



POLICY DOCUMENT

For use by all staff

HR Trust Suite

Version	Name	Date
V1.0	C Sheehan, Joint Acting CEO	August 2023

Contents:

- Introduction
- Recruitment and Selection Procedure

Trust Suite

Introduction

High quality employees are essential to the success of every school. The Spring Partnership Trust intends to be outstanding employer, recruiting and developing the best employees for the benefit of pupils.

As an outstanding employer, The Spring Partnership Trust require HR policies that are:

- Compliant with latest law/regulations and case-law
- Fit for purpose for an Academy
- Fair to the employer and employee
- Clear and easily understood

These policies will be reviewed on a two year rolling basis.

Detailed support documentation, including procedures and template forms/letters, accompany these policies.

The Trust is the employer who will ensure that appropriate policies are in place.

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Recruitment and Selection Procedure

1. Introduction

- 1.1. This Recruitment and Selection Procedure should be read and applied in conjunction with The Spring Partnership Trust's HR Policy Statement.
- 1.2. The Spring Partnership Trust is committed to safeguarding and promoting the welfare of children and young people and requires all employees and volunteers to demonstrate this commitment in every aspect of their work.
- 1.3. The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, Keeping Children Safe in Education and the Trust's Equality and Diversity Policy.
- 1.4. We will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
- 1.5. We will comply with the requirements of Keeping Children Safe in Education with regard to DBS and other pre-employment checks.
- 1.6. We will ensure compliance with the Data Protection regulations and the more stringent requirements contained within the General Data Protection Regulations (GDPR). The GDPR encompasses the core principles of the DPA and provides more onerous responsibility and accountability for fair and transparent processing. Our general Privacy Statement can be found at [The Spring Partnership - Privacy Notices \(springpartnershiptrust.co.uk\)](https://springpartnershiptrust.co.uk/privacy-notice).

2. Delegation of Appointments and Constitution of Appointments Panels

- 2.1. The power to offer employment for all posts below the level of Headteacher is delegated to Head Teachers and executive team. The Board of Trustees may not delegate the offer of employment to Headteacher and Executive team.
- 2.2. The Head Teacher is expected to involve a selection panel of at least two recruiters in the appointment of all teaching staff.
- 2.3. Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training. In addition, at least one member will have undertaken general recruitment or equalities training.
- 2.4. Safer Recruitment Training must be undertaken by the CEO/EHT, Head Teachers, Senior Leadership team and any line manager involved in recruitment and selection processes.

3. Advertising

- 3.1. All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an

advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or employees are at risk of redundancy, vacancies may be advertised internally before an external advertisement. In these circumstances, the selection panel may decide that certain parts of the recruitment process may be omitted but all candidates will be subject to a formal interview, the satisfactory reference requirements and any other necessary checks.

3.2. It is Trust policy to advertise all posts across the whole Trust.

4. Information for Applicants

4.1. All applicants for all vacant posts will be provided with:

- A job description outlining the duties of the post and an indication of where the post fits into the organisational structure of the School/Trust
- A person specification may also be provided - this will also include a statement on behalf of The Spring Partnership Trust of their commitment to safeguarding and promoting the welfare of children and young people
- An application form - CVs will not be accepted
- An Information pack containing:
 - A description of the Trust relevant to the vacant post
 - Reference to the Trust's policy on equality and diversity
 - Reference to the child protection/safeguarding policy
 - DBS and other pre-employment checks required
 - The closing date for the receipt of applications
 - An outline of the terms of employment including salary

5. Shortlisting and Reference Requests

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

5.2. The selection panel will take up at least two references on each shortlisted candidate, which will be requested prior to interview where possible. If a candidate for a post working with children is not currently working with children, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving.

5.3. Reference requests will ask the referee to confirm:

- The referee's relationship with the candidate
- Details of the applicant's current post and salary
- Performance history

- All formal time-limited capability warnings which have not passed the expiration date
 - All formal time-limited disciplinary warnings where not relating to safeguarding concerns which have not passed the expiration date
 - All disciplinary action where the penalty is “time expired” and relates to safeguarding concerns
 - Details of any substantiated allegations or concerns relating to the safety and welfare of children
 - Whether the referee has any reservations as to the candidate’s suitability to work with children. If so, the Trust will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children
- 5.4. References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials or ‘bearer references’ i.e. those provided by the candidate and/or marked ‘to whom it may concern’ will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate. References will be verified, and any discrepancies will be discussed with the candidate at interview.
- 5.5. References will be checked against information on the application; any discrepancy/issue of concern noted will be taken up with applicant at interview.
- 5.6. On receipt, equality monitoring information must be separated from applications.
- 5.7. If the field of applicants is felt to be weak the post may be re-advertised.

6. Interviews

- 6.1. The format, style and duration of the interviews are matters for the recruiting panel to decide but the following will be adhered to:
- 6.1.1. Briefing:
- All candidates will be given relevant information about the School/Trust to enable the candidate to make further enquiries about the suitability of the advertised job.
- 6.1.2. The formal interview:
- Before the interviews, the selection panel will agree on the interview format including any other assessment methods. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked. The selection process for every post will include exploration of the candidate’s understanding of child safeguarding issues. The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected,

that the candidate has declared and are relevant to the prospective employment.

- 6.1.3. The recruitment documentation will be retained for six months from the date of interview. Applicants have the right to request access to notes written about them during the recruitment process. After 6 months all information about unsuccessful candidates will be securely destroyed.
- 6.1.4. The interview structure must be applied consistently to all candidates. Where any unforeseen change to the schedules arises, candidates must be informed. Where a candidate indicates they cannot attend, no alternative arrangements are to be made except on the decision of the Chair of the panel who will take into account all relevant considerations.

7. Offer of Employment by the Selection Panel

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

- Verification of identify
- Verification of right to work in the UK
- Proof of relevant qualifications
- Satisfactory DBS Enhanced Disclosure
- A certificate of good conduct (if applicable) which may include EEA sanctions and restrictions
- Barred list check
- Teacher prohibition (if applicable)
- Section 128 check (if applicable)
- Pre-employment medical screening
- Satisfactory references
- Disqualification under the Childcare Disqualification Act 2006, as amended

The successful candidate will be informed, normally by offer letter, that the appointment is subject to the satisfactory completion of these checks.

7.2. Unsuccessful candidates will be notified.

8. Personnel File and Single Central Record

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

- Application form – signed by the applicant
- Interview notes – including an explanation of any gaps in the employment history
- References – a minimum of 2

- Proof of identity
 - Proof of right to work in the UK
 - Proof of relevant qualifications
 - Certificate of good conduct (where applicable) which may include EEA sanctions and restrictions
 - Evidence of medical clearance from the Occupational Health service
 - Evidence of DBS clearance and barred list check
 - Teacher prohibition checks (where applicable)
 - Evidence of a Section 128 direction (where applicable)
 - Offer of employment letter and signed contract of employment
 - Disqualification under the Childcare Disqualification Act 2006, as amended
- 8.2. Retention of personal information for the successful candidate following the end of their employment will be in accordance with the Trust's Data Retention Procedure, which is compliant with the relevant Data Protection Act. When retained documents have reached their data retention limit, they will be securely destroyed.
- 8.3. The Trust will destroy information obtained by a vetting exercise as soon as possible or within six months. A record of the result of the vetting or verification of the successful candidate will be retained on the employee's file and the Single Central Record.
- 8.4. The Trust will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with/involving you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. The Trust will retain a record of consent as evidence that we have obtained consent to collect and process the data and that applicants have been advised of the purpose of the collection and processing.
- 8.5. You have the right to withdraw your consent at any time and can do so by informing the Trust's Data Protection Officer, with the exception of documents that are required for a statutory requirement.
- 8.6. The Trust will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education.

9. Start of Employment and Induction

- 9.1. The pre-employment checks listed in paragraph 8.1 above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the barred list and teacher prohibition checks.

9.2. All new employees will be provided with an induction programme which will cover all relevant matters of School/Trust policy but in particular safeguarding and promoting the welfare of children.

Recruitment and Selection Procedure

The Spring Partnership Trust

APPENDIX 1

RECRUITMENT PROCESS

Vacancy

A vacancy can arise in two ways:

- I. An existing post holder resigns, retires, is promoted etc;
- II. A new post is created to address the changing needs of the schools.

At the outset it is important to determine whether the post should be filled, and if so should it be permanently, temporarily or fixed term, having taken in to account any relevant constraints.

It is important that before any recruitment takes place, an appropriate panel of people is selected to undertake the process. One person cannot recruit on their own and it is highly recommended wherever possible that a panel comprise of 3 recruiters.

Job Analysis

1. All recruitment must begin with the job analysis. This is an assessment and review of the requirements of the job.
2. The job analysis is the foundation of the recruitment process and therefore the source of selection criteria to be used during the recruitment procedure.
3. The job analysis is the creation of/or revision of:
 - a. Structure Chart
 - b. Job Description
 - c. Person Specification
 - d. Career Progression Scheme (where applicable, not Teacher appointments)
4. These documents must:
 - a. Provide sufficient information for candidates and the selection panel:
 - b. Be written in a straightforward manner
 - c. Avoid the use of jargon and abbreviations

Where the above mentioned documents are already in existence, the opportunity should be taken to review the purpose, necessity and duties of the post in order to ensure that they state clearly the current job requirements.

Please note consideration should be given to a job evaluation if the duties of the post have changed.

Structure Chart

1. Identifies the post within the context of the work area's hierarchy
2. Identifies the reporting lines
3. Identifies the span of control/level of responsibility

Job Description

1. The job description is a list of the main duties and responsibilities of the post.
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2. It should include the:
 - a. Job title, scale or grade
 - b. Main purpose of the job
 - c. Supervisory/management responsibility
 - d. To whom responsible (reporting lines)
 - e. Range of duties/main duties
 - f. Summary of responsibilities
 - g. Special conditions of service, e.g. evening meetings
 - h. Other duties commensurate with the level of responsibility of the post

Your HR provider can provide advice on the job description if requested.

Person Specification

1. The person specification describes the knowledge, experience, skills, qualifications and special conditions required to carry out the main duties of the post
2. It is derived from a careful analysis of the job description
3. The following factors should be considered and included:
 - a. Length, type and breadth/depth of experience. This should be restricted to that necessary for satisfactory performance. Care must be given to ensure that no indirect discrimination occurs when determining this criteria
 - b. Skills and knowledge, technical and personal, required these should be specifically related to the job
 - c. Qualifications stated should not exceed the minimum requirements for satisfactory performance, except where statutory/professionally prescribed
4. Essential and desirable criteria can be included
5. The person specification criteria should be an accurate, relevant and comprehensive reflection of the job description
6. In practice the criteria laid down in the person specification forms a checklist which will later be used to longlist/shortlist applicants and to select a suitable candidate. The contents of the person specification, once sent to applicants, may not be altered at any later stage of the recruitment process, this may mislead candidates on the selection criteria they are being considered against. It is therefore essential that a set of high quality criteria is produced at the beginning of the selection process. If you start the process again you may, of course, review the criteria and review accordingly.

Your HR provider can provide advice on the person specification criteria if requested.

Advertisement

1. The advertisement should be placed with reference to the type of post. It is Trust policy to advertise all posts across the whole Trust unless promotion is under an established succession plan.
 2. The advertisement should be
 - a. Be brief, attractive and relevant
 - b. Be compiled using information contained in the job analysis documents, i.e. job description, person specification
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- c. Be realistic, factual and clear
 - d. Make any genuine occupational qualification clear
 - e. Give a closing and interview date for applicants
 - f. Contain clear instructions on how to apply
 - g. Make reference to promoting safeguarding such as DBS checks
3. A 'reasonable' period of time should be allocated between the appearance(s) of the advertisement and the stated closing date. A 'reasonable' period to be determined by the level of the post and method of advertisement (internal/external). (Normal practice 2 weeks).

SELECTION PROCESS

Application

1. Application forms should be available to all interested candidates together with relevant information appropriate to the level of the post
2. A date may be included in the information to let the applicant know that if they have not heard from the employing school/establishment by that date, they must assume their application has not been successful
3. Application forms should not be issued after the closing date
4. Application forms received after the closing date should not be accepted. However, a late application can be accepted if there is a bona fide and exceptional reason e.g. postal strike. It is good practice to record the reason for this decision in case any complaints arise
5. Wherever possible, it is preferable to advise applicants of the proposed dates for longlisting/shortlisting, testing (if applicable) and interview(s) in the background information dispatched with the application form. This is so candidates can book these dates as soon as possible in their diaries to ensure their availability
6. Where internal delays in the dispatch of information to applicants occur, the closing date may be extended and all applicants advised accordingly

Longlisting/Shortlisting

1. The longlisting/shortlisting should be conducted by a panel of at least two members with the Chair being determined in advance
 2. Wherever possible, consideration should be given to the gender and ethnic makeup of the panel
 3. Non-voting advisors i.e. specialists e.g. Human Resources may be included in the process as required by the Chair of the panel
 4. It is desirable that for each appointment the longlisting/shortlisting and interviewing processes should be conducted by the same panel (not mandatory were exceptional circumstances require otherwise)
 5. It is good practice that a longlisting/shortlisting assessment form be used with the relevant criteria entered (see example appendix 2)
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6. The panel should endeavour to produce a manageable longlist/shortlist. This will depend upon:
 - a. The number of applicants/vacancies
 - b. How much time can be reasonably devoted to interviews
 - c. Who meets the criteria

Definition

- (1) **Longlisting** - this is where a two stage selection process is to be used. The longlisting is conducted as mentioned above. Candidates are then called to a first stage interview or assessment day as appropriate, depending on seniority of the post. These candidates will be shortlisted to move on to the next stage of the selection process. You may use the example pro-forma at **Appendix 2**.
- (2) **Shortlisting** -
 - (i) This will either be the second stage of the selection process; or
 - (ii) where the selection is made by shortlisting from application forms to attend for interview and tests (if applicable) and from this the successful candidate is selected. You can still use the example pro-forma at **Appendix 2**.

Scoring System Longlisting/shortlisting

It is recommended that recruitment panels use a scoring system which most suitably meets their needs and the requirements of the post they are selecting staff for. Below are example methods that you could consider using:

1. The panel members should independently score each candidate against each criterion.
2. An example of scoring is:

to mark a or X against each criterion for each candidate

X the candidate fails to meet the criterion

the candidate meets the criterion at this stage.

Where there are doubts the panel member can initially use a '?'

- 2.1 The panel should then compare scores and discuss them with the aim of reaching a consensus.
 - 2.2 The '?' should be discussed and a decision made to convert it to an X or .
 - 2.3 If a disagreement occurs the majority view will prevail.
 - 2.4 If there is a panel of two, the Chair will have the final decision.
 - 2.5 The final decision for each criterion should be recorded by the Chair for each candidate and agreed by all panel members.
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- 2.6 Candidates scoring **X** against one or more criteria should be eliminated.
- 2.7 Candidates scoring **□** against all essential criteria should be longlisted/shortlisted.
3. You may wish to consider using **0 1 2** in a similar way

0 = Candidate failed to meet the criterion

1 = Candidate met the criterion satisfactorily

2 = Candidate met the criterion above the essential standard.

Where there are doubts, the panel member can initially use a ‘?’

- 3.1 The panel should compare scores and discuss them with the aim of reaching a consensus.
- 3.2 The ‘?’ should be discussed and a decision made to convert it to a **0, 1 or 2**.
- 3.3 If a disagreement occurs the majority view will prevail.
- 3.4 If there is a panel of two, the Chair will decide.
- 3.5 The final score for each criterion should be recorded by the Chair for each candidate and agreed by all panel members.
- 3.6 Candidates scoring ‘**0**’ against one or more criteria should be eliminated.

Cautionary Note:

If you use this scoring system you will need to consider carefully whether you will always longlist/shortlist those candidates who score 1's against all of the criteria. You will need to be consistent in applying the scoring for all candidates.

Interviews

Planning the Interview

1. Arrangements should be made for a reception area for candidates and an interview room where there will be no interruptions/eg telephone, visitors.
 2. An interview timetable should be prepared (ideally not more than six candidates a day).
 3. The panel members (at least two members) should receive an interview pack consisting of the:
 - (a) job description and person specification;
 - (b) conditions of service details;
 - (c) copies of longlisted/shortlisted applications;
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- (d) interview timetable;
 - (e) details of occupational tests (where applicable);
 - (f) interview structure.
4. The interviewee should have the following information:
- (a) reasonable notice of interview;
 - (b) clear details of the process;
 - (c) details of occupational test, ie when/where/how (where applicable);
 - (d) date, time, venue of interview (good practice is a minimum of five working days' notice) - if already stated in further details a telephone call is acceptable if less than five days are available;
 - (e) travel details, parking, accessibility;
 - (f) be encouraged to disclose in advance any disabilities that are likely to influence their performance at interview;
 - (g) informed that reasonable measures will be taken to assist disabled applicants, eg provision of readers, signers, Braille etc.
5. The panel should aim to meet either on the day prior to the interview or at least one hour before the commencement of the first interview to review the relevant documents, to draft questions and model answers, discuss the depth and content of responses which are required, etc.

Questions must only be directly related to person specification criteria.

Supplementary Selection Methods - Occupational Tests

1. Supplementary selection methods/tests should be regularly monitored and must be specifically related to the duties of the post.
2. Supplementary selection methods/tests must be directly relevant to the criteria on the person specification. Content, timescales and marking process should be established prior to the interviews.
3. Supplementary selection methods/tests must not be structured in any way that discriminates against applicants. Applicants should also be encouraged to disclose in advance any disabilities that are likely to influence their test performance.
4. Reasonable measures should be taken to assist such disabled applicants, eg provision of readers, signers, Braille, etc, where possible.

Your HR provider can provide advice on a range of supplementary selection methods if requested.

During the Interview

1. The interview structure must be applied consistently to all candidates. Where any unforeseen change to the schedules arises, candidates must be informed. Where a candidate indicates they cannot attend, no alternative arrangements are to be made except on the decision of the Chair of the panel who will take into account all relevant considerations.
2. The Chair of the panel should:
 - (a) welcome the candidate;
 - (b) introduce the panel;
 - (c) explain the purpose and the structure of the interview;
 - (d) advise the candidate that the panel may take notes.
3. Establish rapport.
4. Use open questions.
5. Use probing questions.
6. Allow the candidate the opportunity to ask their own questions.
7. The Chair of the panel should conclude the interview and inform the candidate when/how they will be notified of outcome.

After the Interview - Assessing the Candidate

1. Each panel member should score independently on the interview assessment form. It is good practice to do this after each interview and make written comments on how the candidate has or has not satisfied the criteria by using notes taken during the interview.
2. An example of scoring is as follows:

0 = Candidate failed to meet the criterion.

1 = Candidate met the criterion satisfactorily.

2 = Candidate met the criterion above essential standard.
3. The panel should compare scores and discuss them, with the aim of reaching a consensus.

If a disagreement occurs, the majority view will prevail. If there is a panel of two, the Chair will decide.

4. Candidates scoring '0' against one or more criteria should be eliminated.
 5. The scores should then be totalled for all of the other candidates. The candidate
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with the highest overall score will be the successful one.

6. If the panel is still unable to reach a clear decision, consideration should be given to re-interviewing the leading candidates - second stage interview.
7. If a successful candidate declines the offer of appointment (or is rejected on references or medical grounds), the panel may appoint the 'next best' candidate in his or her place.

Please note, where you are using a two-stage interview process and shortlisting a small selection of candidates after the first interview, you can adopt a similar scoring system and select the best two or three candidates to go forward to the final interview.

References

1. References will be requested before interview for all shortlisted candidates where possible.
2. The reference request should be restricted to factual information and assessment.
3. All references should be cleared by the Headteacher or Deputy Headteacher to ensure they are satisfied with the candidate's suitability for final appointment.

Rehabilitation of Offenders Act

1. Some school based, education establishment, central education posts are included in the Exemptions Order of this Act. (All teaching posts are included in this.)
2. For these posts it is permitted to require a declaration of 'spent' criminal convictions, which should be considered as part of the candidate's background.
3. Information on 'unspent' convictions should be obtained for all posts.

Right to Work

1. If an applicant does not hold a British passport, you will need to ascertain whether they have the right to live and work in the UK. Work permits are only issued for specific or temporary teaching and non-teaching jobs. It is the Trust's responsibility to ensure that an employee has/or obtains a current work permit if this is required.
2. The Trust will make checks sensitively, with due care for the feelings and confidentiality of the individual concerned.

For further information, please refer to government guidelines.

Medical Clearance

1. All external appointees must complete a pre-employment medical questionnaire. It may be necessary for internal appointees to complete a medical questionnaire, for example if there is a substantial change in the nature of the duties to be performed.
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2. The Trust Occupational Health provider will decide whether a medical examination is required.
3. There are specific posts where there is a condition of service that a medical examination is required, eg handling food. The Occupational Health provider will require specific information about the nature and duties of these posts.
4. A decision to reject on medical grounds can be taken by the Trust on the basis of all the information available. Beware the Equality Act 2010; always have regard to the Occupational Health provider's advice.

Appointment

1. The successful candidate should be informed and a provisional offer made in writing, subject to satisfactory pre-employment checks and complying with relevant legislation. The offer should include requests for evidence of the following: -
 - proof of right to live and work in the United Kingdom;
 - medical clearance from The Trust's Occupational Health Provider;
 - 2 references that are satisfactory to The Trust and cover at least the last 5 years of employment if not longer if there has been a career or break in employment;
 - receipt of a satisfactory enhanced DBS disclosure check;
 - not barred from working with children;
 - not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts the candidate from working at a school or in a position which involves regular contact with children;
 - not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts the candidate from being involved in the management of an independent school;
 - not disqualified from providing childcare in connection with early or later years' provision or from being directly involved in its management pursuant to the Childcare (Disqualification) Regulations 2009;
 - satisfactory evidence of qualifications.
2. Once all checks have been completed and cleared, the appointment will be confirmed and a start date arranged. Due to the time in obtaining a DBS check it is possible for an employee to commence employment provided that other checks have been undertaken and are satisfactory and strategies are put in place to ensure that he/she does not have unsupervised access to pupils.
3. The written particulars of employment should ideally be sent before the first day of service, but in any event must be issued within four weeks of commencement of employment.

Non-Selection

1. Candidates may be rejected at any one of three stages:
 - (a) Longlisting/Shortlisting
 - (b) Interview
 - (c) Post Interview -
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- (i) failure of medical examination;
- (ii) unsatisfactory reference;
- (iii) failure following official checking procedure, eg DBS check;
- (iv) discovery of misrepresentation, eg false reference.

Candidates will be informed of the result of their application with the exception of candidates not longlisted or shortlisted. The Chair of the Panel may also wish to consider providing feedback on their application and their performance in the selection process.

EMPLOYMENT LEGISLATION AND EQUAL OPPORTUNITIES

The Relevant Acts :

1. Equality Act 2010
2. Rehabilitation of Offenders Act 1974
3. Employment Rights Act 1996
4. Local Government and Housing Act 1989
5. Nationality, Immigration and Asylum Act 2002

Failure to comply with the legislation may result in an applicant or employee taking the Trust to an Industrial Tribunal.

Exceptions

In some cases there may be an appropriate reason for employing someone of a particular sex, colour, race, ethnic or national origin. For example, it would be reasonable to employ a male attendant in a men's lavatory. The legislation allows that in these circumstances a Genuine Occupational Qualification can be sought.

Please contact your HR Provider for further advice on Genuine Occupational Qualifications.

Applicants who feel that the Trust have discriminated against them on the basis of their sex, race or ethnic origin can bring a claim to an industrial tribunal. There is no ceiling on the potential amount of compensation which can be awarded.

Rehabilitation of Offenders Act 1974

This allows certain people with convictions to consider their conviction as 'spent' after a period of time. A 'spent' conviction means that it is treated as if it had never occurred.

- (a) The rehabilitation period will depend on the severity of the crime, but where a sentence is longer than 2.5 years, the crime will always be taken into account.
 - (b) If a conviction is spent, applicants need not declare it nor answer questions about it.
 - (c) If a spent conviction is found, the applicant cannot be refused employment on these
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grounds. Once in post they cannot be dismissed if a spent conviction is discovered.

Exceptions

In certain jobs, for example residential jobs giving access to children, (this would include the majority of jobs in schools) candidates are required to disclose all convictions - even spent ones. It is permissible for the Trust to request information on spent convictions. If you are in doubt about the post, check with your HR Provider.

EMPLOYMENT RIGHTS ACT 1996

This Act consolidates all the legislation on the individual rights of employees. The Act covers:

- Written particulars of terms of employment
- Itemised pay statements
- Guarantee payments
- Medical suspension
- Trade union memberships and activities
- Time off work
- Maternity rights
- Minimum periods of notice
- Breach of contract
- Summary dismissal
- Employees' rights during notice
- Unfair dismissal
- Written statement of reasons for dismissal
- Redundancy payments
- Transfer of undertakings
- Employees' rights in insolvency
- Calculations of normal working hours and a week's pay
- Calculating continuous service.

Local Government and Housing Act 1989

Section 7 of this Act provides that every appointment of a person to a paid office or employment under a local authority in England and Wales shall be made on merit.

LONGLISTING/SHORTLISTING ASSESSMENT FORM

CRITERIA	CANDIDATES INTIALS					