



RECRUITMENT AND SELECTION POLICY

Approved by: TCAT Trust Board **Date:** 10 October 2024

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by:** October 2027

1. Introduction

- 1.1 As the employer of staff in our academies, TCAT recognises the statutory responsibilities related to employment.
- 1.2 This Recruitment and Selection policy has been produced in line with and should be read in conjunction with the TCAT Safer Recruitment Policy and the Department for Education document 'Keeping Children Safe in Education, Statutory Guidance for Schools and Colleges'.
- 1.3 This policy aims to ensure both safe and fair recruitment and selection is conducted at all times. Making safeguarding and promoting the welfare of children an integral factor in recruitment and selection is an essential part of creating safe environments for pupils, staff and visitors.
- 1.4 It is also intended to ensure that recruitment and selection is carried out in a fair, efficient and effective manner and takes account of relevant legislation and principles of equality, diversity and inclusion.

2. Policy Statement

- 2.1 The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.
- 2.2 The Trust is committed to attracting, selecting and retaining employees who will successfully and positively meet the needs of the pupils and the Trust. A motivated and committed workforce with appropriate knowledge, skills and experience and ability to do the job is critical to the Trust's performance and fundamental to the delivery of a high quality service.
- 2.3 The Trust recognises its responsibility to provide job opportunities to internal and external candidates on a fair, consistent and equitable basis. All appointments to the Trust will be made on merit, and the appointment process is designed to ensure that the best person for the job is recruited. Supplementary information on equal opportunities is shown at Appendix 1.
- 2.4 The Trust will ensure it complies with all the relevant legal requirements including the Equality Act (2010) and UK Immigration legislation.
- 2.5 Throughout this policy it refers to nominated officer. This will usually be the Headteacher or any other officer nominated by the CEO and Trustees. In some instances, it will be the Trustees/CEO as outlined in the scheme of delegation.

3. Scope

- 3.1 The policy applies to all employees, governors and trustees responsible for and involved in recruitment and selection of all Trust staff.

3.2 The Trust Scheme of Delegation clearly identifies responsibilities for recruitment.

4. Principles

4.1 The following principles are encompassed in this policy:

- 6.1.1 All applicants will receive fair treatment and a high quality experience of the recruitment process.
- 6.1.2 The job description and person specification are essential tools and will be used throughout the process
- 6.1.3 Employees will be recruited on the basis of knowledge, experience, skills and suitability to work in the post
- 6.1.4 Selection will normally be carried out by a panel with at least three members. At least one panel member will have completed Safer Recruitment training.
- 6.1.5 Selection will be based on a minimum of a completed application form, shortlisting and interview.
- 6.1.6 Normally, all posts will be advertised at least internally in the first instance.

5. Initial Steps in Filling a Vacancy

5.1 Review the post

If the vacancy is for an existing post, the Headteacher (or CEO or COO for central posts) should consider if the post is still needed or could aspects of the role be absorbed into other roles. If the post does need to be filled consideration should be given whether the duties or responsibilities have changed since the post was last filled. The existing job description and person specification should be updated and amended as appropriate. The grade may also need to be reviewed to reflect the changes to the post. If the post is to be regraded or established this should be done via the trust business case procedure (form attached at Appendix 2). If there are no changes and the post is on the staffing structure then the Headteacher may advertise the post via HR.

5.2 Define the job requirements

If it is a new post, you must prepare a job description and person specification (see Section 6). The HR team should be consulted on appropriate job descriptions and person specifications in addition to the grading of posts.

5.3 Prepare Information to Applicants

As a minimum, all prospective applicants will receive the job description and person specification for the job, an application form and access to the Trust Privacy Notice for Job Applicants.

A standard Trust application form should be used to obtain a common set of core data from all applicants. CVs must not be accepted in place of the standard application form.

Papers related to an individual's application for a job are confidential and will only be circulated to those directly involved in the recruitment and selection process. All papers will be subject to secure storage and destruction in accordance with the Trust's Data Protection Policy and Privacy Notice for Job Applicants which are available on the Trust's website.

6. Job Description and Person Specification

- 6.1 All criteria specified in the job description and person specification must be relevant to the role and justifiable on objective grounds. HR can provide advice and support to ensure that this is the case.
- 6.2 A job description should detail the purpose, tasks and responsibilities of the job and the importance of how it fits into the organisation. Taken together, the job description and person specification will form the basis for advertisement of the job, interview and assessment and subsequent appointment to the post.
- 6.3 The person specification allows the trust to profile the ideal candidate and translates the role into the necessary qualifications, skills and experience required by an applicant to undertake the duties of the post. Care must be taken when drawing up a person specification to ensure none of the factors are discriminatory.
- 6.4 The qualities or criteria should be classified as either essential or desirable. Essential criteria are those which must be met before a candidate can be appointed. Desirable are those qualities which would be preferred and can be used to reduce the numbers on the shortlist if a large number of candidates satisfy the essential criteria. The way in which both the essential and desirable criteria will be assessed during the selection process should also be identified for example through the application form, certificates, interview, references etc.
- 6.5 The person specification should only include criteria that will affect job performance. For example:
 - Describe experience required in terms and quality, level and type rather than amount
 - Evidence of ability may be just as relevant as specific qualifications. It is therefore important that undue importance is not placed on specific formal qualifications
 - Age should not be used as a criterion or as an indicator of experience or maturity
 - Do not assume that relevant skills or experience could have been gained only in an occupational setting
 - A reference to applicants commitment to safeguarding must be included on all person specifications
 - Physical requirements should only be included if essential to the post to avoid excluding some candidates unnecessarily
 - Criteria should only be included if it is essential or desirable for a role and can be objectively assessed as part of the recruitment and selection procedure

- Only include criteria which genuinely affects the ability to carry out the job, do not set unjustifiable high standards or use irrelevant terms as this could lead to unlawful discrimination.

6.6 A template job description and person specification are available at Appendix 3 and 4.

7 Advertisement of Jobs

7.1 The aim of all recruitment advertisements is to attract sufficient numbers of quality candidates to the role in a cost effective manner. Consideration will be given to each post on whether the post will be advertised internally within the academy/trust or whether the vacancy should be made available to external candidates as well as internal candidates.

7.2 All posts within the Trust including temporary positions of more than three months, secondments and promotion opportunities must be advertised as a minimum across the trust unless in exceptional circumstances. This will be coordinated by HR who will produce a vacancy bulletin for the Trust containing all internal and external adverts.

7.3 Trustees have agreed that all posts of Headteacher and Deputy Headteacher as a minimum will be advertised externally.

7.4 In certain circumstances there may be a need to safeguard the interests of employees who may otherwise face redundancy or require a search for redeployment. The trust will seek to cooperate wherever possible, on the advice of the COO to ring-fence positions and offer redeployment opportunities to affected staff. The Trust will take all reasonable steps to ensure employees and other interested parties have access to vacancies.

7.5 If a vacancy arises within six months of an identical one being advertised or filled, it is possible to appoint one of the previously unsuccessful candidates without re advertising the post at the Headteachers/COOs discretion. In this situation the next best candidate still available who meets the essential criteria in the person specification must be appointed.

7.6 What is included in an advert?

The principal aim of advertising is to attract suitable applicants for the post advertised. An advert should allow prospective applicants to use the information provided to assess their suitability to apply. The advert should therefore be a concise summary of the job description and person specification.

The advertisement must not include wording which could reasonably be taken to indicate that a person might not be appointed because of a disability or other protected characteristic or that the trust is unwilling to make reasonable adjustments for disabled candidates.

Other information to include:

- Job title and school/base
- Grade/Salary
- Type of contract (term time, temporary, permanent etc)
- Hours/days to be worked
- If the post is suitable for part time/job-share
- Major responsibilities of the post
- Essential elements of the person specification
- Outline the Trusts commitment to safeguarding
- Closing date and time for applications (generally a minimum of two weeks from appearance of the advert)
- How to apply including a contact number and email so the applicant can get more information
- Link to the school/trust website

7.7 There is evidence to show that the recruitment process is more successful when candidates can talk informally to someone who knows about the post. Therefore, the nominated officer is advised to provide a contact name and number for informal enquiries. The nominated officer also has the option to offer informal visits to candidates. This is not essential but may be desirable particularly for more senior roles. Informal visits will not form part of either the shortlisting or interview process.

8. Shortlisting

- 8.1 Once an advert has closed, HR will anonymise the applications received and send to the recruiting manager along with a shortlisting form.
- 8.2 The basis for shortlisting will be the matching of information from a candidate's written application assessed against the requirements of the person specification for the job. No additional criteria will be introduced at the shortlisting stage.
- 8.3 Shortlisting should be carried out immediately once the job has closed and no later than a week following the closing date.
- 8.4 Shortlisting must be based only on the information contained in the application form and the shortlisting panel shouldn't take into consideration any prior knowledge they may have of the candidate. Application forms will be anonymised prior to shortlisting.
- 8.5 The shortlisting process must be undertaken on a fair and consistent basis. No-one should be shortlisted who does not, as a minimum meet the defined essential criteria within the person specification.
- 8.6 If a large number of candidates satisfy all the essential criteria, it may be decided to interview only the candidates who have also scored highly in the desirable criteria.

- 8.7 Shortlisting will be carried out by at least two people (one of whom should have management responsibility for the post). At least one person involved in shortlisting will have had safer recruitment training.
- 8.8 HR can provide advice on the shortlisting process and may be involved in shortlisting for senior or other relevant posts.
- 8.9 To avoid any possibility of discrimination, application forms must not contain any information relating to any protected characteristics. The equal opportunities monitoring form must be removed prior to shortlisting taking place.
- 8.10 If possible, the number of candidates shortlisted should be sufficient to provide a reasonable choice, allowing for withdrawals (for example four for a single appointment).
- 8.11 Although officers shortlisting can examine relevant information individually, they should reach a joint decision as to which candidates are included on the shortlist.
- 8.12 A template shortlisting matrix is attached at Appendix 5.
- 8.13 Once the shortlisting process is complete and the panel have selected a cohort to interview the Headteacher or recruiting manager will need to ensure the necessary arrangements made for the interviews and any accompanying selection methods, interview questions, hospitality arrangements, parking etc.
- 8.14 HR will contact the shortlisted candidates to advise them of the date/time of the interviews, any assessment/presentation details, names of the panel members, venue for the interviews and who candidates should notify if they require any reasonable adjustments to attend and/or participate in the interviews.
- 8.15 Shortlisting forms for each person undertaking shortlisting should be retained for a period of six months to enable the Trust to respond to any challenge against a decision.

9. References

- 9.1 The purpose of seeking references is to obtain objective and factual information to support appointment decisions. Offers of employment are conditional on receiving references that are satisfactory to the trust.
- 9.2 Candidates (including internal candidates) should supply details of at least two referees. At least one reference must be from the applicant's current/most recent employer. In the event that these are not available (eg it is the applicant's first job), a personal/academic reference may be accepted. References are given in confidence and this must be observed by all those involved in the recruitment and selection process. References should always

be sought and obtained directly from the referee and open references should not be relied upon; for example in the form of 'to whom it may concern'.

- 9.3 Where permission has been provided, HR will seek written references for all shortlisted candidates prior to interview so that any issues of concern they raise can be explored further with the referee. HR will send all received references to the recruiting manager prior to the interviews.
- 9.4 It is recommended that the panel member who has undertaken safer recruitment training assumes responsibility for checking the references on behalf of the panel and advises on how issues of concern can be explored further with the referee. It is not necessary or advisable that the whole panel read the references prior to interview. HR advice is available should there be any concerns regarding the contents of a reference.
- 9.5 Where a reference has not been obtained on the preferred candidate before interview, the Trust should ensure that it is received and scrutinised, and any concerns resolved satisfactorily, before the person's appointment is confirmed.
- 9.6 If a candidate for a teaching post is not currently employed as a teacher, it is also advisable to check with the school, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving. In addition, where the post applied for involves working with children and young people and the candidates current or most recent job did not involve working with these groups, then the organisation where they have most recently worked with children and young people must be contacted for a reference.
- 9.7 The main purpose of a reference is to verify information given by the candidate and to confirm assessments made during the final selection stage. References are likely to be more useful and relevant if referees are sent a job description and person specification. The reference request must include questions relating to the safeguarding of children and young people. The Trust uses a standard reference request template for all posts.
- 9.8 A Headteacher/senior manager who is actively involved in a recruitment process will not be able to provide a reference for a candidate being assessed in that same process. In these circumstances the candidate will be asked to supply an alternative referee or a different manager should be involved in selecting the successful candidate.

10. Interview Panel

- 10.1 Interviews will be conducted by a minimum of three panel members and in some cases e.g. for senior or specialist posts, a larger panel may be appropriate. Where a larger panel is used the Trust will be mindful of the need not to overwhelm the candidate and roles and responsibilities of the panel members will be clearly defined.

- 10.2 A representative or a number of representatives from the Trust and/or Local Governing Body should always be involved in senior appointments (Refer to the Scheme of Delegation).
- 10.3 The members of the panel must have the necessary authority to make decisions about appointments, at least one panel member must be safer recruitment trained and the panel must contain at least one person with managerial responsibility for the post.
- 10.4 The interview panel should ensure that prior to interview they:
- Familiarise themselves with the job requirements (using the job description and person specification)
 - Look over all applications forms to identify any areas that require further exploration
 - Agree the structure, format and core questions to be used within the interview process. For posts working with children and young people, there should be at least one question on their understanding of and/or commitment to safeguarding
 - Agree the assessment criteria in accordance with the person specification.

11. Interviews

- 11.1 The interview is an opportunity to gain a lot of information about the candidate but it can be of limited value in predicting how a candidate will perform in the job. A range of selection methods can be used to assess a number of relevant factors in the person specification.
- 11.2 It is advised that at least one other method of assessment will be used in addition to interview. HR can provide advice and support on a number of appropriate selection methods. Some suggested options are set out below:
- **Verbal Presentation** – the presentation, subject, amount of preparation time and length of presentation can be varied to suit the role. This method is useful to assess verbal communication skills, knowledge and understanding of a particular topic, interpersonal skills and time management skills.
 - **In-tray Exercise** – candidates are given a number of documents or scenarios which they could be faced with in the job and asked to produce a written plan of how to deal with them within a given time. This is a good method of simulating the administrative/organisational/managerial aspects of the role and is a useful tool to assess how the candidates are likely to perform in the role.
 - **Written Paper** – the candidate prepares a written paper on a specified topic. This method enables the panel to evaluate technical knowledge, written communication and research skills.
 - **Lesson Observation** – candidates are asked to teach or observe (for senior posts) a lesson. This is a good method of assessing a candidates teaching, relationships with students, behaviour

management etc. For senior posts it is a useful tool to assess how the candidates observe and judge a lesson.

- **Lesson Plans** – candidates are asked to plan a lesson for a specific subject/year group/topic. This method is useful to assess both knowledge of the relevant curriculum and approach to lesson planning.
- **Student Panel** – candidates meet a group of students who have a set of questions to ask. The student panel will then feedback to the interview panel. This method is useful to assess how the candidate builds relationships with students and to get feedback from students on the candidates.
- **Group Discussion** – candidates would discuss a topic as a group. Trained observers monitor the discussion and assess candidates. This method is used to assess communication skills, decision-making, influence, sensitivity and emotional resilience.
- **Work Sample** – the candidate would produce a specified sample of work either by bringing to the interview or completing in a specified time eg portfolio of work, preparing documents etc. This enables the panel to evaluate skills, speed and quality.

- 11.3 Consideration needs to be given to whether there are any reasonable adjustments which should be made to ensure that the selection methods do not disadvantage any candidates e.g. those with a disability. This may involve the person carrying out tests or presentations in an alternative format, allowing more time or offering a support worker. Please contact HR to discuss these options.
- 11.4 The interview questions should be set by the Headteacher/senior manager prior to interview and should be the same for all candidates interviewed for the same role. The questions should be clear and easy to interpret and should be phrased so that the candidates do most of the talking at the interview. Accurate notes should be made of any discussions and questions asked along with the candidates answers to set questions. Questions should refer to the person specification and be related to this and the job role.
- 11.5 Candidates should not be asked personal or irrelevant questions at interview. Questions related to e.g. candidates gender, ethnic origin, marital status, personal or family circumstances, sexuality, age, trade union membership, political activities, or religious beliefs should not be asked, as this could imply that this has been taken into account and thereby unfairly discriminate against a candidate. If, however, a candidate raises these matters (e.g. by asking about childcare, part time working etc) it is acceptable to reply.
- 11.6 Supplementary questions are appropriate to clarify or expand on a candidate's response to a core question but must relate clearly to the duties and responsibilities of the job. Supplementary questions will be properly recorded and candidate's responses logged within the appropriate documentation.
- 11.7 It is recommended that model answers in bullet point form are recorded against each core question so that candidate responses can be effectively

assessed. However, the model answer is only a guide and will not serve to devalue good candidate responses to questions in any way.

11.8 During the interview any gaps in employment/education or discrepancies in information provided should be discussed with the candidate.

11.9 In order to get the best out of each candidate the panel should:

At the start of the interview

- Welcome the candidate and introduce them to the panel, explaining their roles.
- Explain the process and timing of the interview
- Confirm that there will be time available for the candidate to ask any questions they may have
- Confirm when and how the candidate will be informed of the outcome of the interview.

Throughout the interview

- The interview panel should listen closely to candidates and be willing to repeat a question if a candidate requests clarification
- The panel may pick up on any areas of uncertainty in any answer and ask further questions to clarify the response
- Candidates will be asked to give examples and draw on their experiences to date
- The panel will ensure there is consistent treatment of the candidates

At the end of the interview

- The candidate will be given the opportunity to ask any questions
- The candidate will be informed when they will know the outcome of the interview
- Candidates will be offered feedback at a later date if they wish to receive it
- The candidate should feel they have been given a fair opportunity and have been treated in a professional manner
- Accurate notes on each candidate will be taken scoring their performance against the person specification/expected answer form.

11.10 In the event of a decision being challenged the Trust may be asked to prove that it has not discriminated against a candidate. Interview notes etc. could be called in as part of this. Candidates may be presented with feedback following their interview using the interview notes. It is the responsibility of the chair of the interview panel to provide feedback.

11.11 Under the General Data Protection Regulations (GDPR) individuals have the right to see any information that may be held on a personnel file. Therefore, it is important that accurate notes of the interview are completed.

11.12 Interview notes for the successful candidate will be retained on their personal file. Interview notes for unsuccessful candidates will be retained for a period of six months to enable the Trust to respond to any challenge against a decision and then will be securely destroyed.

12. Making the Appointment

- 12.1 An evaluation of each candidate should be made, taking into account information from all elements of the process including any tests, presentations etc. Each candidate's performance will be matched against the criteria on the person specification and the expected answers to the questions. As with shortlisting, any decision will be based on evidence provided during the interviews/selection activities and not upon assumptions or prior knowledge of the candidate. Written references should also be considered as part of the decision making process.
- 12.2 Any candidate with a disability/special needs will be considered for the post on the basis of their ability to perform the role with reasonable adjustments being made. The job offer should be conditional on establishing that reasonable adjustments can be made. Reasonable adjustments could include:
- acquiring or modifying equipment
 - altering the person's working hours
 - making adjustments to premises
 - providing a reader or interpreter
 - allocating some of the disabled person's duties to another person
 - assigning the person to a different workplace
 - allowing the person to be absent during working hours for rehabilitation, assessment or training
 - modifying instructions or reference manuals
 - providing supervision.

Some of these adjustments can be achieved at little or no cost, however, aids or adaptations to premises and equipment are likely to incur costs for the recruiting academy/central team. Appointing managers are advised to speak HR.

- 12.3 At the end of the process the successful candidate should be the one who most closely meets the skills, qualities and experience detailed on the person specification which should be reflected in the total score received at interview.
- 12.4 All candidates who attend for interview should be informed of the outcome of their application, ideally via telephone and be offered the opportunity for feedback. When giving feedback it is important to be clear and specific, to balance positive and negative feedback, focus on aspects which the candidate can do something about, emphasise that the decision was based firmly and fairly on the evidence presented during the selection process and try to provide some constructive advice for example suggest areas where more experience is required.

13. Appointment

- 13.1 All conditional offers of employment must be made by a trustee, governor, headteacher or senior officer who has delegated powers by the Trust Board to

do so. An offer of appointment must be made conditional upon the receipt of satisfactory clearances.

- 13.2 The nominated officer will ensure that a conditional offer of appointment letter is issued to the successful candidate. The offer letter should include:
- the job title and grade of the job
 - the date of commencement of employment (if confirmed)
 - salary and payment arrangements
 - the term of the employment (whether fixed term, temporary, permanent etc)
 - Details of necessary pre-employment clearances from the list below:
 - qualification requirements (requirement to provide if a requirement for the job)
 - documents to verify the candidate's identity and right to work in the UK
 - reference requirements
 - medical clearance requirements
 - DBS disclosure requirements
 - Teacher Prohibition check for teaching staff and those involved in 'teaching work'
 - Additional checks for those who have lived outside of the UK in the last five years
 - Childcare Disqualification disclosure (where required)
 - S.128 check (where required)
 - Whether the employment is subject to a probationary or trial period and is so, the terms which will apply to this
 - Any particular or special benefits that may apply

An example 'conditional offer of appointment to successful candidate' is included at Appendix 6.

- 13.3 If the selected candidate does not accept the offer made by Tyne Coast Academy Trust, the panel may review the other candidates to decide whether there is another candidate that would be suitable for the role or whether the position needs to be re-advertised.

- 13.4 A start date should only be provided once all pre-employment checks have been completed.

14. Pre-employment Checks

- 14.1 Any offer of employment will be subject to the following pre-employment checks relevant to the position the candidate is being appointed to:
- The receipt of two satisfactory references (these should have already been received and checked prior to interview)
 - Verification of the candidate's identify
 - Verification of eligibility to work in the UK

- An enhanced DBS check with barred list information where the person will be engaging in regulated activity (further information on DBS is attached at Appendix 8)
- Verification of the candidate's medical fitness for the post
- For teaching posts, or for posts undertaking 'teaching work' a prohibited list check using the employer access online service
- Verification of professional qualifications as appropriate
- Further checks on people living or working outside the UK
- For those involved in the management of a school (includes Headteachers, Senior Leadership Posts and Heads of Curriculum areas) a Section 128 check
- Where appropriate in primary schools a completed Childcare Disqualification Regulations declaration form. If a declaration is made the candidate will be required to apply for a waiver from Ofsted.

14.2 All checks should be:

- Confirmed in writing
- Documented and retained on the HR file (subject to certain restrictions on the retention of information imposed by DBS regulations)
- Followed up where there are unsatisfactory or there are discrepancies in the information provided
- Entered on the Single Central Record (SCR) of the academy or the SCR of the Multi Academy Trust.

14.3 Where the candidate is found to be on the barred list or has been disqualified from working with children or there are serious concerns regarding an applicant's suitability to work with children the facts should be reported to the police and the DBS and the offer of employment withdrawn. Please contact the COO in this circumstance.

15 Personal File

15.1 Following recruitment to a new post the following documents should be contained on the successful candidates personal file:

- Application form
- Job description and person specification
- Interview questions and interview notes
- Proof of identify
- Evidence of the right to work in the UK
- Two references
- Medical clearance
- Proof of essential qualifications
- Teacher Prohibition check (where required)
- Childcare Disqualification declaration form (where required)
- Record that a satisfactory DBS has been received
- Further overseas record checks if applicable
- S.128 check (where required)

16. Induction

16.1 There should be an induction programme for all staff regardless of previous experience. All staff should be aware of and be confident to use systems within the Trust which support safeguarding and this should be included as part of induction. Individual academies should ensure that an appropriate induction programme is provided for all new staff.

17. General Data Protection Regulations (GDPR)

17.1 Information provided throughout the recruitment and selection process will be used in accordance with the Data Protection Act 2018 for the purpose of recording and processing applications as well as to enable the trust to complete statistical information. The information will be kept securely and held for no longer than necessary.

Supplementary Information on the Equality Act 2010 Equality of Opportunity in Employment

1. Background

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

1.1 Equality Act Provisions which came into Force on 1 October 2010:

- the basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions, work, education, associations and transport
- changing the definition of gender reassignment, by removing the requirement for medical supervision
- providing protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic
- applying a uniform definition of indirect discrimination to all protected characteristics
- harmonising provisions allowing voluntary positive action

April 2011

Equality Act provisions which came into force in April 2011:

- positive action – recruitment and promotion

To avoid discrimination of any sort in recruitment and selection, it is important that all the decisions made during the process are based on the genuine needs of the job as defined in the job description and person specification.

1.2 Protected Characteristics

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

2. Types of Discrimination – Definitions

2.1 Direct Discrimination

Direct discrimination occurs when someone is treated less favourable than another person because of a protected characteristic they have or are thought

to have, or because they associate with someone who has a protected characteristic.

2.2 **Discrimination by Association**

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

2.3 **Perception Discrimination**

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if that person does not possess that characteristic.

2.4 **Indirect Discrimination**

Indirect discrimination can occur when the employer has a condition, rule or policy or even a practice that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if the Trust can show that they have acted reasonably, ie that it is a 'proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision the Trust may make in running the Trust, but if there is a discriminatory effect, the sole aim of eg reducing costs is likely to be unlawful.

Being proportionate really means being fair and reasonable, including showing that less discriminatory alternatives to any decision made have been looked at.

3. **Sex and Race Discrimination**

Representatives of the Trust must not discriminate against anyone of the basis of sex or marital status. In the selection process a person should not be offered a contract that is less favourable than that offered to another applicant of a different sex or status where the work is of equal value. (Paying a higher salary to someone of greater experience where his or her work could be said to be of higher value would be allowable).

Discrimination on the grounds of race includes discrimination based on colour, nationality or citizenship, ethnic or national origin.

4. **Religious Belief, Sexual Orientation**

Representatives of the Trust must not discriminate against candidates on the basis of their religion (which may require them to observe specific religious practices).

People must not be discriminated against on the basis of sexual orientation (e.g. homosexuality) or gender re-assignment (whether the re-assignment is intended, is undergoing or has been undergone).

5. **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.

The Act puts a duty on the Trust to make reasonable adjustments for staff to help them overcome disadvantage resulting from an impairment (e.g. by providing assistive technologies to help visually impaired staff use computers effectively).

The Act introduces a new protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the Trust know, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim.

Additionally, indirect discrimination covers disabled people. This means that a job applicant or employee could claim that a particular rule or requirement in place disadvantages people with the same disability. Unless this can be justified, it would be unlawful.

The Act also includes a provision which makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health before offering them work.

Where, for example, an intrinsic part of the job requires a significant amount of manual handling it would be legitimate for the panel to ask applicants about their health in relation to this particular aspect of the job. However, general checks on potential levels of attendance should not be carried out until after the successful applicant has been offered the position on a conditional basis.

Potential applicants should be provided with full information on the assessment process to be used and asked if, for reasons concerns with their health or disability, they require an adjustment to the assessment to be made.

It is also unlawful for an employer to fail to make a reasonable adjustment when a person with a disability is placed at a substantial disadvantage. Where an applicant with a disability meets the essential criteria specified on the person specification, the applicant is to be interviewed in accordance with the guaranteed interview scheme.

6. Age Discrimination

In line with the Equality Act 2010, this policy requires that no one should be discriminated against on the grounds of age. Care must be taken when compiling person specifications and advertisements in order to avoid any inference of age discrimination.

7. Pre-employment Health related checks

The Equality Act limits the circumstances when health-related questions can be asked before an individual has been offered a job. Before an offer is made, health-related questions can only be asked to help the panel:

- decide whether any reasonable adjustments need to be made for the individual for the selection process
- decide whether an applicant can carry out a function that is essential ('intrinsic') to the job
- monitor diversity among people making applications for jobs
- take positive action to assist disabled people
- assure themselves that a candidate has the disability where the job genuinely requires the jobholder to have a disability.

A jobseeker cannot take the employer to an employment tribunal if they think they have acted unlawfully by asking questions that are prohibited, though they can complain to the Equality and Human Rights Commission. However, if prohibited questions are asked, and the applicant is not employed, they may bring a claim of discrimination and the burden of proof would be on the employer to demonstrate that they had not discriminated.

Once a person has been conditionally offered a job it is then permitted to ask appropriate health-related questions.

8. Reference Requests

Under statutory safeguarding guidance references are taken up prior to interview. Questions about health cannot be routinely be asked until a conditional offer of employment is confirmed.

The question on absence should state:

Please supply details of a contact within your organisation who can provide information on attendance/sickness record, should a job offer be made.

In practice this means that once a conditional offer of employment has been made, the employer can then go back and seek information from the referee about attendance and absence. The offer of the job should be conditional upon medical fitness to carry out the job. Once medical information is received (from Occupational Health), the employer cannot discriminate against the applicant and any reasonable adjustments in the circumstances must be made to accommodate any disability.

9. Asylum and Immigration Act

In complying with this Act, assumptions should not be made about a person's right to work, or immigration status, on the basis of their colour, race, nationality or ethnic or national origins or the length of time they have been in the UK.

In order to eliminate direct or indirect discrimination on the ground of race the Trust will not reject any applications on the grounds that the applicants do not have a British Nationality. The Trust will carry out the relevant checks on eligibility to work in the UK in accordance with statutory requirements.

10. Rehabilitation of Offenders

Representatives of the trust must not discriminate against anyone on the grounds of spent convictions. The elapsed time between conviction and the point at which a conviction becomes spent varies with the seriousness of the offence and length of any prison sentence. This does not remove the need to carry out DBS checks for all those in regulated activity. Only relevant convictions and other information will be taken into account, so disclosure need not necessarily be a bar to obtaining a position.

11. Prevention of Illegal Working

The trust must ensure that all prospective employees are entitled to work in the UK. If there are any doubts about a prospective employee HR should be contacted for advice on how to proceed.



Business Case for New/Additional Roles

Academy:

Prepared by:

(Headteacher)

Date:

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1. Details of Proposed Post

Date of Request: _____ Person Completing Request _____

Post Title: _____

School/Service: _____ Line Manager: _____

Department: _____

Proposed Grade: _____

Hours per week: _____

Start Date: _____ End date (if applicable): _____

Type of contract (please select one from each group)

A	B	C	D
Full Year <input type="checkbox"/>	Full Time <input type="checkbox"/>	Permanent <input type="checkbox"/>	Teaching <input type="checkbox"/>
Term Time Only <input type="checkbox"/>	Part Time <input type="checkbox"/>	Temporary <input type="checkbox"/>	Teaching Support Staff <input type="checkbox"/>
		Casual / Agency <input type="checkbox"/>	Other Support Staff <input type="checkbox"/>

1.1 Introduction

Give a brief statement on your proposed new/additional roles:

This paper sets out the proposed case for new/additional posts within the Academy/central team to reflect the changing requirements in accordance with (reason).

2. The Reasons for the New/Additional Post

Set out why the new/additional post is required, outlining the impact on students, academy performance, financial viability and central team requirements. Include any data/information (or refer to additional documents or appendices) that support your reasons for this request.

Examples:

- An increase in student numbers
- A new subject/course not included in the curriculum plan
- Over utilisation of current staff
- Link to external funding
- Trust wide working/support required

3. HR Information

Discussions to be held with the COO to consider the business case for the post, how the post will be utilised, the job description and person specification for the post and the grade of the post. With regard to the grade consideration will be given to the roles and responsibilities of the post in relation to the

structure at the academy and in other academies within the trust (this will apply particularly to leadership posts, additional payments etc TLRs and grades for non-teaching staff).

4. Finance Information

Set out full financial information following discussions with the appropriate Finance Business Partner/CFO.

Costs for the post for current year					
Salary Scale	Starting Point	Salary for current year	NI Costs	Pension Costs	Total Costs
		£	£	£	£
Full year costs			Cost at Maximum of grade		
Details of any external funding being utilised					
Full details of budget availability/funding for the post					
Are there training costs attached to this post which will be funded from the Apprenticeship Levy			Please outline details: Annual/monthly?		

5. Timescales

Set out the timescales for the recruitment of staff and proposed start date.

6. Risks

- Assess the risk of appointment being declined
- Other aspects that may depend on the successful outcome of this request.
- Risks associated with this request ie additional staffing, resources etc

Headteacher/Trust Manager Name	
Signature	
Date	
COO Name	
Signature	
Date	
Finance Business Partner/CFO Name	
Signature	
Date	
CEO Name	
Signature	
Date	

TCAT Executive Team Approval: Yes/No

Date:

Appendices

Please include details of any additional documents included eg staffing structure, funding details etc.



JOB DESCRIPTION

JOB DETAILS

Job Title:

Grade:

Accountable To:

JOB PURPOSE

Complete Accordingly

KEY RESULT AREAS

Complete Accordingly

VARIATION IN THE ROLE

Given the dynamic nature of the role and structure of (insert name of academy) and Tyne Coast Academy Trust, it must be accepted that, as work develops and changes, there will be a need for adjustments to the role and responsibilities of the post. The duties specified above are, therefore, not to be regarded as either exclusive or exhaustive. They may change from time to time commensurate with the grading level of the post and following consultation with the member of staff.

EQUALITY AND DIVERSITY

Tyne Coast Academy Trust is committed to equality and diversity for all members of society. The trust will take action to discharge this responsibility but many of the actions will rely on individual staff members at the academy embracing their responsibilities with such a commitment and ensuring a positive and collaborative approach to Equality and Diversity. This will require staff to support the academy trust's initiatives on Equality and Diversity which will include embracing development and training designed to enhance practices and the experiences of staff, students and visitors to the trust with an all-inclusive approach that celebrates differences. Failure to embrace these commitments may lead to formal action.

If you as a member of staff identify how you or the academy trust can improve its practice on Equality and Diversity, please contact the Chief Operating Officer.

HEALTH AND SAFETY

All members of staff have a duty to maintain safe and clean conditions in their work area and co-operate with the academy trust on matters of Health and Safety. This will include assisting with undertaking risk assessments and carrying out appropriate actions as required. Staff are required to refer to the academy and safety policies in respect to their specific duties and responsibilities.

LEARNING & DEVELOPMENT

All staff are required to participate fully in the academy trust Learning & Development programmes and have a responsibility to identify their own professional development needs in conjunction with their line manager.

COMMITMENT TO SAFEGUARDING VULNERABLE GROUPS

The academy trust is committed to safeguarding and the prevent duty. Ensuring safeguarding arrangements to protect children, young people and vulnerable groups meet all statutory and other government requirements, promote their welfare and prevent radicalisation and extremism. The academy trust expects all staff and volunteers to share this commitment.

BLANK PERSON SPECIFICATION

Area	E = Essential Criteria D = Desirable Criteria		
	Criteria	Attribute	Stage Identified
Qualification and Experience	E or D		
Experience and Knowledge			
Skills			
Personal Attributes			

Stage Identified

A = Application Form

I = Interview and/or selection activities

R = References

C = Certificates

Tyne Coast Academy Trust Shortlisting Form

Post Title:

Please insert a tick or a cross to demonstrate whether each candidate meets the essential criteria

Shortlisting Criteria	C1	C2	C3	C4	C5	C6	C7	C8	C9
Shortlist for Interview Y/N									
Qualifications and Education									
Insert criteria from Person Specification									
Experience and Knowledge									
Insert criteria from Person Specification									
Skills									
Insert criteria from Person Specification									
Personal Attributes									
Insert Criteria from Person Specification									

Ref:

Insert Date

Insert Name

By Email

Dear

RE: Conditional Offer of Appointment – *Insert Post Title, Insert Academy Name or Tyne Coast Academy Trust*

Following your recent interview for the post of (insert job title), I am pleased to confirm the conditional offer of the following position:

Post Title:

Location:

Contract Status: (if temporary or fixed term, state reason and end date)

Salary: NJC grade and point or Teachers/Leadership scale and point

Additional Allowances: eg TLR

Hours:

Working Pattern: Only include details if part time or term time only

Your contract of employment will begin with us on (*insert date if known or add will arranged once all clearances are received*) and your commencement date in school is (*insert start date*).

This offer of employment is subject to the following pre-employment checks being satisfactorily received: (*Please include all which are relevant to the post and not yet received*). You will be contacted to arrange a suitable time for a pre-employment meeting where you will need to have all of the relevant documents with you to enable us to carry out the necessary checks.

- Receipt of two satisfactory references
- Proof of identity (Passport, driving license or original birth certificate)
- Confirmation of eligibility to work in the UK (valid passport or full birth certificate and an official document which includes your national insurance number)
- Enhanced DBS with barred list (You will be required to complete an on-line DBS application and the details are enclosed with this letter. You will also be required to bring to your pre-employment meeting original suitable identity documents as outlined in Valid Identity Documents List). Once you have received your DBS certificate this must be reviewed by the HR Team or the school prior to your employment commencing
- Teacher Prohibition check
- Pre-employment medical clearance (Please complete the enclosed medical health questionnaire and return to me as soon as possible)
- Childcare Disqualification declaration

- S.128 check
- Essential qualification certificates (Please bring any qualifications that are essential for the post as outlined on the person specification to the pre-employment meeting).

Prior to commencing employment with Tyne Coast Academy Trust, you will be required to complete the online Prevent Training. Please complete this training <https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html> and provide a copy of your certificate of completion.

Your pay date will be the last working day of each month. Please find enclosed a payroll personal details form which should be completed and returned to me.

Once all documentation and clearances have been received you will be forwarded your confirmation of appointment details and contract of employment which must be signed and returned.

To accept this conditional offer of employment please sign and date the section below and return one copy of the letter. Please note that by signing this offer of employment, should you withdraw the offer before your start date, you will be liable to repay the Academy any costs incurred for pre-employment checks.

If you require any further information, please do not hesitate to contact (*insert contact details*)

I look forward to welcoming you to Tyne Coast Academy Trust and (*insert name of academy*) and would like to take this opportunity to congratulate you on your appointment.

Yours sincerely

Name
Job Title

I _____ am pleased to accept the offer of employment as (*insert job title*) at (*insert academy name*).

I understand that my contract will be forwarded to me, my contract of employment is from (*insert start date*) and that my salary will be (*insert salary and salary point*). The contract is permanent on a full time basis (*change if required*).

Signed _____ Date _____

DBS Guidance Information

1. Introduction

As all staff who work at Tyne Coast Academy Trust and its academies have access to pupils, all employees will require an enhanced disclosure check, with the appropriate barred list check.

DBS checks trawl information held on the Police National Computer and records held by the Department for Education to help organisations assess the suitability of candidates.

Individual organisations still retain the right to make the decision whether or not to appoint a person after taking into consideration all relevant information.

A criminal conviction should not bar a person from gaining employment within the Trust, the weight given to the conviction will depend on a number of factors, including:

- The nature of the offence
- The age of the applicant at the time the offence was committed
- The applicants subsequent record
- How relevant the offence is to the post applied for
- Under no circumstances will an appointment be made if a person is on the barred list for the areas where work has been checked.

2. Agency Workers

The agency providing workers will be expected to provide details of an enhanced DBS certificate with appropriate barred list checks prior to commencing work. The agency should also provide details to confirm that all other relevant safer recruitment checks have been made.

3. DBS Code of Practice

The DBS Code of Practice is in place to ensure that information obtained for the purposes of a DBS check will be used fairly and will be handled and stored appropriately. The Trust is required to comply fully with the DBS Code of Practice.

In particular the Code of Practice requires that we:

- only submit disclosure applications for relevant positions and employment that are eligible under the Disclosure eligibility criteria
- treat all applicants with a criminal record fairly and do not discriminate unfairly against the subject of a Disclosure, on the basis of conviction or other information revealed
- have a written policy on the recruitment of ex-offenders which can be given to all applicants for a position where a Disclosure is requested.

- have a written policy on the correct handling and safekeeping of Disclosure information
- store any Disclosure information securely for no longer than is necessary and dispose of Disclosure information in a secure manner after this period.

4. Portability

DBS checks can now be portable between organisations and employers. The 'Update Service' allows the trust to complete an online status check on an individual to see whether new information has been added since the last DBS certificate was issued. This system allows for quicker checks and speeds up the recruitment and selection process for the individual. In order to carry out status checks the trust requires:

- the individual must be subscribed to the update service
- the original DBS certificate for each status check
- the individual's written or verbal consent for each status check carried out or permission from each individual for multiple checks

The trust can then check each individual on the Update Service for any new information on their DBS record whilst the individual will be able to see when, and by who, a status check has been carried out.