



# Recruitment and Selection Policy

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## □ Introduction and Aims of the Policy

The recruitment and selection of new employees is one of the most important functions of the Board of Directors/Local Governing Bodies, Headteachers and academy leadership. Poor appointments can be costly, time consuming and can impact on the ethos of the Trust.

Kings Academy Trust is committed to providing the best possible care and education for its pupils and to safeguarding and promoting the welfare of children and young people.

The aims of this recruitment policy are to:

- ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position.
- ensure that all job applicants are considered equitably and consistently, taking into account all relevant equalities legislation.
- ensure compliance with all relevant recommendation of the DfE in 'Safeguarding Children: Safer Recruitment and Selection in Education Settings' and the code of practice published by the Disclosure and Barring Service.
- ensure that the Trust meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary preemployment checks.

It is therefore essential to plan the recruitment exercise carefully. The Trust will identify who should be involved, assign responsibilities, and agree the key stages of the recruitment process and set aside sufficient time for the work needed at each key stage.

### 1. Application of Policy

This policy will apply to all vacancies and appointments made by the Trust. There is significant legislation around the appointment of staff and any managers involved in the recruitment to vacancies should have an awareness of this. If there are any concerns or queries which arise, these should be referred to the Trust in the first instance.

Fairness in recruitment and selection plays a significant part in creating an equal opportunities environment. Therefore, the aim is that every internal and external applicant for a job within the Trust is considered against objective criteria, which relate only to the requirements of the job.

## **2. Relevant Employment Legislation:**

The Trust is aware that an applicant can allege discrimination against an employer although there is no direct employment relationship.

### **3.1 Discrimination Under the Equality Act 2010**

Those involved in recruitment should be aware that under the Equality Act there are a number of protected characteristics which are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnerships
- Pregnancy and maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

and it is unlawful to discriminate due to any of these characteristics.

### **3.2 Unlawful discrimination**

Unlawful discrimination could be found in:

- The offer of that employment, e.g. if it were implied that applications from persons who have one or more protected characteristics would not be considered (unless a genuine occupational qualification applies)
- The terms on which employment is offered or,
- Refusing or deliberately omitting to offer employment, such as deliberate omission from a shortlist on grounds of one or more protected characteristic under the Equality Act.

### **3.3 Discrimination in recruitment on the grounds of disability**

The Equality Act 2010 requires employers to eliminate discrimination against disabled people at all levels.

Disability is defined as a physical or mental impairment having a substantial and long term (lasting longer than 12 months) adverse effect on the ability of the person to carry out normal day to day activities.

If a disabled person is treated less favourably for a reason that relates to their disability, or there is a failure to make reasonable adjustments in these circumstances it will be seen as unlawful discrimination. The adjustments should be such that disabled persons are not placed at a substantial disadvantage to able bodied employees. For example for the purposes of selection:

- Ask candidates about any special arrangements they require for the interview prior to the day, such as disabled person's parking.
- Ensure the interview room is appropriate i.e. at ground level (or has a functional lift), is easily accessible for a wheelchair user.

Applicants should be asked when inviting them to interview if they will require any adjustments to enable them to attend the selection process. The following steps should be followed if there is a disabled applicant:

- Alert both reception and other members of the interviewing panel - Review and if necessary modify procedures for testing or assessment - Provide a reader or an interpreter.

When appointing a successful candidate, consideration should be given to the need for equipment and modifications.

### **3. Recruitment Process:**

#### **4.1 Vacancy Identification**

A vacancy can arise through the resignation or retirement of a member of staff, through the creation of a new post or through restructuring.

#### **4.2 Job Descriptions and Person Specifications**

A job description and person specification will be available for every vacant post.

The job description will outline the main duties, responsibilities and accountabilities of the post. It will also contain details of job title, salary and reporting lines and outline any responsibilities associated with promoting the welfare of young people.

The person specification will outline the skills, knowledge and experience that are required by the post holder to enable them to carry out all the responsibilities and duties in the job description. This information is essential and should not be discriminatory in any way. Candidates should not be excluded from applying by the criteria being unnecessarily narrow.

The Trust will consider what criteria are essential for the post or only desirable and at what stage of the recruitment process the criteria will be used e.g. short listing or interview.

Essential criteria are those requirements without which a candidate would be unable to perform the job.

4. Desirable criteria are those requirements which may assist a panel when choosing between more than one candidate who could perform the role.

#### **4.3 Advertising**

Once a vacancy has been identified, the Trust will consider where to advertise the vacancy and also when, especially given the resignation dates for teaching staff.

Unless internally ring-fenced, all posts will be advertised externally.

All adverts will carry a statement on the policy towards DBS checks and the safeguarding of young people.

Terms should be avoided which could be perceived as discriminatory within advertisements and will therefore be scrutinized by someone who is clearly aware of the legislation.

The advert will clearly identify the closing date for the post and the dates for interviews.

#### **4.4 Recruitment Pack**

The recruitment pack can include:

- A covering letter detailing the job title, closing dates, where to send the completed application form and details of the short-listing/interview dates where possible. The letter will also stress that only a fully completed application form will be accepted.
- A statement highlighting the Academy Trust's commitment to safer recruiting procedures. This will encourage suitable and discourage unsuitable applicants. A statement advising applicants that the interview will include questions about safeguarding children is also advisable.
- A copy of the Trust's Child Protection Policy
- A copy of the job description and person specification.

- A copy of the advertisement.
- A description of the selection process, including the requirement to take up references, and stating that any anomalies or omissions in the application will be raised at the point of interview and the previous employer will be contacted.
- Information regarding the Academy and the Trust.
- The Trust's Equal Opportunities statement
- An application form.

For all posts application forms should be completed in full and a Curriculum Vitae will not be accepted instead.

For internally ring fenced positions, a letter of application may be sufficient. This will be made clear within the advertisement.

## **5. Selection**

### **5.1 The Panel**

The appointed panel will be representative wherever possible and will consist of at least two people and ideally will include the direct line manager of the new position. At least one member of the Panel will have received certification in Safer Recruitment. Other members should have received internal training on recruitment procedures and should ensure they are familiar with this policy, in order to ensure they are aware of their roles and responsibilities and the relevant legislation. Trustees will be involved with appointments for middle and senior leader positions and other positions where appropriate.

The panel will agree a chairperson, who will be responsible for managing the interview process and ensuring that the agreed procedures are followed. All members of the panel should be involved in all stages of the selection process.

### **5.2 Shortlisting**

This will be based only on the information contained in the application form and measured against the requirements specified in the person specification.

The panel will meet to consider which of the applicants meet the essential criteria.

Each applicant will be judged against the criteria only in a consistent manner without discrimination. Records will be kept of the shortlisting process and will include reasons why it was felt that candidates did not meet the criteria. This information will be kept for 12 months.

If a panel member knows any of the applicants, they should declare that at the shortlisting stage. This will not necessarily mean that the panel member can no longer be involved in the process.

There is no automatic right for internal applicants to be shortlisted. However, if they are not shortlisted, then the line manager will provide feedback.

It is acceptable to shortlist only one candidate where that candidate alone has met the shortlisting criteria. However in such circumstances there may be occasions when it might be appropriate to re-advertise in order to obtain a wider choice of candidates.

Once the panel has agreed on the shortlist, the candidates will be called for interview. In order to prepare for the interview, all shortlisted candidates should be provided with a letter detailing the following;

- Interview date, time and venue.
- Where and to whom they should report on arrival.
- An outline of the day.
- Request for documentation required to prove identification.
- Request to bring in certificates to confirm qualifications.
- Request for any special requirements they may have e.g. wheelchair access.

At this stage the panel will also finalise the selection process. The process should be designed to ensure there is sufficient information to select the best candidate for the post. In addition to conventional interviews, other techniques such as group activities, individual presentations and role play can provide valuable information on the candidates' abilities.

Having established the process, the panel will prepare an interview assessment pro forma, to record relevant information about each candidate's performance.

### **5.3 Interviews**

The panel will decide on a set of core questions designed to assess the ability of candidates to meet specific criteria on the person specification. These will be prepared in advance. All candidates will be asked the core questions.



If a candidate has, in answer to a previous question, appeared to answer a subsequent core question, then the question should still be asked. This gives the candidate the opportunity of addressing the question directly or supplementing the information already given.

Supplementary questions may be asked by any panel member provided they are relevant to the person specification criteria but such questions should only be used for clarification and elaboration of candidates' answers.

Specific questions can be asked of individual candidates, which relate to points in the application and to test performance. Candidates must be judged solely on the evidence provided within the interview/selection process of their ability to do the job. Prior or personal knowledge of a candidate will not be presumed to satisfy a requirement of the post unless that area has been tested at interview.

Assessing the ability of candidates to apply the principles of equality in their job is the responsibility of all panel members. The panel will be seeking to assess throughout the interview each candidate's general approach to equalities issues, rather than simply relying on specific answers to specific equalities questions.

The applicant's attitude towards the safeguarding of young people should also be assessed by exploring their motivation and attitudes and communication skills. Hypothetical questions should be avoided. Any discrepancies or omissions within the application form can be questioned during the interview process.

All panel members will keep reasonable notes of responses to all core and supplementary questions to ensure that a properly reasoned judgement can be made as to whether a candidate meets the requirements of the person specification. This will enable a fair comparison to be made between candidates at the end of the interview process.

The notes will justify any judgement made and will be recorded. Any paperwork that is used to record assessment and selection decisions may be used in either feedback, in the event of a recruitment complaint or in the event of any legal action taken by an unsuccessful applicant. All information will be retained for a minimum period of 12 months.

A decision will be taken based on the judgements made against the relevant criteria. Applicants will be contacted as soon as possible inviting unsuccessful applicants to receive feedback if they so wish. No offer of employment will be made without receipt of at least one satisfactory reference.

## 5.4 References

The purpose of the reference is to obtain information, in confidence, from a third party. This will provide a factual check on the candidate's employment.

Normally two references will be sufficient, provided one is the current or most recent employer. However, if the applicant is not currently working with children but has done so in the past, additional references will be obtained from employers by whom the person was most recently employed in work with children.

Relatives and friends should be precluded as referees as they are unlikely to be objective and there is no way of verifying the accuracy of the information provided by them.

References will normally be applied for after short listing but prior to interview. Gaps in the application or concerns can be highlighted and followed up by questioning at the interview stage if the candidate is shortlisted.

The applicant's current employer should be asked about:

disciplinary offences relating to children, including any in which the penalty is 'time expired' (that is where a warning could no longer be taken into account in any new disciplinary hearing for example).

- whether the applicant has been the subject of any child protection concerns.
- the outcome of any enquiry or disciplinary procedure.

If the applicant is not currently working with children but has done so in the past, his/her previous employer with children will be asked about the above issues.

The Trust will:

- approach referees for all short-listed, including internal applicants
- always seek and obtain references directly from the referee in writing.
- send the job description and person specification to the referee.

The Trust will not:

- rely on references or testimonials provided by the candidate or on open references and testimonials.
- accept photocopied references.
- accept oral references.
- Ignore gaps in the points covered in the reference.

It should be noted that there is no legal requirement to provide a reference unless so stated in the individual's contract of employment. In the event that a reference refuses to write a reference, the Academy will find out why and seek an alternative referee.

To ensure that the referee provides comprehensive information, references should be submitted on a standard reference pro forma that will cover all aspects of the information required by the interview panel.

The information sent to referees should advise:

- about the referee's legal liability for references and that the reference should contain no material miss-statement or omission. that the content of the reference may be discussed with the applicant at interview.
- that they may be contacted subsequently for written clarification of any part of the reference.

Upon receipt of the reference, information provided should be checked for consistency against the application form.

Verification can be sought, if appropriate, from the previous employer that the applicant has any previous experience that s/he claims to be relevant to the post.

Discrepancies or other concerns will be checked before the interview with the candidate and may form part of the short listing process itself. Any other discrepancies will be noted and explored at interview.

## **6. Employing Workers from Overseas:**

All employers in the UK have a responsibility to stop illegal migrants working. The Academy Trust will be required to check the entitlement of everyone that they plan to employ to work at the Academy trust.

Some people can work in the UK without restriction, including:

- citizens of the UK, Channel Islands, the Isle of Man and Ireland.
- Commonwealth citizens with the right to live in the UK.
- Most European Economic Areas (EEA) and Swiss nationals, although nationals of some Eastern European EEA countries will need authorization or to register with the UK Border Agency (UKBA) to work in the UK.
- family members of nationals from EEA countries and Switzerland that are residing lawfully in the UK.
- dependents of migrants who have entered the UK under one of the tiers of the points based system.

Candidates will be provided to supply evidence of their right to work in the UK by producing original copies of documents specified by the UKBA.

## **6.1 Employing someone who needs permission to work in the UK**

Prospective employees will have to apply to work under the points-based system.

The points based system replaces nearly all previous routes to work, train or study in the UK.

Applicants must obtain a specified minimum number of points. These will be awarded for a combination of skills and attributes, such as:

- age
- qualifications
- previous earnings
- knowledge of the English language
- savings

Most categories of employee will need a certificate of sponsorship from an employer with a sponsor license issued by the UKBA.

## **7. Temporary and Fixed Term Staff**

Temporary and fixed term staff are often employed, when there is a short term vacancy to cover maternity leave, sick leave or a vacant post due to resignation, pending recruitment.

All posts to be filled on a temporary or fixed term basis will be advertised at the very least internally and filled through the usual recruitment and selection process.

Temporary staff will not be employed for periods of more than six months unless there are clearly identified reasons for doing so. After two years however, the employee will have full employment rights. Fixed contracts may be issued but again an employee will have full employment rights if employed more than two years.

Temporary staff should be given as much notice as possible, if their contract is to be extended. Usual notice periods will apply if the contract is not renewed and the correct process should be followed.

If a temporary employee is employed for less than two years and the post becomes permanent, then the post will be advertised and they would have to apply in the usual way.



