidate. In the situation where a large number of candidates meet the essential criteria, an attempt to reduce this further by using desirable criteria may be used. However, the panel should not use additional criteria that do not appear on the person specification as essential or desirable criteria, to reduce the number of shortlisted candidates.

Part of the shortlisting process also includes highlighting any points or areas of concern which the panel would like to raise with the candidate during the interview. This could include:

- specific areas of work or expertise the panel would like to ask about
- any gaps in employment history
- vague term or accomplishments which require clarity
- frequent changes of employment or address
- any declared cautions or convictions

Rather than having anything serious to hide, the candidate may have omitted details of extended travel or jobs felt to be of little relevance to the post s/he is being interviewed for. However, such gaps in the candidate's employment history must be explored to gain a complete picture of the candidate's history.

If an applicant has declared a criminal conviction or caution on the application form, this should not automatically bar the candidate from progressing to the next stage of the process. Advice should be sought from the HR Service Centre's CRB Unit as to the relevance of the conviction for the post applied for and for the applicant's suitability for employment with the school.

A suggested Candidate Summary Sheet for each panel member to use during the shortlisting process, using a simple numerical assessment, is contained at Appendix F. A suitable framework, such as that shown, is necessary to demonstrate objectivity in shortlisting and a proper comparison of the applicants' qualities.

14.2 *Retention of Documentation*

Documentation relating to shortlisting and the analysis of candidates shown in Appendix F should be kept for a minimum period of twelve months after the appointment has been made. This will enable the panel to justify their decisions in the event that a challenge is made in relation to the selection process through an Employment Tribunal.

Candidates who are not shortlisted should receive notification of this as soon as possible, or alternatively a date should be specified in the advert and/or earlier correspondence by which applicants should assume they have not been successful.

14.3 *Shortlisting of Disabled Applicants*

The statutory definition of disability is "a physical or mental impairment which has a substantial and long term adverse effect on the person's ability to carry out normal day to day activities".

The Disability Discrimination Act makes it unlawful to discriminate against a disabled person in the arrangements made for entering

employment, the terms on which employment is offered or the deliberate refusal to offer employment. Headteachers and Governors must be mindful of the need to consider whether a reasonable adjustment could be made, if required, to assist a person with a disability in the workplace. Recruitment and Selection decisions must be made on merit, after any reasonable adjustment has been implemented. See Appendix O for further information.

It is recommended that schools adopt a policy whereby all suitably qualified disabled candidates, ie those possessing the minimum essential requirements specified in the advertisement/person specification, be invited for interview. This policy complies with the "Positive about disabled people" symbol.

15. References

15.1 *Requesting references*

Appointments should not be made without satisfactory references being received for both internal and external candidates. Where references have not been received or taken up prior to interview, it is preferable to delay making an appointment until satisfactory references are received.

The purpose of seeking references is to obtain objective, factual and verifiable information to support appointment decisions. They should always be sought and obtained directly from the referee. Employers should not rely on references or testimonials provided by the applicant, or on 'open references' (ie those marked 'to whom it may concern') which are often agreed. This means that the applicant will have seen the reference and had an opportunity to comment prior to it being sent; therefore it is unlikely to include any adverse comments.

You will also need to be mindful of the fact that references from employers can have their limitations because:

- employers are sometimes hesitant to provide an unfavourable reference for a former employee
- glowing references can sometimes be provided by employers as a way to get rid of an unwanted staff member
- applicants usually select people who will give them a glowing reference
- referees are sometimes friends
- a reference is sometimes negotiated as part of a compromise agreement

Nevertheless, despite these limitations, references must be sought on all candidates and, with a systematic and structured approach, can positively contribute to a vigorous and transparent selection process.

It is recognised that it is common practice for references only to be requested following a conditional offer of appointment being made. However, DCSF guidance states that ideally references should be sought on all shortlisted candidates, including internal ones, and be obtained before interview, so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview.

References must always be sought for both internal and external candidates and offers of employment always made subject to receipt of satisfactory references (where these have not been obtained prior to interview), CRB and medical clearance.

In some cases, references may not have been received prior to interview. This should occur only in exceptional circumstances where for example, because of delay on the part of the referee, or because a candidate has requested that their current employer is not contacted prior to interview. It is up to the chair of the interview panel, advised by Human Resources, as to whether to respect this request. It should be acknowledged that there may sometimes be personal difficulties between individuals and their employers which may explain why an applicant may not want a past employer to be contacted. There should be an opportunity for candidates to explain these circumstances at interview and an expectation by the interview panel that they will do so.

In any case, where a reference has not been obtained on the preferred candidate before interview, you must ensure that a reference is sought, received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed.

Where all references have not been received prior to the interview, care should be taken to ensure that candidates are not disadvantaged. Should a recruitment complaint be received, it would not be possible to justify making an appointment purely because two satisfactory references had been received on one candidate but not the other.

At least two references should be requested for each shortlisted applicant, one of which must be the current or most recent employer. If the applicant is not currently working with children, but has done so in the past, a third reference should be sought from the employer for whom the candidate was most recently employed to work with children. For applicants for posts in a Church School, a faith reference may need to be sought in addition to the two references stated above.

If, however, the applicant does not offer their current employer as his/her referee on the application form, then the school must approach the applicant to enquire the reason for this. If this is refused without an acceptable reason, which should be recorded and kept with the application form, then the school should have strong reservations about employing such an applicant. An acceptable reason may be that the

business has ceased trading and therefore staff are no longer contactable. Advice can be sought from Human Resources if this matter arises.

For any establishment where the applicant has previously worked with children, the reference should be directed to the Headteacher/Head of establishment rather than any named referee provided by the applicant.

Request for reference letters (example provided at Appendix H(i) and H(ii)) should be sent out at the same time as the invitation to interview letters (example provided at Appendix G) and should include a copy of the relevant job description, person specification and a pre-paid envelope for the response. It is wise not to solely rely upon the referee providing a general reference. The use of reference request proforma can help to ensure that the reference provides valuable, useful and specific information. Examples of such proforma for professional references and character references are included at Appendix H(i) and H(ii). These standard forms have been designed in accordance with the DCSF Safeguarding Children guidance. If schools do not wish to use these forms, they must make sure their reference requests include the criteria outlined within the Safeguarding Children guidance at paragraphs 4.30-4.36.

15.2 Receipt and evaluation of references

Upon receipt, references should be scrutinised to ensure that all specific questions have been answered satisfactorily. If all questions have not been answered or the reference is vague or unspecific, the referee should be contacted and asked to provide verbal or written answers or amplification as appropriate. A record of the comments should be made, as these in effect form part of the reference and may at some point be the subject of challenge. The reference should also be checked against the information contained within the application form to ensure consistency (eg dates of employment, unanswered questions with regard to sickness/disciplinary matters). Any discrepancy or area of concern should be raised with the applicant either within the interview, or if the reference is not received before interview, at a later stage.

Comments in references which raise gender, race or religious belief, age, disability issues or family circumstances must not be taken into account by the selection panel.

Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case. Cases that were satisfactorily resolved some time ago, or where the allegation was unfounded or did not require formal disciplinary sanction, and in which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues that were not resolved satisfactorily are more likely to cause concern. A history of repeated

concerns or allegations over time is also likely to be a cause for concern. Senior Area Human Resources Officers will be able to provide additional advice and guidance where such concerns are raised.

Referees should be reminded that they have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission and that the factual content of the reference may be discussed with the applicant.

Under the Data Protection Act 1998 it is no longer possible to guarantee that a reference will remain confidential. The author of a reference may stipulate that it is confidential, and need not show it to the employee. However, employees can ask their new employer for a copy of the reference which may be discloseable if it is proper to do so, having balanced the rights of the author, any other person mentioned in the reference, and the employee.

There is no legal obligation to provide a reference for current or former employees unless the employee has a contractual right to this, or where it is normal practice in the sector. However, it is rare for an employer to refuse as it is established practice to provide a reference and a refusal could result in adverse consequences for the employee. In the event that a referee does refuse to provide a reference, find out why and seek an alternative referee.

In circumstances where an adverse reference is received, the panel may decide to either:

- Where the reference is unclear or hints at problems, it is advisable to telephone the referee in order to clarify the information. Notes of the conversation should be documented, dated, signed and placed on file.
- Seek clarification on the area of concern with the candidate during the interview. If this proves satisfactory, the panel may appoint.
- Refuse the appointment on the grounds of an unsatisfactory reference. Where this is the case the panel must ensure that the decision is fair, reasonable and based on justifiable grounds, and that the reasons for the decision are documented in the event of a complaint from the employee.

Appointees should not be allowed to begin work without satisfactory references being received. If references have not been taken up by the interview stage at the request of the successful candidate, it is suggested that the following form of words be used rather than offering an appointment subject to satisfactory reference:

"You are a strong contender for the post of However, other candidate(s) are also in contention for the post, and we have made no final decision as yet. We cannot complete our consideration without having all the appropriate information to hand, and references play an important part in this. We are therefore seeking your permission to approach your referees. You should not construe this as an offer of appointment; and it is not a conditional offer subject to references. No offer, conditional or otherwise, will be made until satisfactory references have been received."

For staff working in a residential setting with children it is recommended that the recommendations of the Warner Report be followed in relation to references, as set out below:

"Recommendation 17

Employers should require candidates when applying to provide a full employment history, including periods of unemployment, with dates (to the nearest month) and the names and addresses of past employers. Candidates should be free to provide the name of a referee in addition to an employer if they wish.

Recommendation 18

Employers should always approach an applicant's present employer; should tell applicants that they reserve the right to approach any previous employer (or line manager) about a shortlisted candidate's character and performance before interview; should seek written references on the basis that referees have the job description and person specification and are encouraged to comment frankly on shortlisted candidates; and where necessary should explore any aspects of references by telephone with a current or past employer.

Recommendation 19

Employers should keep a record of conversations with referees and pass the result to those responsible for making appointments; and they should retain records of disciplinary offences or concerns that enable them to be passed on to a potential employer when requested in connection with a job which involves working with children."

15.3 Providing references

An employer has a duty of care to exercise reasonable skill and care in the preparation of a reference. If this is not done adequately, the employee could bring a claim under one of the following:-

- Negligence – where reasonable care is not taken. An employer may be found to be liable if loss results from the employer's failure to exercise reasonable care in the preparation of a reference

- Defamation – where a reference contains a false or unsubstantiated statement that damages the reputation of a former employee. The employee may be able to claim damages
- Deceit – where a false statement is knowingly made.

The employer may be able to defend inaccuracies only where it can be shown it was given in good faith. Likewise, a disclaimer of responsibility could be included:-

"Whilst pleased to provide this reference, it is given on the understanding that this is done without legal responsibility, and with the exclusion of legal liability on the part of and in respect of the organisation providing the reference and the author of it and without legal liability to the subject of it and the recipient of it".

However attractive this disclaimer may appear, it would be unlikely to protect where the supplier of the reference fails to comply with the duty of care, maliciously defames or intends to deceive; however, it can be used to assist in preventing the success of claims.

It should be noted that the author of a reference also owes a duty of care to the recipient of the reference if the reference was carelessly favourable or contained omissions.

Care should be taken to ensure that references are:

- provided only by those members of staff in school who are authorised to do so – often this will be the Headteacher or Deputy Headteacher
- honest and the facts are correct. Even if the discrete components are factually correct, care should be taken to ensure that the reference does not give a misleading overall impression of the employee.
- carefully considered. Be cautious about giving subjective opinion about an individual's performance, conduct or suitability which cannot be substantiated with factual evidence
- written for a specific job vacancy. They should not be written as an "open reference", to be used on an ad-hoc basis.
- provided on headed notepaper on behalf of the school in response to specific requests from the prospective employer

Open references are often sought at times of dismissal, redundancy, conduct or capability. Managers sometimes provide these references with the best of intentions, in the hope that the employee will secure alternative employment

It is recommended that this type of reference only be provided where agreement has been reached between employer, employee, TU representative and HR, for an agreed reference to be produced as part of a compromise agreement.

15.4 *Withdrawing a conditional offer*

As long as it is made clear to a prospective employee that an employment offer is conditional, the offer can be withdrawn if a condition is not satisfied. A contract of employment is only made where there has been an unconditional offer and an unconditional acceptance, supported by the intention to create a legal relationship.

16. **Pre-Interview Stage**

16.1 *Arranging the interviews*

Where there are a number of candidates to be interviewed on a particular day it is important to draw up a timetable which allows adequate time for each individual. It is important that the same amount of time is scheduled for each candidate so that one person is not perceived as having an unfair advantage over other candidates.

It is both sensible and courteous to allow adequate time between interviews to allow for assessment, note writing, preparation for the next candidate and natural breaks. A candidate who is kept waiting may be more nervous and less likely to give their best when eventually called for interview.

Selection Panels may wish to ensure that if candidates are travelling some distance, consideration is given to the timing of their interview; particularly if candidates will be expected to remain until all the interviews are completed.

16.2 *Inviting candidates for interview*

Where the interview date is soon after shortlisting, an immediate telephone call to shortlisted individuals, providing them with basic details of time and date, would be in order. It can also be helpful to include the proposed date of interviews within the advert for the post or candidate information pack if this is known at the time of advertising/sending out packs.

A letter confirming the details of the interview should be sent to each candidate. An example letter is attached at Appendix G. This letter should also include information for applicants about the requirement for CRB clearance, qualification checks and checks under the Asylum & Immigration Act 1996. To emphasise the importance of the CRB Disclosure, it is useful to provide candidates with a note in relation to the CRB, such as the one contained at Appendix J.

The letter may also include the following:-

- location/map;

- a description of the location specifying any potential difficulties in accessibility for a person with a disability, with a request that they inform the writer should any special arrangements be required;
- approximate duration of interview/structure of the day's programme;
- details of any additional tasks the candidate will be required to undertake (eg presentation, typing test etc);
- how to claim travel/subsistence expenses and details of allowable expenses;
- local overnight accommodation where appropriate.

16.3 *Pre-Interview Visits*

Where arrangements are made for informal visits to the establishment prior to interview, the same opportunity for visiting must be available to all applicants at that stage of the recruitment process.

Pre-interview visits should take place on a different day from that of the interview wherever possible. Ideally such visits should be arranged individually and carefully structured and key staff should be available.

The visit gives candidates the opportunity to see the school in session and to form initial impressions which may be explored at interview. It is not part of the selection process. It is an entirely voluntary process and it should not be assumed by the Panel that the candidate has a lack of motivation or interest if they did not undertake a pre-interview visit.

The position of applicants with disabilities must be recognised and special arrangements may have to be considered for a pre-interview visit.

16.4 *Looking after candidates*

In promoting the school's image, it is important to make arrangements for receiving candidates attending for interview. An individual, preferably not one involved in the selection process, should be identified to be responsible for looking after candidates and should be aware of the following:

- names of candidates and times of attendance;
- location of interviews and where candidates will be required to wait;
- procedure for notifying the Selection Panel of each candidate's arrival.

The role of this person may include:

- welcoming the candidates on arrival;

- introducing the candidates to each other and relevant staff within the school/team;
- providing them with refreshments on arrival and throughout the day;
- showing them the waiting room, interview room and the toilet facilities;
- escorting them to and from the interview (if this is not undertaken by a member of the Panel);
- providing reading materials;
- escorting them around the school;
- providing them with the timetable for the day and clarifying their part in the procedure, eg
 - whether they can visit the classrooms when waiting to be interviewed;
 - whether or not they are invited to stay until the decision has been made;
 - whether or not the unsuccessful candidates are to be given immediate feedback or a contact number/address for subsequent feedback.

Wherever possible, schools should ensure that particular needs of candidates (such as mobility problems, or audio/visual impairment) are accommodated.

16.5 *Room layout*

The waiting room area should preferably be a comfortable room that does not adjoin the interview room.

The interview room/s should be arranged to look welcoming and as comfortable as possible, as the setting in which the interview is carried out can have a bearing on the success of the interview.

Take into account environmental factors which may have a bearing on the performance of both interviewers and interviewees. For example:

- suitability of a room for a private conversation;
- the layout of the room in order to encourage communication. It should not intimidate or isolate the candidate, by, for example, having them facing direct sunlight or sitting on a low chair in front of an imposing desk with a large number of Panel members sitting behind it;
- comfort of seating and practicability of tables/furniture;
- the avoidance of interruptions by telephone and visitors.

17. Selection tests

Psychometric ability tests are produced by commercial test suppliers, eg ASE or Saville and Holdsworth. These are used to assess applicants' aptitude for certain aspects of managerial, professional, clerical and manual posts.

Work sample and work simulations, eg typing tests, teaching practice, are tests that can be specifically designed for the post in question.

Such tests will improve the quality of selection where they are properly designed and used, for example as part of an assessment centre process approach. In order to ensure proper use of such tests, in particular Ability Tests, they should only be used under the supervision of a qualified test user.

Personality Questionnaires should not be confused with Ability Tests. Generally, they do not lend themselves easily to use in respect of many posts in schools and are not recommended for such use without advice and assistance from an approved tester.

Advice on tester qualification arrangements and the availability of such tests and their use can be obtained from the Senior Human Resources Officer.

17.1 Assessment Centre Process

The majority of appointments will be made following a standard process involving shortlisting and interviewing before reaching a decision. In some instances, however, an assessment centre process approach may be adopted. This method of selection involves the application of a variety of assessment mechanisms, including occupational tests, aptitude tests, presentations, discussions, written tests and interviews to aid a final selection decision. Such an approach, where carefully prepared and properly conducted, can have a significantly greater validity in terms of a successful appointment in comparison to a standard interview process.

It is important that, in relation to the more technical/complex aspects, staff involved in designing and running such a process should have undertaken the appropriate training, or at least be guided by people who have expertise in this area.

18. Interviews

The aim of the interview is to enable the experience, abilities and qualities of all shortlisted candidates to be assessed against the person specification. The interview is also used to give prospective employees a picture of the school and the job, and maintain and improve the image of the organisation as an employer of choice.

All persons making appointments should endeavour to conduct interviews on an objective basis and interviews must only be concerned with the applicant's

suitability for the job. The interview should be an exchange of information which will help you to assess the candidate against the agreed objective criteria laid down in the person specification, and will also explore the candidate's suitability to work with children. The interview is not just a test for candidates. It is also a test of a panel member's ability to listen, probe, assess and be objective and fair.

It is important to ensure that the interviews are carried out in a systematic and structured way in order to minimise the extent to which personal bias affects recruitment decisions.

In order to ensure consistency and fairness throughout the process, the format of the interview should be the same for each candidate. This ensures that candidates are questioned in a similar way, and that all candidates are given the same information about the job. All candidates should be asked the same core questions, which candidates should be scored on. The panel may also have areas that they wish to explore with each candidate relating to information provided on their application form or within their references, and these will usually be different for each candidate.

If the candidate has, in answer to a previous question, appeared to answer a subsequent question, that question should still be asked and the candidate given the opportunity of addressing the question directly, or supplementing the information already given. Supplementary questions may be asked by any panel member, but should only be used as clarification and elaboration of a candidate's answers, ie probing for further information and clarity in order to evidence specific information to satisfy the original question. Be careful that the supplementary questions do not disrupt the flow of the interview. You can also use probing questions to ask candidates about specific aspects of their application/interview responses/references if required. Advice and guidance for preparing interview questions can be found at Appendix K.

It is advised that, wherever possible, all interviews for a vacancy should be held on the same day. Where this is impossible no more than two or three days should be allowed to elapse before finalising the interviews. In these circumstances, the panel membership must remain the same.

The interview should also explore the candidate's suitability to work with children, his/her ability to support the school's agenda for safeguarding and promoting the welfare of children. To assist with questioning in these areas, a selection of questions which can be used to explore these attitudes is included in the NCSL online training and the Authority Safer Recruitment training. It is highly recommended that the full list of questions be viewed by all members of the panel prior to questions being agreed.

The Panel should also check any gaps in the candidate's employment history and any concerns or discrepancies arising from the information provided by the candidate and/or a referee. The candidate should also be asked whether they have anything to declare in light of the requirement for a CRB Disclosure.

If references have not been received prior to the interview, the candidate should also be asked at interview if there is anything s/he wishes to declare or discuss in light of the questions that have been put to his/her referees.

A suggested structure/format for interviews is contained within Appendix L.

18.1 Attendance History

To avoid appointing people with unacceptable attendance records in their previous employment, specific questions should be asked both during the interview (including questions on the reasons for absence where appropriate) and upon requesting references, about attendance history. In reference requests, care should be taken to avoid using terms like "is the person a good attender?" which is open to subjective interpretation.

The actual incidence and length of any periods of absence within the last two years should be requested of the prospective employee's current (or last) employer together with details of any "live" disciplinary warnings for punctuality or absence. In considering absence history regard should be had to absences outside the employer's control, eg road accident.

This approach not only provides valuable information for use in the appointment process but also reinforces the commitment to achieving a high level of attendance from employees and to applying good management practice to keep unacceptable levels and frequency of sickness absence to an absolute minimum.

Schools may also wish to consider whether to include a copy of the school absence procedures within the candidate information pack as this sends out a clear message to potential applicants that the school places an emphasis on good attendance.

18.2 Conducting the Interview

Interview Panel

Members of the interview panel should:

- have the necessary authority to make decisions about appointment;
- be appropriately trained (at least one member of the panel should have completed the DCSF/NCSL Safer Recruitment Training either on-line or within the Authority);
- have met before the interview to agree what standards they are looking for at interview;
- determine who will ask what and what assessment criteria they will use in accordance with person specification.

The function of the interviewer is to encourage candidates to show their strengths and skills during the interview, bearing in mind that interviewing is a process of selection not rejection.

The three basic elements of a good interview are:

Contact - establishing a rapport with the interviewee

Content - asking appropriate questions and listening to the replies to see how they relate to what is wanted and needed to be known

Control - steering the interview in the appropriate direction to achieve the interview objectives which may involve bringing the interviewee gently back to the point of the question or preventing him/her re-treading the ground already covered.

Each interviewer will preferably have been allocated a topic for questioning or specific questions to ask. Duplication of questions should be minimised if the structure of the interview is adhered to.

The Panel should ensure that they are as welcoming to the candidates as possible, that they do not shuffle through their papers or talk to one another during the interview, that they are not impatient with unfamiliar accents or intonations. At the end of the interview the candidates should be thanked for applying for the post.

The panel should meet prior to the interview to plan and agree which questions will be asked, and which panel member will ask which questions and therefore they should know which areas of the person specification they wish to explore at interview. Panel members should also have a clear idea as to the key points which they expect to be covered within the candidates' responses. In addition to the list of questions, they may also wish to explore more in-depth information on other aspects of the application form or references.

Role of the Chair

The Chair has an important role on the panel, which includes:

- making necessary introductions to the candidates at interview and explaining the structure and format of the interview process. If candidates are to make a presentation it should be made clear when this will take place and for how long.
- ensuring that the candidate feels sufficiently at ease to be able to communicate effectively during the course of the interview. This can be achieved by asking a general question first, such as "Can you tell us what particularly attracted you to this post?"
- ensuring that the interview panel has probed the candidate sufficiently well to enable a valid suitability assessment to be made regarding the candidate's ability to do the job and preventing any

questioning of a candidate which could be judged to be discriminatory.

- see that each interview takes roughly the same time and covers the same topics. Occasionally the candidate may not understand the question and the chair may be able to rephrase the question so that it can be more easily understood.
- concluding the interview and informing the candidate what the subsequent stages of the process are. A useful way of bringing the interview to an end is to give candidates the opportunity to ask any questions that they might have, or say anything further about themselves in relation to their application.
- Ask the candidates if they will accept the job if it is offered to them.

The Chair should not ask all the questions during an interview. It is more valuable if others contribute, and the Chair plays a less prominent role.

Guidance in relation to interview questions can be found at Appendix K.

Verification of identity

In order to fulfil the requirements of the Bichard Report, all prospective employees (including people already employed by the Authority) should now have their identity confirmed via a photographic check. Therefore candidates must be asked to take a recent passport sized photograph from which they can be clearly identified to interview. At the interview the reverse of this photograph must be signed by the chair of the panel to confirm that it is a true likeness. The photograph of the successful candidate will be retained on their personal file. The cost of producing the photograph is to be borne by the applicant. Unsuccessful candidates are entitled to request that the photograph be returned to them. If they do not request that their photograph is returned, it should be destroyed. If candidates do not provide a photograph at the interview, then the panel may take the decision that they should no longer be considered for the post. This must be made clear to candidates in the invite to interview letter (Appendix G).

18.3 *Recording Assessments*

It is important that all interviewers keep notes to ensure that a properly reasoned assessment can be made as to whether a candidate meets the requirements of the person specification and whether they are suitable to work with children. It also enables a fair comparison to be made between candidates at the end of the interview process.

Remember, any paperwork used to record assessment and selection decisions may be used in candidate feedback, in the event of a recruitment complaint, or in the event of any legal action taken by an unsuccessful applicant and will, therefore, need to be retained for a

minimum period of 12 months. Any notes should be collected by the chair and retained pending any subsequent queries to the panel.

In the course of an interview a substantial amount of information should have been communicated by the candidate. When there are a number of candidates it can be difficult to recall at the end of the process who said what and it is easy to confuse candidates unless notes are made to recall individual strengths and weaknesses.

Notes taken during an interview can be vital not only in assisting in the final decision of who the best person for the job actually is, but may well be used as factual evidence during an Employment Tribunal hearing or by the Governors if a candidate complains of unfair treatment.

The important notes to make are those which provide evidence of the qualities and skills the candidate brings to the post and exhibits at interview, which match the requirements of the post as listed in the initial criteria and employee specification.

Interviewers, like everyone else, may instinctively prefer one person to another. But it is important to look for separate and distinct evidence. A systematic approach encourages fair selection.

The Chair should ensure that there is no discussion of candidates between interviews. This should only happen after all the candidates have been seen, to help give all candidates a fair chance.

18.4 Red flags and warning signs in interviews

The DCSF accept that it is difficult, if not impossible, to identify an abuser during selection processes or to prevent unsuitable people from working with children. The purpose of Safer Recruitment guidance is to make it as difficult as possible for such people to gain access to children.

There are no conclusive sex offender profiles and no distinguishing physical characteristics. It is highly unlikely that someone with a history of offences against children would admit to these crimes. It is more likely that the sex offender will be watchful, studious and extremely careful not to exhibit any overt signals. Warning signs can be as subtle as the individual who talks of being a friend to all the local children, the one who takes the children out or who has exceptional rapport with them, the individual may offer an overly smooth presentation, or be exceptionally keen to please. There may be strange or inappropriate comments about children or signs of evasion or dishonesty. However, there may be none of these signs and indeed the individual may simulate the very person the panel had in mind for the job.

It is vital that interview panels keep an open mind and do not stereotype child abusers. Even though it is a complex area, do not stop looking for signs. When working with children and young people, all adults should be alert to the possibility that the behaviour of some adults, albeit a minority, may pose a risk.

Individuals unsuited to working with children may show one or more characteristics that can be viewed as possible danger signs. These are included in the NCSL on line training and the Authority version of this. It is recommended that this list of characteristics be viewed by a member of the panel, and shared with other panel members prior to the interview taking place.

19. Appointing the Successful Candidate

19.1 Assessment of candidates/final choice

Once all the candidates have been seen, the Chair, Headteacher or Adviser may sum up the relative merits of the candidates in relation to the post. This summing up may take place either before or after the Panel discuss the candidates. When reaching a decision the Panel will want to take account of information from three sources - the application form, the references and the interview.

Discussions should concentrate on evaluating each candidate's relevant qualities and experience in relation to the criteria for the post. It may be possible to eliminate some candidates almost immediately if they do not fulfil the criteria, requirements and standards detailed in the person specification.

The Selection Panel can then continue to discuss the strengths and weaknesses of the remaining candidates, and may wish to use a similar scoring method to that used at the shortlisting stage. It may then be possible to eliminate further candidates or recommend an appointment.

It is the Chair's responsibility to ensure that in determining whether to reject a candidate, the Panel only consider factors relevant to the post. When a candidate without a certain requirement for a post has nevertheless been short-listed for interview, the candidate should not be subsequently rejected solely on the grounds of failing to meet that requirement. It is the Chair's role to ensure that the Panel maintains consistency and notes the reasons for eliminating candidates in order that the process of feedback can retain objectivity.

As stated earlier in the guide, the "Positive about disabled people" status includes a commitment to guarantee an interview for any applicant with a disability that meets the essential requirements for a vacancy. However, any appointment decision thereafter must be made solely on merit. This Policy is permissible within the requirements of

the Local Government and Housing Act 1989 Section 7 "Appointment on merit" and is seen as meeting the reasonable adjustment requirements of the Disability Discrimination Act.

The Panel must decide which candidate to appoint. All Panel members must have the opportunity to give their views prior to a vote being taken. If no agreement is reached, they can decide to re-interview, including candidates meeting the criteria who were not originally short-listed if they feel that it would lead to their being able to make an appointment, or the post can be re-advertised.

The final decision should be based on an objective assessment of the candidate's qualities and a record should be made of the assessment of each candidate on the Post-interview report form (Appendix M).

If no candidate shows sufficient evidence of meeting the selection criteria of the post then an appointment should not be made and the post should be re-advertised. The Panel should check whether the advertisement contained a misleading or off-putting phrase, or was overshadowed by a competitive advertisement.

Occasionally the Panel might be able to learn something from the candidates about how the advertising and selection procedure could be improved. Candidates may be willing to express an opinion informally and help the school to change their procedure to make it more effective in the future.

All records of shortlisting, interviews and the application forms of all candidates should be retained for a period of at least twelve months in case there is a query or complaint.

19.2 *Notifying a Decision*

Candidates should be told in advance how and when they can expect to hear the result of the interview. It is not necessary to ask candidates to wait behind for the decision of the Selection Panel, and many candidates prefer not to. Candidates can be told the results later by telephone and this should be followed up with a letter. Once the decision on the successful candidate has been made and the conditional offer accepted, each applicant should be notified as quickly as possible.

If, however, the Panel has decided to ask candidates to remain after the interviews in order to make an initial verbal conditional offer, then a Panel member should notify the other candidates of the decision and thank them for their attendance.

The initial verbal conditional offer should normally specify the commencing salary/wage and the hours per week and will deal with

any other outstanding conditions of service points raised at the interview by the chosen applicant.

There should be a written conditional offer, which must be accepted in writing by the successful applicant.

The candidate may request details of salary or seek to negotiate. However, the offer should be made in accordance with the post as advertised.

After acceptance of the conditional offer of appointment by the successful applicant, other applicants interviewed should also be contacted and will normally be notified in writing that they have been unsuccessful and thanked for their interest and attendance.

20. Conditional offer of appointment – checks and verification

The initial offer of employment to the successful candidate should be conditional upon:

- The receipt of at least two satisfactory references (see Section 13)
- Verification of the candidate's identity (to comply with the Asylum & Immigration Act (see Appendix E)
- A check of DCSF List 99 (in some residential establishments a check of the PoCA List may also be required)
- A satisfactory CRB enhanced disclosure (this will include a check of List 99)
- Verification of the candidate's medical fitness (including completion of the Pre-employment Risk Identification Form (RIF))
- Verification of relevant qualifications
- Verification of professional status where required, eg GTC Registration, Qualified Teacher Status, NPQH
- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999)
- (for non-teaching posts) satisfactory completion of the probationary period.

When a job offer is made, care should be taken to ensure that the offer does not discriminate on the grounds of race, sex or marriage, or disability in the terms on which the employment is offered or generally in affording access to any benefits, facilities or services, or salary point. Appointments should not be offered subject to receipt of satisfactory references.

20.1 CRB Application and Disclosure

All posts in schools will be subject to an enhanced disclosure from the Criminal Records Bureau (CRB).

For all posts, the successful candidate must apply to CRB for a disclosure to confirm any records held prior to any final appointment

decision being made by the Authority – the necessary application form will be issued to the successful candidate(s) to enable them to apply.

The CRB check will include:-

- details of convictions, including those 'spent' under the Rehabilitation of Offenders Act (1975) – see appendix D and appendix O
- Cautions, bind overs etc, whether included on List 99, Protection of Children Act List or Protection of Vulnerable Adults List
- Where appropriate, information from local Police records, including any relevant non-conviction information ('soft' information).

A conviction is not necessarily a bar to recruitment, unless the Authority considers that the conviction renders you unsuitable for appointment. In making this decision, consideration will be given to the nature of the offence, how long ago and what age you were when it was committed and any factors which may be relevant. The Authority has developed a guidance note on the employment of ex-offenders, which provides advice for schools when considering the appointment of an employee that has declared a conviction/caution, including a risk assessment tool to use. This document can be found on the School's Portal.

It is an offence for an individual who has been disqualified from working with children to knowingly apply for, offer to do, or accept or do any work in a regulated position. An individual is disqualified from working with children if s/he is included under Section 142 of the Education Act 2002 (formerly known as List 99) or PoCA/PoVA list or disqualified from working with children and vulnerable adults as part of a sentence.

20.2 CRB School record keeping

In June 2006, Ofsted published a report entitled 'Safeguarding children: an evaluation of procedures for checking staff appointed by schools'. As a result of this, the Schools Minister informed schools that, as a matter of urgency, they should ensure that record keeping is quickly improved and that schools must make the improvements as swiftly as possible. The purpose of the exercise was to ensure that every school compiled and held a single, central record for all people working in or with the school, where existing guidance required a number of checks to be undertaken. The DCSF advice at the time stated that the following information should be held on the central record:

- Identity – name, address and date of birth;
- Qualifications – where the qualification is a requirement of the job, ie those posts where a person must have QTS;
- Evidence of permission to work for those who are not nationals of a European Economic Area (EEA) country;
- List 99 check;

- CRB – for all those who require a check under the guidance and regulation applying at the time they were recruited.
- Date that the check was evidenced

In September 2006, the School's Personnel Manager wrote out to all schools providing details of the CRB information held by the Authority, and provided an example template to use for the central record. Schools must ensure that they maintain this central record by inputting the details of all new appointees to the school on it.

20.3 CRB & Agency staff

Where it is necessary to provide for casual appointments to cover occasional/emergency vacancies, eg to cover sickness absences, an advert should be placed on each occasion.

Schools may wish to utilise the services of an Employment Agency to fill casual vacancies on a short-term basis. Schools should make every effort to obtain employees from an Agency that conducts the appropriate checks and CRB disclosures on their clients and must seek confirmation from the Agency that a CRB clearance has been received. If the identified employee is not CRB cleared, then Headteachers must ensure that the person has no unsupervised access to children until the relevant CRB clearance is received.

20.4 Medical Clearance

An offer of appointment will normally be subject to a satisfactory medical assessment. Form ME5 should be completed by the prospective employee, following which the Appointing Officers will either confirm the appointment or refer the form to the Authority's medical advisers for guidance on the suitability of appointing, relative to the requirements of the job.

20.5 Asylum and Immigration Act 1996

The Act makes it a criminal offence to employ a person aged 16 or over without authorisation by the immigration authorities.

Employers are required to check the identity of potential employees and confirm that they are eligible to live and work in the UK. Appendix E provides further information about the Act, and outlines the documentation that should be produced by potential employees to verify their employment status.

21. Post Interview Feedback

After interview, candidates should be offered the opportunity to receive feedback in order to assist them in their career development. Many

unsuccessful candidates are not in a receptive frame of mind to receive such feedback immediately after interview.

It should be recognised however, that feedback of this nature needs to be carried out on a professional basis, with sensitivity and with awareness of good human resources practices. This is because it carries with it a possibility of placing dissatisfaction in the mind of the applicant in relation to the conduct of the interview, leading to an unnecessary complaint through formal complaints procedures. To reduce this possibility it is suggested that post-interview feedback is given by the Headteacher or other senior member of staff who took part in the interview, who has appropriate experience and who is aware of equal opportunities legislation. The advice offered to an individual in a post-interview situation should convey the views of the Panel. Whilst the expression of personal views should be avoided, if they are given, they should be clearly identified as such. Great care should be taken with any views expressed since they may be used in any formal complaints procedure.

22. Complaints

Any unsuccessful applicant may wish to make a formal complaint about a recruitment and selection process. External candidates may use the School's Complaints Procedure for this purpose, while internal candidates must use the School's Grievance Procedure. Such complaints are the responsibility of the Governing Body to investigate. Advice can be sought from Senior Schools Human Resources Staff.

23. Further Advice

Where there is any doubt about the application of this guidance or the requirements of the relevant legislation and County Council Policy, guidance should be sought from Senior Schools Human Resources Staff.