



Windsor Academy Trust

Recruitment, Selection and Reference Policy

Responsible Committee:	Windsor Academy Trust, Board of Directors
Date revised by Board of Directors:	March 2017
Next review date:	March 2019

Rationale

Windsor Academy Trust's (WAT) approach to recruitment acknowledges a responsibility to secure the best interests both of the school and the wider system. Recruitment is important because high quality staff are fundamental to raising standards and school improvement.

The selection, interviewing and appointment of staff takes place within the equal opportunities framework of the school.

Purpose

The trust is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work. The trust regards its staff as its most important asset. It is the policy of the trust to ensure an adequate supply of suitably qualified and experienced staff to meet the trust's human resource requirements and to deliver the trust strategic plan and academies improvement plans.

The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, the Education Act 2002, the School Staffing (England) Regulations 2003 and the statutory guidance, safeguarding children and safer recruitment in Education Settings and the Equal Opportunities Policy.

The trust will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender reassignment, marital status, sexual orientation, disability and socio-economic background.

In recruiting staff the following Acts of Parliament apply:

- Equality Act 2010
- Employment Rights Act 1996
- Employment Equality (Age) Regulations 2006
- Asylum & Immigration Act 1996
- The Data Protection Act 1998
- Rehabilitation of Offenders Act 1974

To allow safer recruitment it is important to stay within the guidelines set out by the legislation above. Anyone who feels that they have been discriminated against in recruitment can ultimately take their complaint to an Employment Tribunal and if their claim is proven trust would be liable to pay compensation. It is therefore important to follow the guidelines in this policy to ensure safe and fair recruitment.

Discrimination can be of two kinds:

- *Direct discrimination* – occurs when someone receives less favourable treatment than others because of their race, sex, sexual orientation or disability.

- *Indirect discrimination* – occurs when an unjustifiable job or employment requirement adversely affects people of one sex or racial group more than others.

Delegation of Appointments

The Trust's scheme of delegation clearly sets out the responsibilities for staff appointments.

The Chief Executive recommends the appointment of a Headteacher to the Board of Directors for its approval. The LAB and Headteacher recommend the appointment of Assistant Head/Deputy Headteacher posts to the Chief Executive for his/her approval.

The Board of Directors delegates all associated staff appointments and all teaching appointments below the level of Assistant Head/Deputy Head to the Headteacher. Selection panels will include at least one person who has undergone Recruitment & Selection Training. The Head teacher may not delegate the final decision of appointment to any other Senior Manager.

Alternative Offers of Posts or Salaries

We will not solicit applications from individuals before the public advertisement of the post. We will not seek to entice a person to leave their post and take up another post. Where a candidate has already verbally accepted a post in another institution, we consider it wrong to attempt to persuade him or her to renege on that verbal contract and accept a post at the Trust.

Equally where a post has been offered to a candidate at a particular salary level, we will not seek to attract the candidate by making a higher counter-offer. We operate at all times within national regulations governing the award of salary, and operate legally and professionally within that framework. We recognise that candidates may become accustomed to negotiating with more than one prospective employer about the nature of a post and the salary concerned. We aim to maintain a climate of professional trust, and will not negotiate against other trusts for candidates.

Candidates will be encouraged to make a clear and final acceptance or rejection of an offer within a set time. We believe it to be important for the maintenance of a climate of trust that the word of both an institution and of a candidate can be acted upon.

Recruitment Process

1 Advertising a Post

- 1.1 **For teaching staff:** the usual means of advertising will be through the Times' Educational Supplement, the trust website and/or the local press. A copy of all advertisements will be placed on the Trust's website and circulated through internal staff communication channels.
- 1.2 **For associate staff:** the usual means of advertising will be through local newspapers, the school Newsletter and website. Where appropriate advertising may take place in the professional journals. A copy of all advertisements will be placed on the Trust's website and circulated through internal staff communication channels.
- 1.3 All new or replacement posts are advertised externally as an initial step, except when it is necessary to recruit from existing staff. Possible candidates should not be asked to apply until the advertisement, setting out the nature of the post and the salary are available publicly.
- 1.4 We aim for a culture of professional openness, where maximum information about the post and the trust is made available to all potential applicants. All adverts will contain contact details to enable applicants to find out more details regarding the post.
- 1.5 All adverts follow a corporate style and will include the following statement "Windsor Academy Trust is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. This post is subject to an enhanced criminal records check."

2 Vacancies

- 2.1 When a post becomes vacant, a job description and person specification will be drawn up. Both Job Descriptions and Person Specifications will make reference to safeguarding and suitability to work with children.
- 2.2 All offers of interview and employment are based solely on the applicant's ability to meet the criteria necessary for effective performance of the job advertised.
- 2.3 The Person Specification should cover the following:
 - Qualifications
 - Work related experience and specialist knowledge
 - Aptitudes, skills and abilities
- 2.4 Once the criteria has been agreed these must be weighted as either ESSENTIAL or DESIRABLE. Essential criteria are those, which the candidate must have to be appointed while the desirable criteria are those that it would be beneficial to have but can be acquired following appointment. The interview panel may decide that one or more criteria should carry a higher weighting and it is important that this is decided prior to the recruitment and selection process commencing. Once the criteria have

been agreed the Person Specification is the tool used throughout the selection process for short-listing and selecting candidates.

3 Application Packs

3.1 Application packs will contain the following information

- Application Form
- Job Description
- Person Specification
- Further Particulars (Trust and Academy specific)

3.2 Once the closing date has been reached the HR officer will liaise with the recruiting manager on the applications received. The recruiting manager and panel are responsible for short-listing the candidates using the person specification criteria. When short-listing staff must ensure objectivity and look for examples/evidence on how candidates meet the criteria. CVs will not be accepted unless accompanied by a completed application form.

4 Interview

4.1 All candidates invited for interview for a post should be entitled to full professional information. This should include information about: the nature of the post, the job-description and salary; the interview schedule and who will undertake the interview; and the timescale for decisions about the post and for communicating them.

4.2 PLEASE NOTE

For teaching staff: The interview process always includes observed teaching by the candidate to reflect the high priority given to teaching and learning within the Trust. Full and clear details of the teaching task(s) and the evaluation process will be given to the candidate as far in advance of the time as possible. Observations will be carried out by members of the Leadership Team and/or other appropriate experienced staff.

4.3 Where a process of short-listing may take place during an interview process, candidates invited to interview will be informed of this from the outset. The HR officer will contact each candidate initially by telephone then via e-mail or post. The letter details will confirm the following:

- Date, time and venue for interview
- Interview format i.e. requirement to teach for all teaching posts
- Interview panel

4.4 The recruiting manager will inform the HR officer of the short-listed candidates and will also confirm, the date and time of interviews, the selection panel, the format of the interview and any special arrangements.

4.5 The invite letter will also stress that the identity of the successful candidate will need to be fully checked in addition to an application for an Enhanced DBS. All candidates will

be requested to bring documentary evidence of their identity along to the interview. In addition appointed applicants should also be requested to bring documents confirming educational and professional qualifications that are necessary for the post.

- 4.6 The interview panel will consist of a minimum of two people, one member will take notes and the other to engage and assess the applicant. Before interview the panel will agree on the line of questioning to be followed and will ensure the same questions are put to each candidate. The questions asked will be aimed at obtaining evidence on how each candidate meets the criteria listed on the Person Specification and each candidate will be assessed against all of the criteria for the post.
- 4.7 In addition to assessing and evaluating the applicant's suitability, the interview panel will also explore:-
- The applicant's attitude towards children and young people.
 - His/her ability to support the agenda for safeguarding and promoting the welfare of children.
 - Gaps in the applicants employment history
 - Any concerns or discrepancies arising from the information provided by the applicant or referee.
- 4.8 In the interests of open professionalism, all unsuccessful candidates for posts should be entitled to feedback on the reasons why they were not selected for the post and on their performance during the interview process

5 Appointment

- 5.1 The offer of appointment is binding on both parties and is subject to the following conditions:
- Receipt of two satisfactory references, one of which must be from the most recent employer (Headteacher)
 - Enhanced DBS Clearance / List 99 check
 - Identity verification
 - Verification of medical fitness
 - Verification of professional status

6 Agency Staff

- 6.1 Only those agencies that have guaranteed that agency staff have been vetted and have received satisfactory Enhanced DBS clearance will be used by Windsor Academy Trust.

7 Right to work in the UK

- 7.1 Foreign nationals (those outside the EEA) will need permission to work in the UK in the form of a visa.

References

Under English Law there is NO legal obligation for an employer to provide a reference on either an existing or a former employee. However, where a reference is provided, the employer has a duty of care to ensure that the reference is compiled accurately and honestly and is not negligent, defamatory or dishonest in any way.

It is customary practice to provide references for staff in schools. The Trust should act consistently and have clear guidelines on the provision of references. If an employer fails to comply with the duty of care, the subject or the recipient of the reference may have recourse to legal action against the employer, who is the Windsor Academy Trust.

Requesting a Reference

References form an integral part of our clearance process. The purpose of the reference is to obtain objective and factual information to support appointment decisions. References are requested at the short-listing stage. Two references are called for, one of which must be the current or last employer.

References given verbally must be documented, dated and signed by the person receiving the reference.

Providing a Reference

The Board of Directors has delegated to the Chief Executive and/or Headteacher the responsibility for providing employment references. Where appropriate the Chief Executive or Headteacher has delegated this responsibility to line managers. Where reference writing is delegated below the level of Chief Executive/Headteacher, the Chief Executive/ Headteacher should approve all references before they are issued. These should be emailed or copied to him/her. Line Managers must understand what is and is not appropriate to include in references and the legal liabilities which may arise.

Job references are written on behalf of the employer and should, therefore, be written on trust or academy headed stationery. If the manager is not providing a reference in the capacity of a line manager, it should not be written on Trust or Academy headed stationery. As part of the safer recruitment process all references delegated to line managers are to be checked and signed off by the line manager, but where there is any ambiguity, references will need to be signed off by the Chief Executive/Headteacher.

High Standards in the writing of references are imperative, both in relation to professional integrity and to the need for professional trust between educational leaders. Although there is a need for a personal perspective in references, maximum objectivity in relation to clear criteria is important.

The Trust encourages open references, available to the candidate as well as to the potential employer. However, a reference given in confidence to a prospective employer should be treated as confidential, and should not become a subject of discussion with the candidate. The author of the reference should indicate whether it is confidential or open.

Oral References

All oral references should be referred to the Chief Executive/Headteacher, do not provide them yourself. An oral reference given on request should accurately reflect the written reference, and elaborate on, rather than detract from, that reference.

Content of References

When providing a reference on behalf of the Board of Directors/LAB members the following guidance should be adhered to:

- **DO:** Check that all the information given is factually correct or is based on best knowledge – be prepared to provide evidence to support the information should any of the details be challenged. An ex-employee could bring an action against the Board of Directors/LAB for libel, discrimination or defamation of character through a court or tribunal, if they consider the reference to be inaccurate.
- **DO:** Include factual information relating to the individual's employment history e.g. dates of employment, job title, description of key duties and level of responsibility.
- **DO NOT:** Include the employee's sickness absence record since this may be regarded as discriminatory under the Equality Act 2010.
- **DO NOT:** Provide a dishonest reference for an employee who is presenting cause for concern as a means of enabling him/her to leave the trust. It is not good management practice and may lay the Trust open to action for negligence by a future employer.
- **DO NOT:** Avoid giving an honest reference in respect of an employee who is presenting cause for concern. However, the matter to be referred to in the reference should have previously been discussed with the individual and evidence of the concerns provided.
- **DO NOT:** Expect information provided within a reference to be treated as confidential by a prospective employer.
- **DO NOT:** Provide "to whom it may concern" references other than in exceptional circumstances, as they cannot address an individual's suitability for a job. If such references are provided, they should only contain factual information regarding a person's employment history, e.g. dates of employment and positions held.

APPENDIX 1

Windsor Academy Trust

Equal Opportunities Employer

Equality Monitoring Form

The information you give on this form will only be used, in confidence, to enable the trust to monitor that its workforce better reflects the community it serves.

The overall aim of the WAT's Equality and Diversity Policy is to ensure that no job applicants, employees, residents or service users receive less favourable treatment on any grounds which cannot be shown to be justified. These include race, colour, nationality, ethnic or national origin, religious beliefs, gender, marital status, responsibility for children or other dependants, disability, sexual orientation, trans-sexuality, age, trade union or political activities, social class, where the person lives or spent convictions.

Name: _____ **Post applied for:** _____

1. I would describe my race or ethnic group as:

Asian or Asian British			
Bangladeshi <input type="radio"/>	Indian <input type="radio"/>	Pakistani <input type="radio"/>	Any other Asian Background <input type="radio"/>
Black or Black British			
African <input type="radio"/>	Caribbean <input type="radio"/>	Any other Black Background <input type="radio"/>	
Chinese or Other			
Chinese <input type="radio"/>	Other <input type="radio"/>		
Mixed			
Asian & White <input type="radio"/>	Black African & White <input type="radio"/>	Black Caribbean & White <input type="radio"/>	Any other Mixed Background <input type="radio"/>
White			
British <input type="radio"/>	Irish <input type="radio"/>	Any other White Background <input type="radio"/>	
Do not wish to disclose <input type="radio"/>			

2. I would describe my religion or belief as:

Buddhist <input type="radio"/>	Christian <input type="radio"/>	Hindu <input type="radio"/>	Jewish <input type="radio"/>
Muslim <input type="radio"/>	No religion <input type="radio"/>	Sikh <input type="radio"/>	Other <input type="radio"/>
Do not wish to disclose <input type="radio"/>			

3. My gender is:

Male <input type="radio"/>	Female <input type="radio"/>	Do not wish to disclose <input type="radio"/>
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4. Date of Birth and Age:

Date of Birth	Age
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5. Marital Status

Divorced/Dissolved <input type="radio"/>	Married/Civil Partnership <input type="radio"/>	Single <input type="radio"/>
Widowed/Civil Widowed <input type="radio"/>	Do not wish to disclose <input type="radio"/>	

6. Disability: I consider myself to be (see note below):

Disabled <input type="radio"/>	Not disabled <input type="radio"/>	Do not wish to disclose <input type="radio"/>
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Note:

You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities. It is very important that you declare your disability if you wish to have the protection of the law.

APPENDIX 2

LESSON OBSERVATION: RECRUITMENT

Name of Candidate: _____ Teaching Group: _____

Observation by: _____

Time Start: _____ Time End: _____

Topic:	NC/GCSE/BTEC/A Level Reference:
Resources/Aids	

1. Outstanding 2. Good 3. Requires Improvement 4. Inadequate

Learning	1 – 4	Teaching	1 – 4
Pupils respond readily		Well planned	
Pupils show understanding		Clear aims and objectives	
Pupils demonstrate commitment		Appropriate pace	
Pupils demonstrate enjoyment		Evidence of differentiation	
Pupils confident to ask and answer questions		Suitable teaching and learning style	
Pupils make progress		Full class involvement	
		Attainable challenge	
		Relationship (positive/inhibiting)	
		Classroom Management	
		Summary	
<u>Comment:</u>		<u>Comment:</u>	

APPENDIX 3. Teaching Reference Pro-forma

**Windsor Academy Trust
Teaching Staff**

Position _____ **Name of Candidate** _____

Please tick the most appropriate comments:

TEACHING ABILITY

Outstanding	<input type="checkbox"/>
Good	<input type="checkbox"/>
Satisfactory	<input type="checkbox"/>
Inadequate	<input type="checkbox"/>

CHARACTER AND PERSONALITY

Outstanding role model for children	<input type="checkbox"/>
Enthusiastic and Outgoing	<input type="checkbox"/>
Reliable	<input type="checkbox"/>
Unreliable	<input type="checkbox"/>

CLASS CONTROL

Outstanding	<input type="checkbox"/>
Good	<input type="checkbox"/>
Satisfactory – has occasional difficulties	<input type="checkbox"/>
Inadequate	<input type="checkbox"/>

PASTORAL, APTITUDE AND ABILITY

Profound, intelligent concern for children	<input type="checkbox"/>
Responsible and caring	<input type="checkbox"/>
Minimalist	<input type="checkbox"/>
Inadequate	<input type="checkbox"/>

SUBJECT KNOWLEDGE

Outstanding	<input type="checkbox"/>
Good	<input type="checkbox"/>
Satisfactory	<input type="checkbox"/>
Inadequate	<input type="checkbox"/>

WORK RATE AND COMMITMENT

Highly professional	<input type="checkbox"/>
Hardworking, resilient	<input type="checkbox"/>
Adequate	<input type="checkbox"/>
Not always satisfactory	<input type="checkbox"/>

LESSON PREPARATION/MARKING

Outstanding	<input type="checkbox"/>
Good	<input type="checkbox"/>
Satisfactory	<input type="checkbox"/>
Inadequate	<input type="checkbox"/>

INITIATIVE AND LEADERSHIP

Outstanding, innovative, highly effective	<input type="checkbox"/>
Above average, moves things forward	<input type="checkbox"/>
Prefers to be directed	<input type="checkbox"/>
Unable to solve problems	<input type="checkbox"/>

GENERAL ORGANISATION

Meticulous, markbook, register, reports	<input type="checkbox"/>
Good attention to detail	<input type="checkbox"/>
Adequate attention to detail	<input type="checkbox"/>
Disorganised and unsatisfactory	<input type="checkbox"/>

RELATIONS WITH PARENTS, EXTERNAL AGENCIES

Outstanding, ambassadorial	<input type="checkbox"/>
Good natured, tactful, firm, informative	<input type="checkbox"/>
Generally sound	<input type="checkbox"/>
Inadequate	<input type="checkbox"/>

INVOLVMENT IN EXTRA-CURRICULAR ACTIVITY

High level of involvement	<input type="checkbox"/>
Assists in a number of ways	<input type="checkbox"/>
Takes occasional part	<input type="checkbox"/>
Takes no part	<input type="checkbox"/>

WOULD YOU

Go out of your way to seek to appoint this candidate	<input type="checkbox"/>
Be happy to appoint this candidate	<input type="checkbox"/>
Appoint this candidate if there was not a better candidate available	<input type="checkbox"/>
Definitely not appoint this candidate	<input type="checkbox"/>

AS A MEMBER OF STAFF

Extremely positive and constructive	<input type="checkbox"/>
Pleasant, good humoured, social	<input type="checkbox"/>
Can be negative, discouraging	<input type="checkbox"/>
Destructive, undermining	<input type="checkbox"/>

Please See overleaf

1	Are you aware of any reason why Windsor Academy Trust should not employ this candidate? Yes / No (delete as appropriate). If yes, please give details.
2	If the person has already left or has indicated an intention to leave your employment, Please indicate the reasons for this decision.
3	Have you or your colleagues ever had any cause for concern about this person's behaviour or judgment particularly in relation to working with children. Yes / No (please delete as appropriate). If yes, please provide examples of incidents or events which have caused concern.
4	Please provide details of any disciplinary procedures that the candidate has been subject to in which the disciplinary sanction is current? In accordance with DFE guidance on Safeguarding Children, please provide details of any disciplinary procedures that the candidate has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired.
5	As the post is considered as exempt from the provisions of the Rehabilitation of Offender Act 1974 (Exemptions Order 1986), it would be in order for you to reveal any information you have about any convictions received by this person.

This reference may be crucial to decision making in relation to this individual and is a vital element of Windsor Academy Trust's Safer Recruitment Process, please be factual and honest when completing the information required.

This reference may be disclosed to and discussed with the candidate under Data Protection & Freedom of Information legislation.

Signed: _____

Print Name: _____ **Position:** _____

APPENDIX 4 – Non-Teaching Reference Pro-forma

Windsor Academy Trust: Support Staff

Name of Candidate _____

Please tick the most appropriate comments:

CHARACTER AND PERSONALITY

- Enthusiastic & Outgoing
- Mature & Reliable
- Unreliable

WORK RATE AND COMMITMENT

- Highly professional
- Hardworking, good stamina
- Adequate
- Not always satisfactory

GENERAL ORGANISATION

- Good attention to detail
- Adequate attention to detail
- Disorganised and unsatisfactory

AS A MEMBER OF STAFF

- Extremely positive & constructive
- Pleasant, good humoured, sociable
- Can be negative, discouraging
- Destructive, undermining

CAREER POTENTIAL

- Rising star–go well beyond post applied for
- Should achieve good level of responsibility
- Unlikely to progress beyond level applied for
- Not yet ready for this level

Any other comments:

<p>1 Are you aware of any reason why Windsor Academy Trust should not employ this candidate? Yes / No (delete as appropriate). If yes, please give details.</p>
<p>2 If the person has already left or has indicated an intention to leave your employment, Please indicate the reasons for this decision.</p>
<p>3 Have you or your colleagues ever had any cause for concern about this person's behaviour or judgment particularly in relation to working with children. Yes / No (please delete as appropriate). If yes, please provide examples of incidents or events which have caused concern.</p>
<p>4 Please provide details of any disciplinary procedures that the candidate has been subject to in which the disciplinary sanction is current?</p> <p>In accordance with DFE guidance on Safeguarding Children, please provide details of any disciplinary procedures that the candidate has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired.</p>
<p>5 As the post is considered as exempt from the provisions of the Rehabilitation of Offender Act 1974 (Exemptions Order 1986), it would be in order for you to reveal any information you have about any convictions received by this person.</p>

This reference may be crucial to decision making in relation to this individual and is a vital element of Windsor Academy Trust's Safer Recruitment Process, please be factual and honest when completing the information required.

This reference may be disclosed to and discussed with the candidate under Data Protection & Freedom of Information legislation.

Signed: _____

Print Name: _____ Position: _____

APPENDIX 5

The Selection and Appointment of the Headteacher or a Deputy Headteacher or an Assistant Headteacher

1. The Board of Directors will appoint a Selection Panel of at least three directors, including the Chief Executive. The proceedings of the Selection Panel shall be under the control of the Selection Panel. The Board will **not** delegate the power of appointment, only the selection process.
2. The Selection Panel will determine the interview process and seek approval from the Board before commencing the process.
3. If the need arises the Selection Panel will appoint an Acting Headteacher/Deputy Headteacher. Where it is intended to fill an acting position by external temporary appointment of more than one term the post will be advertised.
4. If an appointment is to be made to an acting position the Board will seek to do so by secondment and will seek advice from its HR advisors on the contracting of such a secondment.
5. The Selection Panel will advertise the permanent post in national publications as they consider appropriate. In the case of an Assistant Headteacher vacancy the Trust may decide that it will not be advertised nationally.
6. The Selection Panel shall shortlist such applicants for the post based on the aforementioned selection procedures. In the case of a Head or Deputy Headteacher appointment, if it is able to do so, the Selection Panel will recommend one of the interviewed applicants to the Board. The decision of the Selection Panel will be approved by the Board. The Selection Panel may make a decision about the appointment of an Assistant Head teacher without recommendation to the Board.
7. If the Board approves the recommended candidate for a Head or Deputy Headteacher appointment, the applicant will be offered appointment subject to staff qualification requirement, medical, Enhanced DBS Disclosure check and references. A decision by the Selection Panel regarding the appointment of an Assistant Headteacher will also be subject to staff qualification requirement, medical, Enhanced DBS Disclosure check and references.
8. If the Selection Panel cannot agree or Board does not approve the recommendation then the Trust may re-advertise as in step 1 or may require the Selection Panel to repeat step 4.