



FORTIS TRUST

STRENGTH IN PARTNERSHIP

Recruitment and Selection Policy

(Incorporating Safer Recruitment)

To be considered in conjunction with the academy's/school's /provision's policy on Child/Adult Protection Safeguarding Policy - section on Safer Recruitment.

Version 4.0

This policy will be reviewed whenever significant changes to the systems and arrangements take place.

Where any changes, amendments or additions are made, the version number will change.



Reviews that result in no changes at all will maintain the same version number.

Signed Chief Executive officer

Date

Signed Chair of Trustees

Date

Review Date	Revision Number	Signature
January 2020	3	
January 2024	4	



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Recruitment and Selection Policy

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1. 1. Policy

1.1 Policy Statement

This policy has been adopted by the Members and Board of Trustees to provide a policy framework for the recruitment and selection of staff to all posts within the approved staffing structure. This policy also covers the recruitment and selection of Local Committee Board Governors and Fortis Trustees. Fortis Trust is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment.

Members of the Trust and Trustees fully understand their responsibilities in ensuring that recruitment procedures are free from unlawful discrimination in line with the Equality Act 2010. The Trustees also fully appreciate the importance of fair, open and effective procedures to enable the Trust to recruit people with the right skills, aptitudes and attitudes.

The Members and Trustees will ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department of Education (DfE), including:

- Keeping Children Safe in Education (KCSIE) 2023;
- Disqualification under the Childcare Act (DUCA) 2006 and the Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 and any related updates,
- The Prevent Duty Guidance for England and Wales 2023 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS).

The Members and Trustees understand their responsibilities in managing the personal data of job applicants and boards positions in line with the General Data Protection Regulations (GDPR) and Data protection Act 2018.

All staff, Governors, Trustees and volunteers are expected to share a commitment to safeguard children and vulnerable groups and, as part of that commitment, follow 'Safer Recruitment' guidance in line with the Keeping Children Safe in Education 2023– statutory guidance for schools and colleges.

As part of our commitment to safeguarding children and vulnerable groups, Enhanced DBS checks and/or Barred List checks on all posts must be carried out where they are required.

All staff, governors and Trustees involved in recruitment and selection decisions are required to work in ways that are entirely consistent with this policy at all times. The Trust will ensure that recruitment and selection training is provided for all staff and Trustees involved in the recruitment and selection of staff and that it is appropriate to their role.

It is a statutory requirement for schools that all selection panels must include at least one member who has successfully completed safer recruitment training. This forms part of the [School Staffing \(England\) Regulations 2009](#).

1.2 Scope

This Policy applies to all employees, Governors and Trustees of Fortis Trust.

1.3 Adoption Arrangements and Date

This policy was adopted by the Board of Trustees of Fortis Trust on 11th December 2023 and supersedes any previous Recruitment Policy. This policy may be reviewed by the Trustees if statutory guidance changes or any other change is deemed to be required. This may involve consultation with the recognised unions if deemed necessary.

1.4 Equal Opportunities Statement

This Trust is committed to ensuring that each stage of the recruitment and selection process is accessible to all. We will review the recruitment policy and procedure regularly to ensure that it takes account of the [Equality Act 2010](#) and does not discriminate against applicants on the grounds of race, religion or belief, disability, age, pregnancy and maternity, gender reassignment, marriage and civil partnership, sex or sexual orientation.

1.5 'Prevent'

The Trust has a duty under [section 26 of the Counter-Terrorism and Security Act 2015](#) ("the CTSA 2015") to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty. In carrying out its obligations under 'Prevent' the Trust will assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. The Trust will not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partnership status, disability or age.

1.6 Prior to Advertising

When a vacancy occurs, the Leader, will review the need for the post and consider all options (internal and external) before deciding that there is a need to recruit. If there is a need to recruit, the job description and person specification should be reviewed in line with the Trust workforce plan prior to seeking the approval of the CEO to commence recruitment.

Consideration should also be given to the working hours and contractual arrangements for each post to ensure that posts are open to applicants wishing to work on a part-time or job-share basis where possible and practical, in line with the Trust Flexible Working Policy.

1.7 Job Description

The job description is a statement of purpose and scope, and defines both the job role and expectations. It will:

- Summarise the job purpose/impact
- Set out key responsibilities and accountabilities
- Set out reporting and line management arrangements

An up-to-date job description and person specification will be available for each vacancy advertised.

Leaders will refer to the Teachers' Standards and to the School Teachers' Pay and Conditions Document (which sets out the expected attributes of Main Scale, Post Threshold, Advanced Skills and Excellent Teachers) when creating job descriptions for teaching posts. Leaders must refer to the relevant standards for the role e.g. Teaching Assistant Standards for Teaching Assistant posts, etc. All job descriptions must clearly state the post holder's responsibility for promoting and safeguarding the welfare of children and young people.

1.8 Person Specification

The person specification is a description of the qualifications, experience, knowledge, skills, competencies and other attributes of the ideal person to fill the role. It will classify each attribute as either 'Essential' to do the job or as a 'Desirable' attribute for the post holder to have and indicate how each attribute will be assessed e.g. application form, interview, reference, test, etc. All attributes should be measurable and quantifiable and should take care not to unlawfully discriminate against particular groups of people, either directly or indirectly.

1.9 Advertising

All vacant posts will be advertised in a fair, open and honest manner and will be advertised by means of a formal notice on the staff notice board as a minimum. In most cases, vacant posts will be advertised externally. To demonstrate to potential job applicants our commitment to Safeguarding and the welfare of children, the following statement must be included on any relevant advertisements and documentation sent out to applicants:

Our Trust and all its personnel are committed to safeguarding and promoting the welfare of the students/interns. This post is subject to an Enhanced Disclosure Application to the Disclosure and Barring Service.

The requirements when advertising for Leader and Vice Leader vacancies are set out in the School Staffing (England) Regulations 2009 which require the Board of Trustees to advertise Leader and Vice Leader vacancies "unless it has a good reason not to" and in sections 35 and 36 of the Education Act 2002. In recruiting for the CEO or Accounting Officer, the Trustees must follow the recruitment policy and guidance set out in the Academy Trust Handbook. The Board of Trustees should approach their Regional Director when the senior executive leader is planning to leave the Trust (for example retirement or resignation) they must discuss their structure and options, including plans for recruitment.

1.10 Applications

All applicants must complete the relevant application form, in full, to enable the panel to shortlist in a fair and objective manner. The application form will include an explanation that all posts in the Trust are exempt from the Rehabilitation of Offenders Act 1974, therefore all convictions, cautions and bind-overs (including those regarded as 'spent') must be declared unless they are considered a protected offence.

N.B. The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and not subject to disclosure to employers and cannot be taken into account. Guidance and criteria on the filtering of these

cautions and convictions can be found on [the Disclosure and Barring Service website](#).

Failure to declare relevant information may disqualify the candidate from the appointment and, if appointed, may render the individual liable to immediate dismissal without notice.

The application form must also state that providing false information can result in de-selection. All applicants are required to sign and date the declaration. Applicants must also be asked to sign to say that they have not had convictions.

The Trust may reasonably decide to reject an application where incomplete and/or ambiguous information is provided. Applications by CV or letter alone will not be considered.

1.11 Shortlisting

All shortlisting decisions will be made with clear reference to the skills and qualities set out in the person specification using an agreed method of scoring against the essential and desirable criteria. Each candidate will be considered on their own merit and shortlisting panels are reminded that positive discrimination (i.e. giving preferential treatment to applicants from under-represented or disadvantaged groups regardless of their ability to do the job) is unlawful.

A Self-Disclosure form will be sent to shortlisted applicants to complete prior to interview. Shortlisted candidates will also be informed that in line with Keeping Children Safe in Education (KCSIE) We will undertake an online search (paragraph 221 of KCSIE) to identify any safeguarding or suitability issues that can then be explored at interview. Online searches must abide by Data Protection law (See Appendix 1.1)

The notes of the shortlisting panel and details of the scoring will be retained for six months from the appointment date in line with the Trust's Records Management Retention Policy. Documents will be securely disposed of.

1.12 References

In order to comply with Keeping Children Safe in Education, it is the policy of Fortis Trust that all references will be taken up before the appointment is confirmed. This will be done either by letter seeking to verify the skills, experience, competencies and employment history of the applicant, or by a standard reference form.

On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily. Any discrepancies or anomalies must be noted and addressed during the applicant's interview. Specific questions must be included to explore the applicant's suitability to work with children and if the referee has any concerns, they should be asked to give their reasons.

In order to comply with the Equality Act 2010, reference requests sent prior to an offer of employment will not request details of attendance or absence however; further information may be requested and compared with the medical questionnaire following the applicant's acceptance of an offer of employment.

References will be sought from the current or most recent employer and references will only be obtained directly from the referee: testimonials or open references (those addressed 'To whom it may concern') will not be considered. Referees will be provided with a copy of the job description and person specification to assist them in their response.

Where a candidate is not currently working in a school or childcare setting but has done so in the past, one reference must be from their most recent children's workforce employer in line with Safer Recruitment guidelines.

We will seek to confirm whether the candidate has been subject to any formal disciplinary procedures within the last two years and to establish any details, outcomes or 'live' sanctions which are in place.

In cases where there have been disciplinary concerns which involved children or safeguarding that have been substantiated, the referee will be required to confirm details. In accordance with Keeping Children Safe in Education, cases in which an allegation is proven to be false, unsubstantiated or malicious must not be included in employer references.

When recruiting to teaching posts we will seek to confirm whether candidates have been subject to formal capability proceedings in the past 2 years as part of our appointment process.

In the case of recruitment to all other posts, we will ask referees to confirm whether candidates have been subject to formal capability proceedings in the past 2 years as part of our appointment process.

1.13 Interview and Selection

The Trust is committed to ensuring that all interviewees are assessed according to their ability to meet the criteria of the job description and person specification and to fulfil their obligation regarding keeping children safe.

Applicants may have indicated on their application form that they have a disability and, in order to promote fairness and to meet our obligations under the Equality Act 2010, the letter of invitation will encourage applicants to contact the Trust if they require any adjustments to enable them to attend the interview.

Candidates are required to bring evidence of relevant qualifications to interview where the original documents must be checked, and a signed and dated copy retained. Documents relating to unsuccessful candidates will be retained with the interview papers and destroyed six months from the date on which the position was offered and accepted.

The panel will take notes during the interview to enable a scoring matrix to be completed and, at the conclusion of the interviews; the panel will consider each of the candidates against the criteria for the post before reaching their decision.

The notes for all interviewees will be retained for a minimum of 6 months from the date on which the position was offered to enable constructive feedback to be given to unsuccessful candidates. Documents will be securely disposed of.

1.14 Pre-employment Checks

All offers of employment will be conditional on the successful completion of the pre-employment checks listed below and will include confirmation of salary, start date and any information that the successful applicant needs to provide before commencing employment e.g. DBS form and pre-employment questionnaire. All offers of employment will be subject to and conditional upon:

- Enhanced DBS check
- DBS Barred list check where applicable (i.e. if working in regulated activity)
- Verification of identity including date of birth
- Verification of entitlement to work in the UK
- Verification of any relevant qualifications
- Receipt of 2 satisfactory references
- Prohibition checks for those in teaching work and those with previous teaching experience (including unqualified teachers, HLTAs, etc.)
- A section 128 Prohibition from Management check (Independent/free schools/academies only).
- Overseas checks as appropriate

If these are not satisfactory a conditional offer of employment may be withdrawn or where an individual has commenced work, employment may be terminated.

1.15 Right to Work

In order to comply with the Asylum and Immigration Act 1996 – Prevention of Illegal Working – interview candidates will be asked to bring certain documentation to the interview, which shows their eligibility to work in the UK. No offer of employment can be made unless one of the original documents listed on the Home Office Right to Work Checklist is produced.

The candidate's original documents must be checked, and a signed and dated copy retained. Documents relating to unsuccessful candidates will be retained with the interview papers and securely destroyed six months from the date on which the position was offered and accepted.

The Home Office Right to Work Checklist shows the acceptable identity documentation as currently defined by the Home Office and further information on establishing an individual's right to work can be found at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/774286/Right to Work Checklist.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/774286/Right_to_Work_Checklist.pdf)

1.16 DBS and Barred List Checks

A check against the Children's Barred List will be requested as part of the enhanced DBS Disclosure for all employees working in regulated activity i.e. having unsupervised, frequent, or intensive contact with children.

It is the Trust's practice that individuals obtain a satisfactory enhanced DBS check before commencing work. In exceptional circumstances where the applicant is required to commence work before the full disclosure certificate is received, where working in regulated activity, a barred list check must be carried out before

employment commences, a risk assessment must be implemented and supervision must be in place until a satisfactory DBS check is obtained.

In cases where we are notified that a DBS check is positive for criminal convictions, cautions, warnings etc., the contents of the certificate will be discussed with the academy's HR Consultant. It would be appropriate for a meeting to be convened with the employee, with representation, to discuss the situation; this could result in formal disciplinary action up to and including summary dismissal.

For further details of what constitutes regulated activity and guidance on DBS checking for unpaid positions, including Trustees and volunteers, please refer to Part 2 – Guidance Notes for Leaders.

1.17 Prohibition of Teachers

We are required to check that anyone appointed to teach has not been prohibited from doing so by the Secretary of State in accordance with the Teachers' Disciplinary (England) Regulations 2012. All those in teaching work, or those with previous teaching experience, will require a prohibition check. Teaching staff will be checked on the Teacher Regulation Agency self-service portal (formerly known as the Employer Access Service) to ensure that they have the required teaching qualifications, have successfully completed statutory induction where it is necessary i.e. for teachers who obtained QTS after May 1999, and have not been prohibited from teaching.

1.18 Section 128 Management Checks (Academies and Free Schools only)

Section 128 directions are made by the Secretary of State under s. 128 of the Education and Skills Act 2008, barring individuals from taking part in the management of Independent schools, Academies and Free Schools. The academy will undertake a section 128 check for those taking up management positions at Independent Schools, Academies and Free Schools to ensure they are not prohibited under the provisions. This includes Governors, Directors and Trustees.

1.19 Overseas Checks

In accordance with Keeping Children Safe in Education (2023), overseas checks, as the Chair considers appropriate, will be undertaken where, by reason of the individual's living or having lived overseas, obtaining an enhanced DBS certificate is not sufficient to establish his or her suitability to work.

Since 6 April 2017 for all Tier 2 Visa applicants it is a requirement that they must provide a criminal record certificate from any country where they have lived for 12 months or more (whether continuously or in total) in the last 10 years.

Checks on individuals who have lived or worked outside the UK should include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions, which can be checked on the Teacher Regulation Agency Self Service Portal.

1.20 Proof of Qualifications

Proof of qualifications will be checked to ensure that they match with the candidate's application form. The name of the qualification, awarding institution, date of qualification and candidate name will be checked. A signed and dated copy of the

certificate will be retained as evidence of when the check was carried out, and by whom.

In the case of teachers, Qualified Teacher Status (QTS) will be checked via the Teacher Regulation Agency's Self Service Portal at <https://teacherservices.education.gov.uk/>

In the event of any concerns regarding the validity of the qualification, a candidate may be required to obtain confirmation or clarification in writing from the exam board or awarding institution.

1.21 Follow-up References

Following a written conditional offer of employment to the successful candidate, a supplementary reference request will be sent to their original referees. This is an opportunity to request information about sickness absence and attendance records which cannot be requested prior to an offer of employment in order to comply with the Equality Act 2010. The offer of employment is conditional of both parts of the reference being satisfactory.

1.22 Withdrawal of Offers

In the event that the pre-employment checks are unsatisfactory, or where the identity, qualifications or right to work in the UK of a successful candidate cannot be verified, Fortis Trust will consider withdrawing the conditional offer of employment. Where the successful candidate has started in post and information becomes available which would have caused the offer to be withdrawn, employment may be terminated. In these circumstances, advice will be sought from the Trust's HR consultant.

1.23 Single Central Record

In accordance with the terms of the School Staffing (England) Regulations (as amended), Each provision within Fortis Trust will retain details of recruitment and vetting checks undertaken in a Single Central Record (SCR). This data will be collated, used and stored and deleted in line with GDPR and Data Protection regulations. Further details of the information required can be found in Part 2 - Guidance Notes for Leaders.

1.24 Complaints

An individual who feels that their treatment during the recruitment and selection process is unfair may raise a formal complaint. This can be done by writing to the Chair of Trustees setting out the key points of their complaint. The complaint will be investigated in line with Fortis Trust's Complaints Procedure, which is available on the Trust's website. Existing employees of the Trust should raise their concerns through the Grievance Procedure.

1.25 Induction

Induction is essential in ensuring that new employees are properly equipped for work, their role in the life of the Trust and feeling part of the academy, school or provision community. Fortis Trust will put in place an induction programme for all staff joining the Trust. This will vary taking into account previous experience and the nature of the role but will ensure that all staff and volunteers receive guidance on safe working practices and the safeguarding policies of the Trust.

2. Recruitment of Local Committee Governors, board appointed- Trustees (Co-opted Trustees)

In line with the Governance Handbook, academy Trust governance guidance, advice from Governor recruitment charity Governors for Schools and the Trust's articles of association the following outlines the procedures for the recruitment of local committee Governors and board appointed Trustees (co-opted Trustees).

2.1 Review the Trust board's skills audit

The Trust board conduct's an annual skills audit based on the Department for Education's competency framework. The outcomes should be used to inform current Governors and Trustee's training plans and to identify gaps and experience needed which can be filled through recruitment.

2.2 Number and type of Trustees and local committee Governors

The Trust's Article of Association and the Terms of Reference for the board and each committee outline the number and type of Governors and Trustees.

2.3 Responsibility for sourcing potential co-opted Trustees and local committee Governors

Some Trustees will be member appointed. Members are able to delegate the process of finding potential Trustees to the Board of Trustees. Trustees recruited by the Board of Trustees are classed as co-opted Trustees. The Members may require formal recommendation for the approval of Co-Opted Trustees, once the number of co-opted Trustees has been reached as detailed in the Trusts articles of association. Trustees may delegate the initial advertising for potential local committee Governors and co-opted Trustees to the CEO.

2.4 The Recruitment Process

This process applies to the recruitment of the Trust appointed LGC Governors, Trustees and Members. The process for the recruitment of parent and staff Governors to the LGC is detailed in 3.5.

2.4.1 Advertising the vacancy

Adverts for vacancies must set out:

- Who can apply
- The role and functions of the Trust board
- What training and development opportunities they'll get
- A brief description of your Trust and its schools
- The expectations of new Trustees, particularly regarding their attendance at meetings and membership of committees
- The skills and experience that you want your new Trustees to have

If using a recruitment platform such as Inspiring Governance, the above details should be covered within the platforms templates.

2.4.2 Application for the vacancy

The following process should be undertaken:

If the vacancy is not being advertised through a governance recruitment service which has screened the candidates then the template application in appendix 4.3 should be used. The application will be sent as part of an application pack which provides detail of the role of a Governor /Trustee, and the Trust.

After review of the application or identification of a potential candidate.

An initial meeting and tour of the Trust should be arranged with the CEO. This is to make sure they understand the role and to give them a full understanding of the Trust and its academies/schools/provisions.

If the potential candidate wishes to continue with the application the CEO will inform the Governance Professional, Chair and Vice Chair of Trustees and they will decide if they wish to continue and short-list the potential candidate for the role. If short-listed for the vacancy in line with 2.6 online checks will be carried out.

An interview by a panel of Trustees will be organised by the Trust's governance professional. Possible questions could include:

- Why do you want to be a Trustee?
- What skills and experience can you bring to the board?
- Why do you think these would make you an effective Trustee?
- Why have you chosen our Trust?
- How much time can you dedicate to the role?
- How would you deal with a situation where you really disagree with others on the board?
- What do you understand about confidentiality on the board?

Two written references must also be taken up.

Employment and safeguarding checks will be carried out including DBS, Section 128 and Right to Work checks.

Invite the candidate to a Full board of Trustee meeting to agree and record the decision to appoint the Trustee in the minutes at a quorate meeting. The exception is that if there are not enough Trustees on your board to form a minimum quorum (3), the remaining Trustees can vote to appoint new Trustees or local governing members. Only Trustees who were not co-opted themselves can vote to co-opt a Trustee.

Written notice of the appointment, including the name and address of the person nominated or appointed must be recorded by the governance professional (clerk) and the Members notified as appropriate.

The Trust's governance professional will provide the newly appointed local committee governor or co-opted Trustee with our Governance Handbook, copies of key Trust documents, dates of meetings and a copy of key Department for Education guidance such as the Academies Handbook, etc.

2.4.3 Re-appointment

Co-opted Trustees and local committee governors can be re-appointed if the board agrees (article 64). This must be noted in the minutes.

2.5 Recruitment of Staff and Parents

Under the Trust's Articles of Association. The CEO may be appointed to the Board of Trustees as an Ex-Officio by The Members. They would need to do this by Ordinary Resolution at a General Meeting of the Members. All other staff and parents may not be appointed to the Board of Trustees. However, as set out in the local governing committee 'TOR, Constitution and Standing Orders', 2 staff members and 2 parent governors may be elected to the local governing committee.

2.5.1 Application and Election process for parents & carers

The election process of the recruitment of parent governors and staff governors to the LGC is in line with the requirements set out in the [School Governance \(Constitution\) \(England\) Regulations 2012](#) and Fortis Trust's Article of Association.

Recruitment Literature

The Trust board will prepare recruitment literature. In doing so, the Board will "make every effort to conduct informed parent and staff governor elections in which the expectations and credentials of prospective candidates are made clear" (as set out on pages 42 to 43 of the Governance Handbook).

The recruitment literature, will explain:

- The core functions of the local governing committee and the role of a governor
- The induction and training available to new governors
- Expectations of governors, for example, the length of the term of office, frequency of meetings, membership of committees and willingness to undertake training and development
- Any specific skills or experience that would be desirable in a new governor, such as the willingness to learn, or specific skills that would make the governing board more effective and help address certain challenges

To ensure a fair process, the board will not:

- Create additional eligibility criteria for potential candidates
- Endorse a particular candidate
- Run an interview process before or after the election to filter candidates
- Conduct online only applications or hold elections completely virtually

Election and application process for parent governors

The Board of Trustees will organise the election, they may opt to delegate this duty to the CEO.

Who's eligible for election?

All parents or carers of registered students at the academy or provision (or any academy in the MAT) at the time of a parent governor election are eligible to become parent governors. Their child must not be older than 19 years old.

Notifying parents of a vacancy and applications

When a vacancy for a parent governor on a local governing committee has been identified. All of the parents of registered students at the school/academy/provision will be notified by the clerk or chair of the board, or the CEO if the election process has been delegated. See Appendix 1.4 Parents & Carers Candidate Form

This notice must inform parents and carers:

- That there's a vacancy for a parent governor and there'll be an election to fill it
- That they have the right to stand for election

How parents can participate in the election

The Trust will:

- Send a letter (Appendix 1.4) and application form (Appendix 1.3) to all parents and carers inviting applications as soon as a resignation is received from a parent governor, or at the beginning of the term in which a parent governor's term of office expires. If the vacancy is at the end of the summer term, the letter can be delayed to the start of the autumn term to allow enough time for the election process to run its course.
- Make sure all parents hear about the vacancy by creating an advert highlighting the benefits of the role and mitigating the common concerns
- Using all communication channels to publicise the vacancy (e.g. noticeboards, newsletters, website, social media, flyers, texts. etc.)
- Host an open evening to explain more about the role
- Send out our recruitment literature at the same time
- Ask candidates to publish a short statement

Candidate statements

As part of Appendix 1.4 Candidates will be asked to write and publish a statement setting out:

- Evidence that they have the skills and experience the governing board wants
- Their commitment to undertake training to become an effective governor
- How they plan to contribute to the future work of the governing board
- If seeking re-election, details of their previous contribution to the governing board

Returning applications

Between 6 and 10 working days will be given for parents/seconders to return application forms. Applications must be reviewed to check for suitability in terms of safeguarding checks.

More than one applicant

If more applications are received than there are vacancies, a secret ballot will be carried out. See Appendix 1.5 Letter to Parents with ballot paper. To ensure accessibility of the process the following forms of voting should be offered:

- online voting via Microsoft Forms
- voting by post
- voting via delivery by hand

When voting by post or by hand the two envelope system should be employed. Parents would mark an X on the ballot paper and then insert the completed ballot paper in the unmarked envelope and seal it. This unmarked envelope should then be inserted into the second envelope, parents would fill in their details on the second envelope and seal it. Ballot papers should then be returned. The use of 2 envelopes ensures that votes remains confidential. The details on the second envelope should be checked against the list of those entitled to vote. This envelope will then be removed so that votes are anonymous.

Successful appointments

Template letter (Appendix 1.6) must be used to inform successful candidates and sent along with a copy of the Trust Governance Handbook and training details. Appendix 1.7 should then be updated and sent to all parents/carers.

2.5.2 Application and Election process for staff

The Academy Trust Handbook says that no employees other than the CEO "should serve as Trustees, nor should Trustees occupy staff establishment roles on an unpaid voluntary basis". Staff can, however, serve on the local governing committee. Any member of staff is eligible to stand. This includes senior leaders, teachers and support staff, as long as they're employed at your school at the time of the election. Their role will end either at the end of their term of office, or if they leave the Trust.

The Trustees will notify the CEO and Leader of any vacancies for staff governors. The CEO/Leader will then inform staff and invite them to apply. The CEO/Leader could inform staff via email, verbally, and/or a notice in the staff room. The same process for parent governor recruitment can then be followed. All staff have equal voting rights, whatever their role at the school. This includes the Leader and any staff governors. The clerk must send ballot papers/voting instructions to all staff the next working day after the closing date for applications. The clerk must accompany this with:

- A letter/email explaining:
- Voting procedures
- The deadline for returning ballot papers/casting votes
- The standards of conduct you expect from governors
- The candidates' statements

The outcome's determined by a simple majority. Hold a recount if there's an equal number of votes cast for 2 or more candidates. If there's still an equal split of votes, the clerk/Leader/CEO must draw lots in the presence of witnesses and any candidates who've attended. Retain the ballot papers for 6 months in case the results are challenged. Conclude the election.

The Leader must personally notify successful and unsuccessful candidates, and email all staff, to let them know the result. They must also report the result to the chair of the governing board, and the clerk (if the clerk didn't count the votes).

The new staff governor's term of office begins. Their first day is the day they're elected as a school governor (as per regulation 18 of the 2012 regulations).

The Leader will inform the rest of the school community the outcome of the election as soon as possible. Results must be posted on a school/provision/academy noticeboard, or report it in the newsletter.

Re-election

Staff governors can't be re-appointed. They must stand for re-election if they wish to continue after their term of office expires. But, if no other candidates come forward, they can be re-elected without holding a vote.

Appendixes

Appendix 1.1 Data Protection and online checks

Data protection

Data protection law applies to online searches the same as any other part of the application process. Searching for, and collecting information about a candidate counts as a **data processing activity**. This means Leaders need to comply with the 7 principles of data processing set out under the [UK GDPR](#). Every piece of personal data that your school/provision and the Trust holds must be:

1. Processed lawfully, fairly and transparently
2. Collected for specific, explicit and legitimate purposes
3. Adequate, relevant and limited to what is necessary to achieve your purpose with it
4. Accurate and kept up to date
5. Processed and held securely
6. Only retained for as long as is necessary to achieve your purpose with it
7. Your school/provision and the Trust is responsible for complying with these principles, and must be able to show that it is complying

Leaders need to meet at least 1 of the 6 [lawful bases for processing personal data](#). The most suitable basis for carrying out an online search is likely to be a **public task**, because you're processing the data to carry out your duty of safeguarding and safer recruitment, which is in the public interest. For more information, see the [Information Commissioner's Office \(ICO\)'s guidance](#), and use their [interactive tool](#) to find out which bases are appropriate to your situation.

Equality and fair hiring practices

The [2010 Equality Act](#) protects people from discrimination in the hiring process. Leaders can't discriminate between candidates on the basis of the 9 [protected characteristics](#).

Conducting an online search increases risk of Leaders being accused of bias in the hiring process, because Leaders could find out irrelevant personal information that includes these protected characteristics. Leaders must ensure they keep online searches fair and consistent for all shortlisted candidates. Leaders must not make decisions about hiring based solely on the personal information found in online searches. Leaders must always allow a candidate the opportunity to address any inconsistencies or concerns during interview.

Appendix 1.2 Online Search Form Template



Add logo of school/ academy/ provision

Online Search – Shortlisted Candidates – [Add Name of Academy/Provision]

What are you looking for?

- The school/academies/provisions should obtain information that is widely available to anyone through the usual search engines and websites e.g. google search.
- Incidents or issues of concern i.e. things said or done what would either harm the reputation of the school or make the applicant unsuitable to work with children e.g. content that evidences inappropriate or offensive behaviour, discrimination, drug and alcohol misuse and inappropriate photographs or videos, etc.

What not to check:

- The search does not require schools/academies/provisions to delve into locked areas on websites or request access to private/locked content of individuals' social media accounts or login details.

Be aware:

- Information recorded regarding an online search including emails from the staff member undertaking the checks to the recruitment panel, etc. are subject to data protection legislation and would be disclosable under a Subject Access Request – ensure the information is fair, factual and does not introduce personal bias.

Candidate Name:	
Role Shortlisted for:	
Searcher Name:	
Please confirm you are not a part of the recruitment process:	
Date online search conducted:	

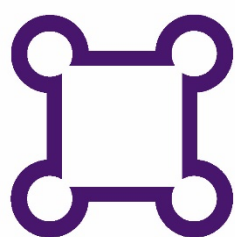
Do not record any irrelevant personal information about the candidate.

Search Parameter	Outcome of Search
Google: <ul style="list-style-type: none"> • Candidate name • Candidate name & job title • Candidate name & previous employment 	

<ul style="list-style-type: none"> • Candidate name & convicted • Candidate name & crown court • Candidate name & magistrate's court • Candidate name & any other country they have lived or worked in 	
<p>LinkedIn: Check who the candidate has identified as their previous employer on LinkedIn against the employment history they have provided on their application form, along with a comparison of the employment dates stated.</p>	<p>Results of name found (attach a screen shot)</p>
<p>For staff undertaking teaching work only (including teachers/unqualified teachers):</p>	<p>Search applicants name with TRA hearing (e.g. Jane Doe TRA hearing)</p>
<p>TRA hearing search</p>	

Risk Assessment needed: Yes/No

Appendix 1.3 Governor / Trustee Application



FORTIS TRUST

STRENGTH IN PARTNERSHIP

Trustee & Governor application form

Data protection notice

Throughout this form we ask for some personal data about you. We will only use this data in line with data protection legislation and process your data for one or more of the following reasons permitted in law:

- You have given us your consent
- We must process it to comply with our legal obligations

You will find more information on how we use your personal data in our privacy notice for job applicants, which can be found on the Trust website.

Disclosure and barring and recruitment checks

The Trust is legally obligated to process an enhanced Disclosure and Barring Service (DBS) check before making appointments to relevant posts.

The DBS check will reveal both spent and unspent convictions, cautions, reprimands and final warnings, and any other information held by local police that is considered relevant to the role. Any information that is “protected” under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 will not appear on a DBS certificate.

If you are going to be involved in regulated activity, the DBS check will include a barred list check. Any data processed as part of the DBS check will be processed in accordance with data protection regulations and the Trust’s privacy notice.

Do you have a DBS certificate?: Yes No Date of check:

If you have lived or worked outside of the UK in the last 5 years, the Trust may require additional information in order to comply with ‘safer recruitment’ requirements. If you answer ‘yes’ to the question below, we may contact you for additional information in due course.

Have you lived or worked outside of the UK in the last 5 years?: Yes No

Your position as governor/Trustee will be conditional on the satisfactory completion of the necessary pre-employment checks.

We will not ask for any criminal records information until we have received the results of a DBS check. Any convictions listed on a DBS check will be considered on a case-by-case basis.

Applicants should be aware of the following circumstances which might prevent them from being appointed as a governor/Trustee:

- Inclusion in the list of those unsuitable to work with children
- Having been sentenced to 3 months or more in prison (without the option of a fine) in the 5 years before becoming a governor/Trustee or since becoming a governor/Trustee
- Having received a prison sentence of 2 and a half years or more in the 20 years before becoming a governor/Trustee
- Having received a prison sentence of 5 years or more
- Having been fined for causing a nuisance or disturbance on school premises during the 5 years prior to or since appointment or election as a governor

Section 128 check

The Trust will carry out a section 128 check. A person issued with a section 128 direction under the Education and Skills Act 2008 is prohibited or restricted from taking part in the management of a school.

This includes Trustees, and governors on local governing bodies who have been delegated any management responsibilities.

Right to work in the UK and other checks

The Trust will carry out checks to confirm your right to work in the UK, and any other checks deemed necessary where you have lived or worked outside of the UK. An online check will be undertaken should you be short-listed for the position. This will be conducted in line with the Trusts Recruitment and Selection policy

Sign and date

Name (please print):

Sign:

Date:

Instructions

Please complete all sections of this form using black ink or type.

The sections of this application form that include your personal details will be detached prior to shortlisting. This is to ensure that your application is dealt with objectively.

Applications will only be accepted if they are completed in full.

The application form and supporting documents must be emailed to the Trust's Governance professional Emma Chamberlain: emma.chamberlain@theeducationpeople.org

Personal details and eligibility

Personal details	
Title	
Name	
Address	
Phone number	
Email address	

Eligibility

I confirm that I:

- Am aged over 18
- Am not a current pupil at the school/academy/provision
- Have not been declared bankrupt
- Am not the subject of a bankruptcy restrictions order or an interim order
- Am not subject to any of the disqualifying reasons set out in the 'disqualifying reasons table' (see the first section of [this guidance](#))
- Have not been convicted for any unspent criminal offence, excluding any offence for which the maximum sentence was a fine (except for offences specified in the above table which will still count)
- Have not been disqualified from holding office as a governor
- Have not been disqualified from being a company director and/or a charity Trustee
- Have not been removed as a Trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of misconduct or mismanagement in administration of the charity
- Have not had my estate seized for the benefit of creditors and the declaration of seizure hasn't been discharged, annulled or reduced
- These criteria are set out in more detail in articles 68 to 80 of the [model articles of association](#).

Please sign and date to indicate that you have read, and agree to this information:

Signature: _____ Date: _____

Education, employment and training

Education and employment history

Highest level of education received

Please state the institution, qualification received and classification.

-
-
-

Please give details of any other relevant education or training courses

-

Current employment

Please state your employer, role, length of time in role and a summary of responsibilities.

-

Relevant previous employment

Other relevant interests and experience

This may include any hobbies, volunteering and charity work, personal interests or achievements that may help you become an effective school Governor.

a bit more about you

Why would you like to become Governor/Trustees?

Why would you like to become a governor/Trustee at our Trust in particular?

What skills can you bring to the role?

Education and employment history

--

References

Please provide two references. They cannot be related to you, and one should be your current employer.

referee 1	
Name	
Job title	
Relationship to applicant	
Phone number	
Email address	

referee 2	
Name	
Job title	
Relationship to applicant	
Phone number	
Email address	

Skills audit

Please tick to indicate how confident you are in the following areas:

Skill	Professional-level knowledge or expertise	Confident in the area, but not to a professional level	A basic or working understanding	No understanding
Strategic planning				
Setting a vision, values and goals				
Public sector or charity governance				
Knowledge of the education sector				
Teamwork and collaborative decision making				
Communication skills				
Financial management				
Fundraising/income generation				
Human resources				
Performance management				
Data analysis				
Legal skills				
Health and safety				
Premises management				
Curriculum and assessment				
Safeguarding				

Skill	Professional-level knowledge or expertise	Confident in the area, but not to a professional level	A basic or working understanding	No understanding
Special educational needs and disabilities (SEND)				
Approving and monitoring the implementation of policies				
Compliance				
Marketing/public relations				
Procurement				
ICT or technology skills				
Further or higher education				
Knowledge of the local community				

Appendix 1.4 Template letter to parents and candidate form

Dear parent(s)/carer(s),

I am writing to inform you of [a vacancy/vacancies] for the role of parent governor on our local governing committee for [name of academy, school or provision].

The role of the local governing committee

The local governing committee is responsible for providing confident and strategic leadership, and creating robust accountability, oversight and assurance for the [academy/school or provision]'s educational performance and financial management. Governors are held accountable and report to the Board of Trustees.

The board is passionate about education and care and is committed to continuous school improvement to ensure the best possible outcomes for our young people. For more detail of the specific role of the local governing committee please see the Scheme of Delegation: <https://fortistrust.co.uk/governance/trustee-reports/>

The role of a parent governor

As a parent governor, you'll work with the board to make sure it effectively carries out the duties referred to above. You'll also play a vital role in bringing a **parental perspective** to the governing board, but you're not there to speak 'on behalf' of the parent body.

To be a parent governor you should have:

- A strong commitment to the role and to improving outcomes for children
- Good inter-personal skills, curiosity, and a willingness to learn and develop new skills
- The specific skills required to make sure the governing board delivers effective governance

The governing board is keen for candidates to have skills in the following:

[List the skills shortage identified within the boards skills audit]

Expectations of governors

Governors are expected to:

- attend all meetings – There are three meetings held each academic year.
- prepare for all meetings by checking GovernorHub and reading materials provided.
- be prepared to ask questions at the meeting.
- Ensure that all discussions and details from the meeting remain confidential.
- be committed to undertake training to develop your skills and knowledge as a Governor and to support Safeguarding across the Trust.
- undertake planned visits to the academy/provision to undertake review visits.
- Undertake your full term of office. **The term of office is:**

How to apply

If you're interested in applying for the role, please complete the candidate form attached to this letter, and the application form and return to [insert name, email address or academy/provision office] by [insert date]. If we receive more applications than there are vacancies, a secret ballot will be carried out. We will inform you closer to the time if we have to do this. If you have any queries about this process or would like to find out more about the role, please contact

[insert name].

Yours sincerely,

Please complete and return by [add date and return details]

Local Governing Committee Candidate Form

Candidate name:	
Candidate address:	
Candidate statement: Max. 300 words Please note that should the election go to a ballot, your statement will be shared with all parents & carers.	Please introduce yourself and outline any skills and experience you have that the local governing committee require. Your commitment to undertaking training to acquire or develop the skills needed to be an effective governor. If application, details of any contribution you have made previously in a governing role. How you plan to contribute to the board.

- I confirm that I am a parent or carer of a registered pupil at the school/at one of the schools in the academy Trust.
- I am not paid to work in the Trust for more than 500 hours in any consecutive 12-month period at the time of election

Signed: _____ **Date:** _____

Appendix 1.5 Template letter to parents with ballot paper

The following template letter outlines a voting process for a parent governor election.

The letter is based on the use of the double-envelope system as this is the system most commonly used by governing boards. Adapt the letter to reflect the system you use, for example if you're also offering online voting. Make sure you attach copies of the candidate statements to the letter.

Dear parent(s)/carer(s),

I wrote to you on [insert date] to invite nominations for the [vacancy/vacancies] for [a parent governor/parent governors].

As we have more candidates than vacancies, we must now hold a ballot. With this letter, you'll have received a ballot paper with the names of the candidates and 2 envelopes. You may vote for up to [insert number equal to the number of vacancies] of the candidates.

You should:

Either:

- Read the candidate statements attached to this letter
- Mark an X alongside the [candidate's/candidates'] name(s) you wish to vote for. **Do not** mark the ballot paper in any other way
- Insert the completed ballot paper in the unmarked envelope and seal it
- Insert the unmarked envelope containing the ballot paper into the second envelope, fill in your details and seal it
- Return your ballot paper to [insert name/the academy/provision office] by [insert date]

The use of 2 envelopes ensures that your vote remains confidential. Your details on the second envelope will be checked against the list of those entitled to vote. This envelope will then be removed so that your vote is anonymous.

Or:

- Read the candidate statements attached to this letter
- Vote via our online form: [add link / QR code to the voting form]

If you have any queries about this process, please contact [insert name/the academy/provision office] by [phone/email].

Yours sincerely,

Name of candidate	Mark chosen candidate(s) with an X below
Candidate A	
Candidate B	
Candidate C	
Candidate D	

Appendix 1.6 Template letter to successful candidate(s)

Dear [insert name]

We're delighted to inform you that you've been elected as parent governor, subject to disclosure and barring service (DBS) and section 128 checks. Your term of office will commence on [insert date] for [insert number of years].

[insert information on how to provide documents for checks and how the Trust conducts the process]

Your first governing board meeting will be held on [insert date and time]. We'll send through your induction pack and a copy of the agenda ahead of the meeting. You will be allocated a mentor to support you in your new role at the first meeting.

There are a few things you can do to help you feel more prepared for your first meeting. We recommend that you:

- Take a look at the academy / provision and Trust website and read our latest Ofsted reports
- Take a look at the Governance Handbook, which sets out the duties of the governing board (<https://www.gov.uk/government/publications/governance-handbook>)
- Read Fortis Trust's Handbook

In the meantime, if you have any questions please don't hesitate to contact Emma Chamberlain, Fortis Trust Governance Professional:
emma.chamberlain@theeducationpeople.org

We look forward to working with you.
Yours sincerely,

Appendix 1.7 Template letter announcing the results to parents/ carers

Dear parents/carers

I am writing to inform you of the result of our election for parent governor(s).

Elected: [insert name(s)]

We would like to thank all those who put their name forward and took the time to complete candidate statements, and those of you who voted. Details of the number of votes cast can be obtained on request from [insert location].

If you would like to be considered in another capacity as one of our governors at a later date, please contact [insert name/role].

Alternatively, do consider looking for vacancies in other schools in the area. For further support with this, register your interest with Governors for Schools. The service is free and they help to partner volunteers with local schools who are recruiting for new governors:

www.governorsforschools.org.uk

Yours sincerely,