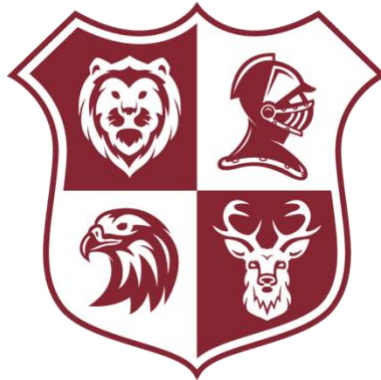


Recruitment



STATUTORY / NON-STATUTORY	NON-STATUTORY
MEMBER OF STAFF RESPONSIBLE	DHT
DATE APPROVED BY Head/SLT	May 2021
GOVERNING BODY OR COMMITTEE RESPONSIBLE	P&P
DATE OF FULL GOVERNING BODY APPROVAL	May 2021
REVISION DUE DATE	2 years

About this policy

Purpose

This document describes the Recruitment and Selection policy in Schools.

For the appointment of teaching and support staff, the Governing Body, after deciding to recruit to the vacant post, will normally delegate this responsibility to the Headteacher. The Headteacher may wish to include Governors in the selection process depending on the post.

Refer to the table of contents, below, for a full list of topics covered.

Contents

This document covers the following topics:

1. Policy Statement	
2. Definitions	
3. Scope of the policy	
4. Identification of a vacancy.....	
4.1. Definition	
4.2. Organisational change	
4.3. Secondments/acting up	
5. Initiating the recruitment campaign	
5.1. Create the Application Form	
5.2. Create the Job Description and Person Specification	
5.3. Advertising	
5.3.1. Eligibility to apply for vacancies	
6. Shortlisting	
6.1.1. Selection Panel	
6.1.2. Shortlisting of applicants	
7. Interviews	
7.1. Preparing interview questions	
7.1.1. Suitability to work with children, young and vulnerable people	
7.2. Conducting the interview	
7.3. Decision to appoint	
8. Making a conditional offer	
8.1. Unsuccessful applicants	
8.2. Offer of employment	

9. Pre-employment checks	
9.1. References	
9.1.2 Criminal records	
9.1.3 Convictions	
9.2. Occupational Health	
9.3. Eligibility to work in the UK	
9.4. Evidence of qualifications required for the job	
9.5. Performance and conduct checks	
10. Commencement of employment	
11. Induction	
12. Evaluation	
13. Data collection and protection	
13.1. Records and monitoring	
13.2. Analysis	
14. Summary of roles and responsibilities	
14.1. Recruiting Manager	
14.2. Human Resources	

Appendix A – Eligibility to work in the UK and documents for overseas staff

Appendix B - Disabled Applicants

Appendix C – Volunteers

1. Policy Statement

The aim of this policy is to create a structure and process to facilitate the recruitment and retention of high calibre staff to the School and to:

- Ensure that the recruitment processes are safe and fit for purpose.
- Appoint the best person for each position.
- Ensure equality of opportunity for all applicants.
- Offer career development prospects and create opportunities for employees to apply for internal promotion.
- Ensure compliance with the relevant employment legislation.
- Promote Noadswood's values.
- Meet the School's operational requirements and strategic aims.

All staff involved in the recruitment process must have appropriate training and be aware of their responsibilities under the relevant legislation. At least one member of the recruitment panel should have carried out **safer recruitment training**.

The School aims to secure equality of opportunity in all its activities, and in this respect all staff should demonstrate a positive approach towards equality in employment.

If a member of staff involved in the recruitment process has a close personal or familiar relationship with an applicant they must declare this relationship as soon as they are aware of the individuals' application. It will be best practice for the member of staff to avoid any involvement in the recruitment and selection process.

We are committed to ensuring all recruitment adheres to employment legislation, safer recruitment guidelines and is fair and accessible to all. The safety of children and young people is paramount and we are fully committed to safeguarding and promoting the welfare of children and young people. The recruitment panel will be required to act reasonably in making decisions about the suitability of a prospective employee based on checks and evidence including DBS checks, barred list checks and prohibition checks, together with references and information obtained at interview.

2. Definitions

The following terms are used in this policy:

Vacancy

A vacancy is defined as an established or new post which is not filled by a permanent member of staff.

Safer Recruitment Training

The course it is recommended that one panel member must have attended and successfully completed.

Recruiting Manager

Anyone who is leading on the recruitment process. Normally this will be the Headteacher or the Chair of Governors but in some cases this could be the Bursar or Business Manager.

Disciplinary action

Action taken against an employee in the form of a verbal or written warning, or in some cases dismissal due to breaching confidentiality or tampering in the recruitment process. Further details can be found in the [Disciplinary Policy](#).

Grievance

An internal applicant may choose to raise a complaint if they feel the recruitment process has been biased or conducted unfairly. Full details can be found in the [Grievance Policy](#).

3. Scope of the policy

This policy applies to anyone who deals with the recruitment of school staff including but not limited to Headteachers, Deputy Heads, other members of the Leadership Team, Bursars, Business Managers and Governors.

This policy is applicable for the recruitment of teaching and school support staff.

Recruitment of new staff must be agreed with the Headteacher before commencing any steps laid out in the procedures below.

The Local Authority is the employer of staff based in community and voluntary-controlled schools but the Governing Body and Headteacher have delegated responsibility for recruiting, selecting and managing staff. In Voluntary-Aided and Foundation schools the Governing Body is the employer.

Particular stipulations apply when employing foreign workers. It may be necessary to conduct a 'resident labour market test' and advertise the post to settled workers for a set period. Please refer to Appendix A for further information.

Agencies

Before engaging agencies it is important to be assured they have robust systems in place in terms of pre-employment checks. Each agency should be fully vetted to ensure that the appropriate checks are carried in terms of suitability and validity to work with children and young people, eligibility to work in the UK and past criminal convictions.

Agency staff are not employees of the school and are engaged as workers through the agency. You should ensure that any agency providing workers also adopt and implement the measures described in this guidance.

4. Identification of a vacancy

4.1. Definition

A vacancy can arise when:

- A member of staff has left a post.
- A change in workload, departmental structure or job design is required.
- Cover for long-term sickness, maternity, paternity or shared parental leave is required.

On identifying a vacancy, recruiting managers should consider the following:

- Whether the vacant post is still necessary. How the post will be funded.
- Whether the post is established or outside of the agreed budget or structure.
- Whether the Job Description for the post needs updating. If so, the post may need to be re-evaluated or whether a new Job Description is required for a new post.
- Whether the post is appropriate for job share.
- Whether the post could provide an opportunity for secondment.
- Whether the post is suitable or appropriate for redeployment purposes
- Whether the post needs to be filled on a temporary basis due to the needs of the school.

4.2. Organisational change

Where a vacancy or vacancies have arisen as a result of organisational change and prior to advertising the vacancy recruiting managers must interview redeployees, who are covered by the Equality Act 2010 for any posts for which they meet the minimum job requirements or posts which will be a step promotion, and which could constitute suitable alternative employment for them.

Suitable alternatives for redeployees

Redeployees are employees who:

- For medical reasons are not able to fulfil requirements of the role for which they were employed.
- Due to organisational change no longer have a substantive role and are looking for a new role within the school.

Recruiting managers should interview redeployees prior to advertising the vacancy for any post for which they meet the job requirement i.e. apply for job at the same level/grade and could constitute suitable alternative employment for them

4.3. Secondments/acting up

Where a vacancy exists, a number of options can be used to fill the post i.e. secondment, acting up and on a permanent basis. Where the position is a permanent vacancy it must be advertised throughout the School following the recruitment procedure in the interest of fairness.

Secondment

Seconding an employee from another department to cover a vacancy should be treated as a normal recruitment campaign. Therefore the interim 'acting up' position should be advertised internally. It must be stated that the position will be offered on a fixed-term basis.

The seconded employee is entitled to return to their substantive post (or, in exceptional circumstances, to a comparable post of equal grade and status) at the end of their time in secondment.

Advice can be sought from the Noadswood HR team.

Acting up

Headteachers should advertise temporary promotions across the School unless a clear business need for urgency precludes this.

5. Initiating the recruitment campaign

Before the recruitment campaign can commence, the Job Description and Person Specification must be produced. The job description may need to be re-evaluated if necessary.

5.1. Create the Application Form

Application form templates are with the HR team / PA to the headteacher. Remember an application form can also dissuade potential applicants from applying if it is too long or it contains material which is not relevant to the post. You may also want to include links to:

- School prospectus (or other details, including the school's current position e.g. Ofsted reports, restructuring, new building etc).
- Copy of the school's Equality and Diversity Policy.

5.2. Create the Job Description and Person Specification

The purpose of the Job Description and Person Specification is to provide information on the role and what skills, knowledge, experience and behaviours the successful candidate must have.

The Recruiting manager should draft the Job Description and Person Specification in consultation with the Headteacher. Job Description templates are available from the HR team / PA to the headteacher.

The requirements listed in the Job Description and Person Specification must be clear, fully justifiable and associated to the role. These measures will help to increase the pool of potential applicants and reduce the risk of discrimination occurring.

Written effectively it helps:

- Ensure that you attract the right candidates for the role.
- Evaluate applications quickly and accurately during the shortlisting process.
- Provide a basis for writing the advert and interview questions.

All requirements must be realistic and justifiable and must observe equal opportunity provisions in terms of the language and criteria used. For example, number of years of experience required should not be stipulated as this can be deemed as age discriminatory.

5.3. Advertising

The normal practice should be for all posts to be advertised internally and externally concurrently. However there may be some exceptions according to the circumstances, for example:

- Appointments of less than six months, where practical, should be advertised internally and considered for external advertising.
- Appointments over six months should be advertised internally and externally.
- This decision should be discussed with the Headteacher.

It is the position of the School that the advertising of any vacancies should support Equalities Act 2010 by ensuring that:

All vacancies are advertised internally and, where appropriate, externally

The content of advertisements complies with anti-discrimination legislation.

Any advertising opportunity will be used to the fullest advantage to promote the School

5.3.1. Eligibility to apply for vacancies

Any substantive employee within the school can apply for any vacancy providing they meet the minimum criteria for the vacant post. Internal candidates are defined as staff, who, are employed on either permanent or fixed-term contracts, i.e. substantive staff.

Agency staff are not employees of the school, but can apply for internally advertised vacancies.

6. Shortlisting

6.1.1. Selection Panel

The Recruiting Manager will normally be the Panel Chair. The selection panel will be responsible for the shortlisting of applicants, the interviewing and if required, further testing of candidates.

In all cases, it is recommended that the selection panel should consist of **at least two** people and possess sufficient knowledge of the School and the post in order to objectively assess the suitability of each candidate.

Training

In all cases, all of the panel members should have appropriate recruitment and selection training, so they understand:

- The legal impact and consequences of not following consistent recruitment and selection procedures.
- The School's Recruitment Policy and Procedure.
- How to draw up effective Job Descriptions, Person Specifications and adverts. The reasons for equal opportunities monitoring.
- The importance of developing the necessary skills for effective interviewing. The importance of safeguarding children.
- The Trust's Leadership Accountabilities and Qualities.
- Safer Recruitment Training.

6.1.2. Shortlisting of applicants

Shortlisting will always be carried out with an agreed panel as outlined above.

In order to ensure fair and effective shortlisting, only those criteria listed on the Person Specification can be used and recorded on a shortlisting grid. It is unfair and unethical to introduce new criteria at this stage. In all cases, candidates selected for interview must meet the essential criteria listed in the Person Specification of the Job Description.

If only one candidate meets the shortlisting criteria the selection process may still go ahead.

All applications should be scrutinised to ensure that they are fully completed, that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment. Reasons for obvious gaps in employment, a history of repeated changes of employment without any clear career progression, or a mid-career move from a permanent to a temporary post should be fully explored and verified.

It is essential that all staff involved in the recruitment and selection process ensure the confidentiality of information supplied by applicants and referees.

Note: Candidates can request feedback as to why they were not shortlisted for interview. It is the responsibility of the Panel Chair to ensure that feedback is provided. At risk candidates and disabled candidates who meet the essential criteria **must** be shortlisted.

7. Interviews

7.1. Preparing interview questions

The Recruiting Manager is responsible for compiling relevant competency-based interview questions. All interview questions asked must be relevant (and seen to be relevant) to the job.

7.1.1. Suitability to work with children, young and vulnerable people

Depending on the amount of contact with children, young and vulnerable people, the interview questions may need to explore issues relating to safeguarding and promoting the welfare of children.

In accordance with the guidance defined in '[Keeping Children Safe in Education](#)', the interview questions must also explore:

- The candidate's attitude toward children and young people and their motivation to work in this area.
- The candidate's ability to form and maintain appropriate relationships and personal boundaries with children and young people.
- Their emotional resilience in working with challenging behaviours. Their attitudes to the use of authority and maintaining discipline.
- Their ability to support the School's agenda for safeguarding and promoting the welfare of children.

7.2. Conducting the interview

To ensure fairness each candidate should receive the same interview experience. The panel will be assessing the candidate and the candidate will be assessing the School as a potential employer.

It is therefore advisable to ensure that candidates are made aware at the beginning of the interview:

- What the selection process and methods are. How they will be assessed.
- That they will be given the opportunity to ask questions.
- Be advised on how and when they will be informed of the selection outcome.

The panel should also:

- Ensure that each candidate is greeted and escorted to and from the interview room.
- Ensure that the room is appropriate for the interview (free of interruptions, comfortable, etc.).
- Ensure that arrangements are in place for candidates with a disability. Due diligence is necessary to ensure that any additional needs are accommodated at the interview.
- Give all interviewees a comparable amount of time.
- Supplement their understanding of the candidate's responses by the use of probing questions.

Note: Where possible, any interviews should be carried out on the same day. Where this is not possible, the gap between interviews should be minimised.

The panel should follow the interview questions as set out on the Candidate Assessment Interview Form. Depending on the responses given, supplementary questions may be asked. These and the subsequent answers should be noted on the Candidate Assessment Interview Form. Obvious gaps in employment or any history of repeated changes of employment without any clear career progression should be fully explored and reasons verified.

As references will have been obtained prior to the interview, ask the candidate if there is anything they would like to declare or discuss in light of the requirement for a DBS check (if applicable) and the questions that will be put to their referees.

Depending on the amount of contact with children, young and vulnerable people, the interview may need to explore issues relating to safeguarding and promoting the welfare of children.

Note: It is not the School's policy to pay for travel expenses occurred by the candidates invited to interview.

7.3. Decision to appoint

The decision is based on the amalgamation of the individual scoring sheets and any selection testing results. The highest scoring candidate should be offered the post, providing minimum acceptable standards have been met.

If none of the candidates are considered suitable, thought should be given to reviewing the advertising/shortlisting/interviewing process and/or the Job Description itself and if, necessary re-advertising the vacancy.

If the post is re-advertised without material changes to the Job Description, previous applicants may still apply.

The emphasis for filling a post should be on the putting the "right person" in the job and not the person being available at the "right time". Candidates should be appointed on their ability to do the job for which interviewed and not because of the need to fill the post.

Interview records for unsuccessful candidates must be retained for a period of six months following the interviews. Records for successful candidates will be filed on their Personal file.

8. Making a conditional offer

8.1. Unsuccessful applicants

The School will notify unsuccessful applicants in writing. If feedback is requested, a Panel Chair should provide a valid reason for rejection and feedback to support the unsuccessful candidate to identify areas for development. Candidate details will be kept on file for six months.

Note: Documentation relating to applicants will be treated with the utmost confidentiality and in accordance to the Data Protection Act (DPA). Applicants will have the right to feedback from the Recruiting Manager after interview and to access any documentation held on them in accordance with the DPA, including shortlisting and interview notes.

8.2. Offer of employment

A contract comes into being once a verbal offer has been made and accepted. A member of the interviewing panel should make the offer verbally, followed up by a written conditional offer of employment. The successful applicant should receive a verbal offer no later than 5 working days after the interview.

Written offers of employment will only be produced by the School upon receipt of all required documentation and authorisation by the Headteacher.

This must include:

- Relevant Job Description and Person Specification.
- Signed interview and selection testing notes.

Conditional Employment Offer letters are sent to the selected candidate with the following documentation:

- DBS Application Form, including Overseas. (if applicable to the role)
- Applicant's Guide to Completing the DBS Form.
- Job Description and Person Specification.

This approach will guarantee:

- A structured approach to recruitment across the School. Auditable outcomes of recruitment campaigns.
- Individual file management.

All offers will be conditional upon the School receiving all relevant pre-employment checks.

9. Pre-employment checks

The School should ensure all pre-employment checks are complete prior to the successful candidate starting employment. No-one is able to begin employment without all checks being clear.

All offers of employment will also remain conditional until the following have been received:

- Two satisfactory references covering at least 5 years.
- Satisfactory DBS Enhanced Check for regulated activity and DBS Children's Barred List clearance (where applicable for the post).
- Prohibition from Teaching check (if applicable).
- Disqualification by association check (if applicable). Medical fitness clearance.
- Evidence of the right to work in the UK.
- Verification of the applicant's identity.
- Evidence of qualifications required for the job.
- Declaration of Personal and Pecuniary Interest (where required). Verification of qualifications, where required.
- Verification of professional status, where required.
- Verification of successful completion of statutory induction period (applies to those who obtained QTS after May 1999) for centrally-employed teachers.

If any of the above checks are not satisfactory, the offer may be revoked. Where this is necessary, written reasons will be supplied.

All pre-employment checks will be confirmed in writing, documented and retained on the employee's Personal file. Where they are unsatisfactory or there are any discrepancies in the information provided, these must be followed up with advice from HR.

If a candidate is found to be on the DBS Children's Barred List, the Headteacher will be informed by the DBS Team and this person will **not** be able to be employed.

If a candidate has an unclear DBS Disclosure, HR will be informed by the DBS Team. They must discuss with the headteacher and the applicant, and decide whether to continue with the offer of employment. *The ultimate decision will be made by the Headteacher.*

9.1. References

Every effort must be made to obtain references for all shortlisted applicants before interview.

There are occasions when a candidate will request "no contact with current employer unless they are preferred candidate after interview" Although the recruiting manager may accede to such a request, it is **not recommended as good practice**.

References should seek objective, verifiable information and not subjective opinion.

9.1.2 Criminal records

Candidates who have access to children and vulnerable people will normally not be employed until a clear DBS Disclosure is received. In exceptional cases, candidates may commence employment prior to DBS clearance provided there is **no** unsupervised access to children or vulnerable people, and following a clear check of the DBS Children's Barred List. The Headteacher is responsible for the final decision.

9.1.3 Convictions

The Headteacher will be responsible for ascertaining whether a candidate's criminal record does or does not render them unfit for the post.

Posts which are exempt from the Rehabilitation of Offenders Act 1974 (in which case criminal convictions never become "spent") should be identified as exempt when seeking references.

9.2. Occupational Health

Once the conditional offer of employment has been made, all successful candidates must be cleared by Occupational Health before confirmation of appointment can be made. Depending on the particular circumstances of a candidate, Occupational Health may require a personal appointment with the candidate to ascertain fitness for work. This may delay the appointment process.

In some cases, Occupational Health may declare that a candidate should not be employed on medical grounds. In this event, the offer will be retracted.

9.3. Eligibility to work in the UK

Under the Asylum and Immigration Act 1996 it is a criminal offence to employ someone from outside the European Economic Area (EEA) who is subject to immigration control unless the person has permission to work in the UK. As an employer, the School is required to make basic document checks to make sure it does not break the law by employing illegal workers. See *Appendix A – Eligibility to work in the UK and documents for overseas staff*.

9.4. Evidence of qualifications required for the job

In posts where qualifications are an essential requirement, successful candidates must provide proof in the form of a certificate of achievement, membership number or other documentary evidence that may be relevant.

9.5. Performance and conduct checks

For centrally-employed teaching staff, the HR Team is able to check whether there is an active disciplinary order or prohibition against them via the DfE –Teaching Agency.

10. Commencement of employment

Prior to commencement of employment and once in receipt of satisfactory pre-employment checks, employment can be confirmed and the candidate can be sent the following:

- Confirmation of employment and start date.
- Contract of employment.
- New Starter form for payroll.
- Pensions form.
- P46 form.
- Job Description and Person Specification.
- Personal and Pecuniary Interest Form, if applicable.
- The Safeguarding Children Statement.
- The Recruiting Manager must complete the New Starter Form, get it authorised and return to the Payroll/HR Team.

11. Induction

The Line Manager of the appointee will be responsible for the planning of the induction programme along with whole school support from the AHT overseeing induction.

12. Evaluation

It is extremely important to evaluate the success of the recruitment and selection process at each stage to see whether mistakes were made and whether a repetition of them can be avoided in the future.

Effective monitoring is essential as a key element to inform the recruitment strategy and is an important tool in fulfilling the responsibility to provide equality of opportunity to all job applicants. Data collected for monitoring should not be used for any other purposes.

It is also advisable to monitor where applicants have heard about vacancies in order to identify which source is most effective.

13. Data collection and protection

Special care should be taken regarding all information supplied by job applicants. Data must only be collected that is relevant to the purpose. In addition, any 'sensitive' data should only be collected where the applicant's express consent has been gained.

Therefore the School should ensure the following steps are taken:

- All information gathered is stored securely and used only for the stated purposes.
- Applications are destroyed when they are no longer needed (it is recommended that this is done after six months).

Names of unsuccessful applicants should only be kept on file if the applicants have been informed.

Job applicants should be given a chance to provide an explanation if any checks on their application details produce discrepancies.

In addition, the interview panel should be aware that interviewees have the right to access their interview notes and therefore any opinions noted must be based on fact.

Candidates have the right to request feedback on the status of their application at any stage of the recruitment process.

13.1. Records and monitoring

All records in relation to recruitment and selection exercises must comply with the provision of the Data Protection Act 1998.

Records will be kept relating to all applicants, candidates interviews and new appointees in respect of:

- Internal applicants.
- External applicants.
- Grade (of vacancy).
- Gender.
- Disability.
- Age.
- Race/ethnic origin.

13.2. Analysis

The School will analyse recruitment data to identify trends in relation to the above factors for evidence of disparate impact.

Data will also be analysed for budget projection purposes and to identify service improvements.

14. Summary of roles and responsibilities

14.1. Recruiting Manager

As recruiting manager you must adhere to the deadlines agreed and submit paperwork on time, otherwise you may affect the overall recruitment timescales.

It is your responsibility to:

- Discuss the vacancy with the Headteacher (to ensure it is necessary and all alternatives have been considered, and agree details of the campaign and the timescales).
- Approve the final version of the job advertisement.
- Arrange the Selection Panel and the contact person for interviewees on the Interview day; book rooms/equipment.
- Shortlist candidates for interview.
- Prepare questions and selection tests for the interviews.
- Conduct interviews, select the successful candidate and complete the interview paperwork.
- Provide feedback to unsuccessful candidates.
- Authorise references received for the successful candidate.
- Agree a start date and time for the new employee and inform relevant colleagues. Ensure the New Starter Form is sent to Payroll.
- Prepare for the employee's first day and induction programme.

The Recruiting Manager is accountable for their recruitment campaign and must take action as appropriate to ensure that the recruitment campaign is conducted appropriately and to the highest standard.

14.2. Human Resources

The HR team at Noadswood will:

- Assist with writing job descriptions and person specifications, evaluating and advising on salary where appropriate.
- Advise on contractual obligations.
- Provide advice on creating adverts, application packs and placing adverts. Place adverts on behalf of the School on the Trusts website.

Appendix A – Eligibility to work in the UK and documents for overseas staff

Employers, agencies and schools need to be sure that foreign nationals have permission to work in the UK. Nationals of Gibraltar and of countries within the European Economic Area (EEA) do not need permission to take employment here and can be employed on the same basis as UK nationals. A list of countries within the EEA can be found [here](#).

Overseas Trained Teachers

Under the Education (Specified Work and Registration) (England) Regulations 2003 an overseas trained teacher may work as a teacher in a school in England (other than a pupil referral unit) for a period of up to four years if they have successfully completed a programme of professional training for teachers in any country outside the UK which is recognised by the competent authority in that country. The four year period commences on the day the teacher first worked as a teacher in England and expires four years later, regardless of any breaks in teaching and irrespective of immigration status. In order to continue teaching after this four year period has expired, the overseas trained teacher must have obtained Qualified Teacher Status (QTS) and registered with GTCE. Teachers on TDA's Overseas Trained Teacher Programme who have more than 2 years teaching experience may be exempt from the requirement to complete an induction period. The school should check what age ranges and subjects were covered in initial training, and what practical experience the teacher has gained on or following the training course. When teachers claim to be overseas trained, either within the European Economic Area or elsewhere, employers should ask for proof of their qualifications (originals if possible, or certified copies). More guidance can be found [here](#).

UK Visa Sponsorship

It is recognised that it may be necessary for a sponsor to recruit a migrant from outside the resident work force to fill a particular vacancy that cannot be filled by a settled worker and that is not on the list of shortage occupations. However, this will only be possible if the sponsor has completed the resident labour market test and can show that no suitable qualified settled worker is available to fill the vacancy.

Appendix B - Disabled Applicants

Under the Equality Act 2010, Hackney Learning Trust has a duty not to treat disabled people less favourably in recruitment and employment.

The Equality Act 2010 and Disabled Workers

The Equality Act 2010 provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

One of the main provisions from the Equality Act to come into force is increased disability discrimination protection. The Act will make it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.

Interviews

Due diligence is necessary to ensure that any additional needs are accommodated at the interview therefore the letter sent as notification of the interview date will also request the details of any assistance needed so as to allow the disabled applicant to compete for the job on a level playing field with other applicants.

Post Selection

Every candidate must be considered on the merits of their application; a candidate's disability **must not** be a deciding factor in whether to employ them or not.

As with any other candidate, if the decision is made not to employ a disabled candidate, there must be clear reasons for doing so. Any decision should be related to the JD and PS and not because the candidate's disability may cause problems.

Similarly, a disabled person should not be given the job simply because they are disabled.

They must demonstrate that they are the best candidate for the job.

If a decision is made to employ a disabled candidate, the School should then consider what reasonable adjustments, if any, are needed to ensure that the individual can carry out work duties adequately. HR and the Occupational Health Team will be able to assist with this process and provide specialist advice.

A risk assessment will also need to be done.

If it is identified that equipment or any other type of additional assistance is necessary, the Access to Work scheme may be able to provide financial assistance.

Appendix C – Volunteers

It is recommended that as volunteers are also seen by children as safe and trustworthy adults, Schools should apply a safeguarding process when recruiting volunteers to work with children.

Recruitment

The criteria for when a recruitment process for a volunteer is required should be applied with common sense and the process may need to be adapted to cater for particular roles and sensitivities. For example, if a parent volunteer is one of a group helping out on a one-off occasion such as a day trip, a sports day or a school disco, with a reasonable level of supervision, there is no need for a formal recruitment and selection process, or for a DBS certificate. On the other hand, if the volunteer is going to have an ongoing role that involves regular contact with children, or means that the person will be on the premises when children are present regularly or frequently, a similar recruitment process should be adopted as would be used to recruit a paid member of staff filling a similar role.

The process might need to be presented differently, or adapted to be more informal, but the principal safeguards and features of the recruitment and selection process should be the same.

In those cases the process should include:

- information about the organisation's commitment to safeguarding children
- completion of an application or 'registration' form
- obtaining references
- a face-to-face interview
- pre-employment checks similar to those which would be applied in the case of paid employment including a DBS certificate and, if the volunteer will be in regulated activity, a check of the DBS barred list.
- Evidence of right to work in the UK

Where volunteers are recruited from another institution, the School should obtain evidence and assurance from the institution that the person has been subject to a proper recruitment process that includes the necessary safeguards.

Interviews

Safeguarding principles should also apply when interviewing volunteers, but it is important to make interviews more informal than for paid staff. They should be very much a two-way process about selling the volunteer role to them. However, this does not mean that the interview should not probe into candidates' attitudes and motives and their suitability for work with children. This is even more important for candidates who perhaps have no previous experience of working with children.

Induction

Schools should ensure volunteers are given a clear induction programme which includes their responsibilities for safeguarding, what is and what is not acceptable behaviour towards children, what to do if they believe there is a safeguarding concerns and what reasonable steps they can take to avoid creating concerns themselves.

Volunteers should be given a code of conduct document.