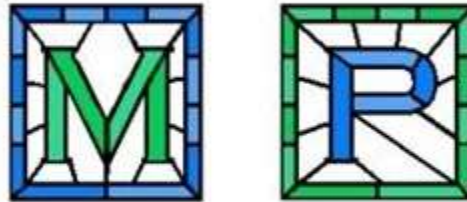


Monkfield Park



**Primary School and
Care & Learning Centre**

Recruitment and Selection Policy and Procedure

Approved by the Governing Body in:

Autumn 2022

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Recruitment and Selection Policy and Procedure

1. Introduction

- 1.1. The Governing Body is committed to safeguarding and promoting the welfare of children and young people and requires all employees and volunteers to demonstrate this commitment in every aspect of their work.
- 1.2. The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, Keeping Children Safe in Education and the School's Equality and Diversity Policy.
- 1.3. We 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, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
- 1.4. We will comply with the requirements of Keeping Children Safe in Education with regard to DBS and other pre-employment checks.
- 1.5. We will ensure compliance with the Data Protection regulations and the more stringent requirements contained within the General Data Protection Regulations (GDPR). The GDPR encompasses the core principles of the DPA and provides more onerous responsibility and accountability for fair and transparent processing. Our Recruitment Privacy Statement provides specific details in accordance with the GDPR principles and can be found in Appendix A.

2. Delegation of Appointments and Constitution of Appointments Panels

- 2.1. The power to offer employment for all posts below the level of Deputy Headteacher is delegated to the Headteacher. The Headteacher may not delegate the offer of employment to any other senior manager or governor.
- 2.2. The Headteacher is expected to involve at least one governor in the appointment of all employees.
- 2.3. Shortlisting panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every shortlisting panel will have at least one member who has undertaken Safer Recruitment Training. In addition, at least one member will have undertaken general recruitment or equalities training (it is recommended that those who shortlist carry out the interview for a consistent approach).

3. Advertising

- 3.1. All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or employees are at risk of redundancy, vacancies may be advertised internally before an external advertisement. In these circumstances, the shortlisting panel may decide that certain parts of the recruitment process may be omitted but all candidates will be subject to a formal interview, the satisfactory reference requirements and any other necessary checks.
- 3.2. The advert will include the level of DBS check required depending on the role being recruited for and whether the role will involve regulated activity.
- 3.3. The advert will specify whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020, which means certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers. If they are disclosed, they will not be taken into account.
- 3.4. All adverts state the requirement for a certificate of good conduct where applicable, in addition, for teaching posts, a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.
- 3.5. Within the advert the applicant will be provided with the school's policy and practice in relation to safeguarding and promoting the welfare of children.
- 3.6. In accordance with Keeping Children Safe in Education, the school will consider carrying out an online search as part of the due diligence on shortlisted candidates. Where an online check will be carried out, this will be indicated in the advert and/or recruitment pack.

4. Information for Applicants

- 4.1. All applicants for all vacant posts will be provided with:
 - A job description outlining the duties of the post and an indication of where the post fits into the organisational structure of the School
 - A person specification may also be provided. This will also include a statement on behalf of the governing body of their commitment to safeguarding and promoting the welfare of children and young people
 - An application form (CVs will not be accepted)
 - An Information pack containing:
 - A description of the School relevant to the vacant post
 - Reference to the School's Equality and Diversity Policy
 - Reference to the Child Protection/Safeguarding Policy
 - DBS and other pre-employment checks required

- A statement that canvassing any employee, or member of the Governing Body, directly or indirectly, is prohibited and will be considered a disqualification
- The closing date for the receipt of applications
- An outline of the terms of employment including salary
- Reference to the School’s Recruitment and Selection Policy

5. Short Listing and Reference Requests

5.1. The shortlisting panel will use an agreed shortlisting form. The criteria for selection will be consistently applied to all applicants based on the essential and desirable criteria for the post. The shortlisting panel will agree the candidates to be called for interview.

5.2. The shortlisting panel will take up at least two references on each short-listed candidate. If a candidate for a post working with children is not currently working with children, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving. One reference will be from the applicant’s current employer. Reference requests will ask the referee to confirm:

- The referee’s relationship with the candidate
- Details of the applicant’s current post and salary
- Performance history
- All formal time-limited capability warnings which have not passed the expiration date
- All formal time-limited disciplinary warnings where not relating to safeguarding concerns which have not passed the expiration date
- All disciplinary action where the penalty is “time expired” and relate to safeguarding concerns
- Details of any substantiated allegations or concerns relating to the safety and welfare of children
- Whether the referee has any reservations as to the candidate’s suitability to work with children. If so, the School will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children

5.3. References are the “property” of the shortlisting panel and strict confidentiality will be observed. Employer testimonials or ‘bearer references’ i.e., those provided by the candidate and/or marked ‘to whom it may concern’ will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The shortlisting panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate. References will be verified, and any discrepancies will be discussed with the candidate at interview. Electronic references will be checked to ensure they originate from a legitimate source.

- 5.4. References will be checked against information on the application; any discrepancy/issue of concern noted will be taken up with the applicant at interview. The school will contact referees to clarify where information is vague or insufficient information is provided.
- 5.5. On receipt, equality monitoring information must be separated from applications.
- 5.6. If the field of applicants is felt to be weak the post may be re-advertised.
- 5.7. Where the school has carried out an online search on shortlisted candidates as part of the due diligence, any concerns which arise may be discussed with the applicant at, or prior to the interview stage.
- 5.8. All shortlisted candidates will be required to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. For example:
- If they have a criminal history
 - whether they are included on the barred list
 - whether they are prohibited from teaching
 - whether they are prohibited from taking part in the management of an independent school
 - information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted
 - if they are known to the police and children's social care
 - have they been disqualified from providing childcare (Childcare Disqualification Regulations 2018)
 - any relevant overseas information
- 5.8 Applicants will be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate will be asked to physically sign a hard copy of the application at the point of interview.

6. Interviews

- 6.1. The format, style and duration of the interviews are matters for the Headteacher to decide in consultation with any governors [or trustees] involved in the process but the following will be adhered to:
- 6.1.1 Briefing:
- All candidates will be given relevant information about the School to enable the candidate to make further enquiries about the suitability of the advertised job.
- 6.1.2 The formal interview:
- Before the interviews the selection panel will agree on the interview format. The questions asked will be aimed at obtaining evidence of how each

candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked.

The selection process for every post, will include exploration of the candidate's understanding of child safeguarding issues. Questions will include:

- Finding out what attracted the candidate to the post being applied for and their motivation for working with children
- Exploring their skills and asking for examples of experience of working with children which are relevant to the role
- Probing any gaps in employment or where the candidate has changed employment or location frequently, asking for the reasons for this

The interview will also explore potential areas of concern to determine the applicant's suitability to work with children. Area that may be concerning and lead to further probing include:

- Implication that adults and children are equal
- Lack of recognition and/or understanding of the vulnerability of children
- Inappropriate idealisation of children
- Inadequate understanding of appropriate boundaries between adults and children
- Indicators of negative safeguarding behaviours

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case.

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment.

The recruitment documentation will be retained for six months from the date of interview. Applicants have the right to request access to notes written about them during the recruitment process. After six months all information about unsuccessful candidates will be securely destroyed.

7. Offer of Employment by the Selection Panel

7.1. The offer of employment by the selection panel and acceptance by the candidate is binding on both parties subject to:

- Verification of identify (including Birth Certificate)
- Verification of right to work in the UK
- Proof of relevant qualifications
- Satisfactory DBS Enhanced Disclosure
- A Certificate of Good Conduct (if applicable) which may include EEA sanctions and restrictions
- Barred list check
- Teacher prohibition (if applicable)
- Section 128 check (if applicable)
- Pre-employment medical screening
- Satisfactory references
- Disqualification under the Childcare Disqualification Act 2006, as amended
- The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks

7.2. Unsuccessful candidates will be notified.

8. Personnel File and Single Central Record

8.1. Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of their employment with the School including:

- Application form – signed by the applicant
- Interview notes – including explanation of any gaps in the employment history
- References – minimum of two
- Proof of identity (including Birth certificate)
- Proof of right to work in the UK
- Proof of relevant qualifications
- Certificate of Good Conduct (where applicable) which may include for teaching positions, a letter of professional standing from the professional regulating authority in the country (or countries) in which the applicant has worked
- Evidence of medical clearance from the Occupational Health service
- Evidence of DBS clearance and barred list check
- Teacher prohibition checks (where applicable)
- Evidence of a Section 128 direction (where applicable)
- Offer of employment letter and signed contract of employment

- Disqualification under the Childcare Disqualification Act 2006, as amended (where applicable)
- 8.2. Retention of personal information for the successful candidate following the end of their employment will be in accordance with the School's Data Retention Policy, which is compliant with relevant Data Protection Act. When retained documents have reached their data retention limit, they will be securely destroyed.
- 8.3. The School will destroy information obtained by a vetting exercise as soon as possible or within six months. A record of the result of the vetting or verification of the successful candidate will be retained on the employees file and the Single Central Record.
- 8.4. The School will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with/involving you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. The School will retain a record of consent as evidence that we have obtained consent to collect and process the data and that applicants have been advised of the purpose of the collection and processing.
- 8.5. You have the right to withdraw your consent at any time and can do so by informing the School's Data Protection Officer, with the exception of documents that are required for a statutory requirement.
- 8.6. The School will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education.

9. Start of Employment and Induction

- 9.1. The pre-employment checks listed in paragraph 8.1 above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the barred list and teacher prohibition checks.
- 9.2. All new employees will be provided with an induction programme which will cover all relevant matters of School policy but in particular safeguarding and promoting the welfare of children, this will include the:
 - Child protection policy which will include amongst other things the policy and procedures to deal with peer on peer abuse
 - Behaviour policy (which includes measures to prevent bullying, including cyberbullying, prejudice-based and discriminatory bullying)
 - Staff behaviour policy (also known as code of conduct)
 - safeguarding response to children who go missing from education
 - role of the designated safeguarding lead (including the identity of the designated safeguarding lead and deputies)

Copies of all policies and a copy of Part one or Annex A of KCSIE, if appropriate will be provided to all staff at induction.

APPENDIX A

Privacy Notice for Job Applicants

Under Data Protection Law, individuals have a right to be informed about how Monkfield Park, uses any personal data held about them. We comply with this right by providing privacy notices to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about individuals applying for jobs at our school.

We, Monkfield Park, are the 'Data Controller' for the purposes of Data Protection Law.

Our Data Protection Officer is [The ICT Service](#) (see 'Complaints' / 'Contact us' below).

Successful candidates should refer to our privacy notice for the **School Workforce** for information about how their personal data is collected, stored and used during their period of employment.

The personal data we hold:

We process data relating to those applying to work at, Monkfield Park. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Full name and address
- Contact details
- Copies of right to work documentation
- References
- Evidence of qualifications
- Employment records, including work history, job titles, training records and professional memberships

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Disability and access requirements

Why we use this data:

The purpose of processing this data is to aid the recruitment process by:

- Enabling us to establish relevant experience and qualifications.
- Facilitating safe recruitment, as part of our safeguarding obligations towards pupils.
- Enabling equalities monitoring.
- Ensuring that appropriate access arrangements can be provided for candidates that require them.

Our lawful basis for using this data:

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Comply with a legal obligation.
- Carry out a task in the public interest.

Less commonly, we may also use personal information about you where:

- You have given us consent to use it in a certain way.
- We need to protect your vital interests (or someone else's interests).

Where you have provided us with consent to use your data, you may withdraw this consent at any time. We will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the Trust's use of your data.

Our basis for using Special Category data:

For 'Special Category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in Data Protection Law:

- We have obtained explicit consent to use the special category personal data in a certain way.
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.
- We need to process it for the establishment, exercise or defence of legal claims.
- We need to process it for reasons of substantial public interest as defined in legislation.
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect a child's life or someone else's life), in situations where they are physically or legally incapable of giving consent.
- The data concerned has already been made manifestly public by the data subject.

- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights.
- We need to process it for reasons of substantial public interest as defined in legislation.

Collecting this information

While most of the information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

How we store this data

Personal data we collect as part of the job application process is stored in line with Monkfield Park's Data Protection Policy which is displayed on the School's website.

We will retain, and dispose of, the personal data of all unsuccessful job applicants in accordance with the Retention Schedule set out in the Information and Record Management Society's Toolkit for Schools.

Data sharing:

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- Our Local Authority – to meet our legal obligations to share certain information with it, such as shortlists of candidates for a headteacher position.
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as HR and recruitment support.
- Professional advisers and consultants.
- Employment and recruitment agencies.

Transferring data internationally:

Where we transfer personal data to a country or territory outside the United Kingdom, we will do so in accordance with Data Protection Law.

Your rights

How to access the personal information we hold about you:

Individuals have a right to make a 'subject access request' to gain access to personal information that the Trust holds about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it.
- Tell you why we are holding and processing it, and how long we will keep it for.
- Explain where we got it from, if not from you.
- Tell you who it has been, or will be, shared with.
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this.
- Give you a copy of the information in an intelligible form.

You may also have a right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact the Headteacher by e-mail on:
office@monkfieldpark.cambs.sch.uk

Your other rights regarding your data:

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress.
- Prevent your data being used to send direct marketing.
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than a person).
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact the Headteacher by e-mail on:
office@monkfieldpark.cambs.sch.uk

Complaints:

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact the Headteacher by e-mail
on: office@monkfieldpark.cambs.sch.uk

You can also contact our Data Protection Officer:

The ICT Service
Email: dpo@theictservice.org.uk
Tel: 0300 300 0000 option 1

Address: Speke House, 17 Compass Point Business Park, Stocks Bridge Way, St Ives, Cambridgeshire, PE27 5JL

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact:

- The Headteacher by e-mail on: office @monkfieldpark.cambs.sch.uk

This notice is based on the [Department for Education's model privacy notice](#) for Job Applicants, amended to reflect the way we use data in this school.

APPENDIX A

General Privacy Notice for Monkfield Park