



SAFER RECRUITMENT AND SELECTION IN SCHOOLS POLICY

**For schools and settings in the London
Borough of Hackney**

Version 5.0 September 2022

Hackney Education

1 Reading Lane

London E8 1GQ

T: 020 8820 7000

E: info@hackney.gov.uk

education.hackney.gov.uk

hackneyservicesforschools.co.uk

About this policy

Purpose

This document describes the Recruitment and Selection policy in Schools.

For the appointment of teaching and support staff, the Governing Body, after deciding to recruit to the vacant post, will normally delegate this responsibility to the Headteacher. The Headteacher may wish to include Governors in the selection process depending on the post.

Please note: This policy should also be read in conjunction with the [Inclusive recruitment and selection guidance](#).

Refer to the table of contents, below, for a full list of topics covered.

Contents

This document covers the following topics:

1. Policy statement	5
2. Definitions	5
3. Scope of the policy	7
3.1 Agencies	7
4. Equal opportunities	8
5. Safeguarding	8
6. Training	8
7. Identification of a vacancy	9
7.1 Definition	9
7.2 Organisational change	9
7.3 Secondments and acting up	10
7.3.1 Secondment	10
7.3.2 Acting up	10
7.4 Job design	10
7.4.1 Job evaluation	11
7.5 Safeguarding checks	11
8. Candidate attraction	11
8.1 Advertising vacancies	12
8.2 Job advert	12
8.3 Eligibility to apply for vacancies	13

	2
9. Selection	13
9.1 Selection Panel	13
9.2 Application form	13
9.2.1 Anonymous recruitment	14
9.3 Shortlisting of applicants	14
9.4 Inviting candidates to interview	15
9.4.1 Self declaration form	15
9.4.2 Online searches	15
9.5 Reasonable adjustments	15
9.6 Interviews	15
9.6.1 Preparing interview questions	15
9.6.2 Conducting the interview	16
9.6.3 Discussing concerns with candidates at interview	17
9.7 Selection tests	18
10. Decision to appoint	18
11. Making a conditional offer	19
11.1 Unsuccessful applicants	19
11.2 Offer of employment	19
12. Pre-appointment vetting checks	20
12.1 References	22
12.2 Criminal records	22
12.3 Convictions	23
12.4 Occupational Health	23
12.5 Eligibility to work in the UK	23
12.6 Checks for individuals who have lived and worked overseas	23
12.7 Evidence of qualifications required for the job	24
12.8 Performance and conduct checks	24
13. Commencement of employment	24
14. Induction	24
15. Evaluation	25
16. Data collection and protection	25
16.1 Records and monitoring	25
16.2 Analysis	26
17. Summary of roles and responsibilities	26
17.1 Recruiting Manager	26
17.2 Human Resources	26
18. Toolkit	27

19. Further information	27
Appendix A - Recruiting volunteers	28
Appendix B - Contracts of employment	30

Version control

The table below shows the history of the document and the changes that were made at each version:

Version	Date	Summary of changes
1.0	November 2008	First published version.
2.0	March 2016	Simplified document and added guidance on Safer Recruitment, eligibility to work in the UK and Volunteers.
3.0	August 2019	<ul style="list-style-type: none"> To amend policy title for Recruitment and Selection Policy to Safer Recruitment and Selection Policy 7.2 Conducting the interview – references will be obtained before the interview. 9.1 Update to state that references will now be obtained before interviews.
4.0	October 2021	<ul style="list-style-type: none"> Rebrand from Hackney Learning Trust to Hackney Education 4. Equal opportunities - new section 5. Training - new section 7. Name change of section from Advertising to Candidate Attraction 7.1.1 Job advert - update on information that should included in a job advert 8. Name change of section from Shortlisting to Selection 8.1 Application form - update on information that should be included in the application form/pack 8.3 Shortlisting candidates - need to complete a self declaration of their criminal record or information that would make them unsuitable to work with children 8.6 Selection tests - new section 11. Pre- employment checks - updated information on checks in line with KCSIE guidance Appendix A - updated guidance on recruiting teachers from overseas Appendix B - Disabled application guidance moved to Inclusive recruitment and selection Appendix C - Contracts of employment - new section
5.0	September 2022	<ul style="list-style-type: none"> 5. Safeguarding - new section

		<ul style="list-style-type: none"> ● 7.5 Safeguarding checks form - new section ● 9.2 Application form - reference to anonymous recruitment ● 9.4 Inviting candidates to interview - new section ● 9.6.2 Conducting the interview - candidates are required to sign their self-declaration form ● 9.6.3 Discussing concerns with candidates at interview - new section ● 12. Pre-appointment vettings checks - reference to the Guidance on pre-appointment vettings checks ● Appendix A - Recruiting volunteers - updated guidance
--	--	--

Next major release

Although this document will be updated as legislation or procedures change, the next major review date will normally be scheduled for three years after the last release.

Distribution

This policy is available on [HR for Schools](#) web pages and a copy is held by the school.

1. Policy statement

The aim of this policy is to create a structure and process to facilitate the recruitment and retention of high calibre staff to the School and to:

- Ensure that the recruitment processes are safe and fit for purpose.
- Appoint the best person for each position.
- Ensure equality of opportunity for all applicants.
- Offer career development prospects and create opportunities for employees to apply for internal promotion.
- Ensure compliance with the relevant employment legislation.
- Promote the School's values.
- Meet the School's operational requirements and strategic aims.

All schools must appoint staff in accordance with employment law. Maintained schools must also follow the requirements set out in the School Staffing (England) Regulations 2009 and appointments in academies must be made in line with any relevant requirements set out in the funding agreement and the Education (Independent School Standards) Regulations 2014. It is recommended that at least one member of the recruitment panel should have carried out safer recruitment training.

If a member of staff involved in the recruitment process has a close personal or familiar relationship with an applicant, they must declare this relationship as soon as they are aware of the individuals' application. It will be necessary for the member of staff to avoid any involvement in the recruitment and selection process.

We are committed to ensuring all recruitment adheres to employment legislation, safer recruitment guidelines and is fair and accessible to all. The safety of children and young people is paramount and we are fully committed to safeguarding and promoting the welfare of children and young people. The recruitment panel will be required to act reasonably in making decisions about the suitability of a prospective employee based on checks and evidence including DBS checks, barred list checks, prohibition checks and childcare disqualification checks together with references, online searches, self-declaration forms and information obtained at interview.

2. Definitions

The following terms are used in this policy:

Vacancy

A vacancy is defined as an established or new post which is not filled by a permanent member of staff.

Disability Confident

The [Disability Confident scheme](#) (which has replaced the two tick scheme) is a government scheme designed to encourage employers to recruit and retain disabled people and those with health conditions. The Disability Confident employer scheme has 3 levels:

- Level 1: Disability Confident Committed
- Level 2: Disability Confident Employer
- Level 3: Disability Confident Leader

Each level must be completed before moving on to the next. Schools can sign up for the scheme through a [self assessment process](#).

Safer Recruitment Training

It is recommended that all panel members have attended and successfully completed this training course. Please contact your HR Business Partner or Advisor for further details.

Recruiting Manager

The person who is leading the recruitment process. Normally this will be the Headteacher or the Chair of Governors but in some cases this could be the Bursar or Business Manager.

Disciplinary action

Action taken against an employee in the form of a verbal or written warning, or in some cases dismissal due to breaching confidentiality or tampering in the recruitment process. Further details can be found in the [Disciplinary Policy](#).

Grievance

An internal applicant may choose to raise a complaint if they feel the recruitment process has been biased or conducted unfairly. Full details can be found in the [Grievance Policy](#)

Regulated activity

In summary, a person will be engaging in regulated activity with children if, as a result of their work, they:

- will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children;
- will be working on a regular basis in a specified establishment, such as a school, for or in connection with the purposes of the establishment, where the work gives opportunity for contact with children; or
- engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

Further details on regulated activity are available on page 61 of the [Keeping Children Safe In Education guidance](#).

3. Scope of the policy

This policy applies to anyone who deals with the recruitment of school staff including but not limited to Headteachers, Deputy Heads, Bursars, Business Managers and Governors.

This policy is applicable for the recruitment of teaching and school support staff.

Recruitment of new staff must be agreed with the Headteacher before commencing any steps laid out in the procedures below.

Although the recruitment of Headteachers adheres to this policy there is additional information in the [Recruiting a new Headteacher Guidance](#) which Governors should read.

The Local Authority is the employer of staff based in community and voluntary-controlled schools but the Governing Body and Headteacher have delegated responsibility for recruiting, selecting and managing staff. In Voluntary-Aided and Foundation schools the Governing Body is the employer.

3.1 Agencies

Before engaging agencies, it is important to be assured they have robust systems in place in terms of pre-appointment vetting checks. Each agency should be fully vetted to ensure that the appropriate checks are carried out in terms of the suitability and validity to work with children and young people, eligibility to work in the UK and past criminal convictions.

Agency staff are not employees of the school and are engaged as workers through the agency. Schools should ensure that any agency providing workers also adopts and implements the measures described in this guidance.

Note: From Day One: agency workers have [worker's employment rights](#). They also have the same rights as permanent staff to use any shared facilities and services provided by the school for example: canteen, common room, prayer room and parking and transport services.

After 12 weeks of an assignment: After 12 weeks, the agency workers qualify for the same rights as directly employed staff. This is known as 'equal treatment'. Their rights include:

- 'equal pay' - the same pay as a permanent member of staff doing the same job
- paid annual leave
- rest periods

Further information is available on the government website: [rights of agency workers](#)

4. Equal opportunities

The School aims to secure equality of opportunity in all its activities, and in this respect all staff should demonstrate a positive approach towards equality in employment.

Schools must carry out any recruitment processes in line with the Equality Act 2010. Advice for schools on how the Equality Act affects them and how to fulfil their duties under the Act can also be found on GOV.UK.

The School will recruit the person most suited to the requirements of the job. Selection will be based on applicants' abilities and individual merit as measured against predetermined selection criteria; with decisions being made without regard to ethnicity, gender, age, disability, sexual orientation, belief, pregnancy and maternity, gender reassignment, marriage and civil partnership. These are protected characteristics under the Equality Act 2010.

Please also refer to the guidance on [Inclusive recruitment and selection](#).

5. Safeguarding

Hackney Council and the schools within the borough are committed to safeguarding and promoting the welfare of children and young people. We expect all staff to share this commitment.

All roles will be assessed to confirm their safeguarding requirements i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children and all schools and settings will follow guidance in line with [Part 3 Safer Recruitment](#) in the [Keeping Children Safe in Education](#) statutory guidance and the [Early years foundation stage \(EYFS\) statutory framework](#).

6. Training

The School Staffing (England) Regulations 2009 and the Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007 require governing bodies of maintained schools and management committees of pupil referral units (PRUs) to ensure that at least one of the persons who conducts an interview has completed safer recruitment training.

Hackney Education recommends all the panel members should have appropriate recruitment and selection training, so they understand:

- The legal impact and consequences of not following consistent recruitment and selection procedures
- The importance of safeguarding children.
- How to have an inclusive approach to recruitment and selection.
- The School's Recruitment Policy and Procedure.
- How to draw up effective Job Descriptions, Person Specifications and adverts.
- The reasons for equal opportunities monitoring
- The importance of developing the necessary skills for effective interviewing.

Please contact your HR Business Partner or Advisor if you would like to learn more about Hackney Education's Safer Recruitment training.

7. Identification of a vacancy

The [Vacancy Checklist](#) can be used to record useful information about the recruitment campaign and to monitor progress.

7.1 Definition

A vacancy can arise when:

- A member of staff has left a post.
- A change in workload, departmental structure or job design is required.
- Cover for the long-term absence of an existing postholder is required e.g. long-term sickness absence, maternity or shared parental leave.

On identifying a vacancy, recruiting managers should consider the following:

- Whether the vacant post is still necessary.
- How the post will be funded.
- Whether the post is established or outside of the agreed budget or structure.
- Whether the Job Description for the post needs updating. If so, the post may need to be re-evaluated or whether a new Job Description is required for a new post.
- The safeguarding requirements i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.
- Whether the post is appropriate for flexible working.
- Whether the post could provide an opportunity for secondment or an apprenticeship.
- Whether the post is suitable or appropriate for redeployment purposes in accordance with the [Organisational Change Policy](#)
- Which kind of contract should be offered e.g. fixed term or permanent and will the role be term time only or year round. (Please see Appendix B for further information).
- Whether the recruitment process should be external or internal only.

7.2 Organisational change

Where vacancies have arisen as a result of organisational change, the [Organisational Change Policy](#) will apply in the first instance. Redeployees are employees who:

- For medical reasons are not able to fulfil requirements of the role for which they were employed
- Due to organisational change, are no longer have a substantive role and are looking for a new role within the school.

Prior to advertising a vacancy, recruiting managers should interview redeployees, for any posts for which they meet the minimum job requirements or posts which will be a step promotion and which could constitute suitable alternative employment for them.

7.3 Secondments and acting up

Where a vacancy exists, a number of options can be used to fill the post i.e. secondment, acting up and on a permanent basis. Where the position is a permanent vacancy it must be advertised throughout the School following the recruitment procedure in the interest of fairness.

7.3.1 Secondment

Seconding an employee from another department to cover a vacancy should be treated as a normal recruitment campaign. Therefore the interim 'secondment' position should be advertised internally. It must be stated that the position is a secondment and will be offered on a fixed-term basis.

The seconded employee is entitled to return to their substantive post (or, in exceptional circumstances, to a comparable post of equal grade and status) at the end of their time in secondment.

Advice can be sought from the Hackney Education HR Team.

7.3.2 Acting up

Headteachers should advertise temporary promotions across the School unless a clear business need for urgency precludes this. Please refer to the Pay Policy for further information.

7.4 Job design

The purpose of the job description and person specification is to provide information on the role and which skills, abilities, experience, attitude and behaviours the successful candidate must have.

Schools should also include the safeguarding requirements and responsibilities of the role, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.

The Recruiting Manager should draft the Job Description and Person Specification in consultation with the Headteacher.

Job Description templates are available in [Hackney Education's Recruitment and Selection Toolkit](#).

The requirements listed in the Job Description and Person Specification must be clear, fully justifiable and associated with the role. These measures will help to increase the pool of potential applicants and reduce the risk of discrimination occurring. When a job description is written effectively it helps:

- Provide a basis for writing the advert and planning the selection process.
- To allow the HR team to accurately evaluate and grade the job (where necessary).
- Attract the right candidates for the role.
- Evaluate applications quickly and accurately during the shortlisting process.

Note: Support staff: A Job Description and Person Specification should be written for every post and evaluated through the job evaluation scheme for pay purposes. For more information please contact Hackney Education's HR team.

Teaching staff: Teaching job descriptions should be written for the post and be in line with the [Teachers Standards](#). Teaching roles do not need to be evaluated.

All requirements must be realistic and justifiable and must observe equal opportunity provisions in terms of the language and criteria used. For example, the number of years of experience required should not be stipulated as this can be deemed as age discriminatory.

7.4.1 Job evaluation

The job descriptions for all support staff who are on local government terms and conditions must be evaluated in accordance with the agreed School's job evaluation scheme. New posts or posts where the roles and responsibilities have significantly changed will be evaluated prior to the initiation of any recruitment in keeping with the [Job Evaluation Policy](#).

7.5 Safeguarding checks

When a teaching or support staff role is being recruited, Hackney Education HR recommends that when the job description is created or reviewed, the Recruiting Manager* completes a [Safeguarding checks form](#) for the role. This will support the Recruiting Manager to identify which safeguarding checks are applicable to the role. This form will support schools to:

- identify which safeguarding checks need to be carried out for an individual
- decide which relevant safeguarding questions shortlisted candidates should be asked on [Self-declaration form](#).
- identify the relevant safeguarding checks that should be included on the single central record.
- provide a record of the safeguarding checks decision making process for the member of staff which should be kept in their personnel file.
- provide successful candidates with a clear record of the safeguarding checks required for the role (the form should be shared with candidates at offer stage).

*The Recruiting Manager should seek further guidance from the Safeguarding Lead in the school and/or their HR Business Partner/Advisor if necessary.

8. Candidate attraction

Candidate attraction is how the School will use tools and techniques to attract potential candidates to fill a role. This normally means advertising roles but schools can also employ other techniques to supplement this such as using social media, employee referrals or using agencies.

However candidates are attracted to a role, they should always go through the same selection process so all candidates can be fairly compared and are subject to the appropriate pre-appointment vetting checks.

8.1 Advertising vacancies

The normal practice should be for all posts to be advertised internally and externally concurrently. However there may be some exceptions according to the circumstances, for example:

- Appointments of less than six months, where practical, should be advertised internally and considered for external advertising
- The role is business critical and there may be suitable internal candidates.

This decision should be discussed with the Headteacher and Education HR if required.

It is the responsibility of the School to make sure that the advertising of any vacancies should support Equalities Act 2010 by ensuring that:

- All vacancies are advertised internally and, where appropriate, externally via Hackney Education's careers portal and external media.
- The content of advertisements complies with anti-discrimination legislation.
- Where possible, advertisements are placed in media sources that will support the School's aim to develop a skilled and diverse workforce (e.g. Hackney Gazette, Hackney Council, etc.)
- Any advertising opportunity will be used to the fullest advantage to promote the School and the Borough as a whole and the benefits of working and living in Hackney.

Please also refer to the guidance on [Inclusive recruitment and selection](#).

8.2 Job advert

The job advert should include the following:

- Key information: job title, location, salary and benefits
- Information about the School including its values and aspirations
- Give a brief description of the role
- Any key skills, abilities and behaviours needed for the role
- The school's commitment to equality and diversity
- How and when to apply

In line with the [Keeping Children Safe in Education guidance](#), the advert should also include:

- the school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken;
- the safeguarding responsibilities of the post as per the job description and personal specification;
- and whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020.

-

Please refer to [Hackney Education's Recruitment and Selection Toolkit](#) for a job advert template.

8.3 Eligibility to apply for vacancies

Any substantive employee within the school can apply for any vacancy providing they meet the minimum criteria for the vacant post. Internal candidates are defined as staff who are employed on either permanent or fixed-term contracts, i.e. substantive staff. Agency staff are not employees of the school, but can apply for internally advertised vacancies.

9. Selection

9.1 Selection panel

The Recruiting Manager will normally be the Panel Chair. The selection panel will be responsible for the shortlisting of applicants, interviewing and if required, further testing of candidates.

In all cases, it is recommended that the panels for both shortlisting and interviews should consist of **at least two** people and should be as diverse as possible. It is recommended that those who shortlist carry out the interview for a consistent approach.

The panel should possess sufficient knowledge of the School and the post in order to objectively assess the suitability of each candidate.

9.2 Application form

Application forms should be designed so applicants can provide information about their skills and experience relevant to the role. The application form may be one of the first experiences a candidate has of engaging with a school. This can create a positive first impression but in reverse an application form can also dissuade potential applicants from applying if it is too long or it contains material which is not relevant to the post.

[Keeping Children Safe in Education](#) provides guidance on which information should be included in a school's application form:

Where a role involves engaging in regulated activity relevant to children, schools and colleges should include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

Schools and colleges should also provide a copy of the school's or college's child protection policy and practices and policy on employment of ex-offenders in the application pack or refer to a link on its website.

Schools and colleges should require applicants to provide:

- personal details, current and former names, current address and national insurance number
- details of their present (or last) employment and reason for leaving
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment
- qualifications, the awarding body and date of award
- details of referees/references (see below for further information), and
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

Note: Schools and colleges should only accept copies of a curriculum vitae alongside an application form. A curriculum vitae on its own will not provide adequate information.

9.2.1 Anonymous recruitment

In order to promote diversity and inclusion, Hackney Education recommends that schools carry out anonymous recruitment by using an application form where candidates can be anonymised at shortlisting stage. This supports shortlisting panels to make shortlisting decisions based on the skills and experience of candidates only. The shortlisting panels do not receive the personal details of the candidates until the interview stage.

Please refer to [Hackney Education's Recruitment and Selection Toolkit](#) for an anonymous application form template and guidance for teaching and support staff.

9.3 Shortlisting of applicants

In order to ensure fair and effective shortlisting, only those criteria listed on the Person Specification can be used and recorded on a shortlisting grid. It is unfair and unethical to introduce new criteria at this stage. In all cases, candidates selected for an interview must meet the essential criteria listed in the Person Specification of the Job Description.

At least two people should carry out the shortlisting exercise (it is recommended that those who shortlist carry out the interview for a consistent approach)

All applications should be scrutinised to ensure that they are fully completed, that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment. Any discrepancies in the application form or gaps in employment history should be fully explored with the candidate and verified.

It is essential that all staff involved in the recruitment and selection process ensure the confidentiality of information supplied by applicants and referees.

If only one candidate meets the shortlisting criteria the selection process may still go ahead.

Please refer to [Hackney Education's Recruitment and Selection Toolkit](#) for a template Shortlisting grid.

9.4 Inviting candidates to interview

Invitations to the interview should be sent in time to allow candidates to make appropriate arrangements and preparations for the interview. The invite to interview should contain all the details of the interview process and any actions the candidate needs to complete before the interview.

Please refer to [Hackney Education's Recruitment and Selection Toolkit](#) for a template invite to interview letter.

9.4.1 Self declaration form

In line with the [Keeping Children Safe in Education guidance](#), shortlisted candidates whose role involves undertaking regulated activity with children should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records, further information can be found on [GOV.UK](#).

The self declaration form should be sent to shortlisted candidates with their invite to interview. The completed form should be returned to the recruitment administrator at least two days prior to interview to allow any information disclosed by the candidates to be considered by the Recruitment Manager.

Please refer to the Self-declaration form template in [Hackney Education's Recruitment and Selection Toolkit](#).

9.4.2 Online searches

The Schools should carry out searches on the online presence of shortlisted candidates whose role involves regulated activity. The searches will be for content that may either harm the reputation of the School or give an indication that the candidate may be unsuitable to work with children.

Please refer to the Guidance on pre-appointment vettings checks for more information. Please refer to the [Guidance on pre-appointment vettings checks](#).

9.5 Reasonable adjustments

The Recruiting Manager should check if any of the candidates require any reasonable adjustments for the interview or any test arrangements. This should normally occur as part of the invite to interview process.

Please refer to the guidance on [Inclusive recruitment and selection](#).

9.6 Interviews

9.6.1 Preparing interview questions

The Recruiting Manager is responsible for compiling relevant competency-based interview questions. All interview questions asked must be relevant (and seen to be relevant) to the job.

The HR Team at Hackney Education will be available to assist in identifying the most suitable questions, if required.

Suitability to work with children, young and vulnerable people

Depending on the amount of contact with children, young and vulnerable people, the interview questions may need to explore issues relating to safeguarding and promoting the welfare of children.

In accordance with the guidance defined in 'Keeping Children Safe in Education', the interview questions must also explore:

- The candidate's attitude toward children and young people and their motivation to work in this area.
- The candidate's ability to form and maintain appropriate relationships and personal boundaries with children and young people.
- Their emotional resilience in working with challenging behaviours.
- Their attitudes to the use of authority and maintaining discipline.
- Their ability to support the School's agenda for safeguarding and promoting the welfare of children.

Please refer to [Hackney Education's Recruitment and Selection Toolkit](#) for a template Candidate Interview Assessment Form.

9.6.2 Conducting the interview

To ensure fairness each candidate should receive the same interview experience, the only exception being where reasonable adjustments have been agreed. The panel will be assessing the candidate and the candidate will be assessing the School as a potential employer.

It is therefore advisable to ensure that candidates are aware at the beginning of the interview:

- What the selection process and methods are.
- How they will be assessed.
- That they will be given the opportunity to ask questions
- Be advised on how and when they will be informed of the selection outcome.

The panel should also:

- Ensure that each candidate is greeted and escorted to and from the interview room.
- Ensure that the room is appropriate for the interview (free of interruptions, comfortable, etc.)
- Ensure that arrangements are in place for candidates with a disability. Due diligence is necessary to ensure that any additional needs are accommodated at the interview.
- Give all interviewees a comparable amount of time.
- Supplement their understanding of the candidate's responses by the use of probing questions.

Candidates should be asked to sign a hard copy of their self-declaration form confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the form at the point of interview.

Please note: Where possible interviews should be carried out on the same day. Where this is not possible, the gap between interviews should be minimised.

The panel should follow the interview questions as set out on the Candidate Assessment Interview Form. Depending on the responses given, supplementary questions may be asked. These and the subsequent answers should be noted on the Candidate Assessment Interview Form.

Note: It is not the School's policy to pay travel expenses incurred by the candidates invited to interview.

9.6.3 Discussing concerns with candidates at interview

The interview panel should explore any concerns regarding the individual's application with them e.g. obvious gaps in employment, any history of repeated changes of employment or discrepancies in their application form.

The pre-interview vetting checks may indicate information that concerns the panel on the candidate's suitability for the role, in terms of safeguarding and/or reputational risk to the School. These could include:

References: As references should have been obtained prior to the interview, the interview panel should raise any concerns over the references and also explore any discrepancies between the candidate's application form and the information provided in the references during the interview. The chair of the recruitment panel may need to follow up with the referee after the interview if necessary.

Online checks: If the school has carried out online checks on the candidates, they should discuss any concerns they have with the candidate about any publicly available content they have viewed if the school has concerns over safeguarding or reputational risk to the school.

Self-declaration: The Recruitment Manager should review the Self-declaration form prior to the interview and make an assessment of whether any information disclosed on the form is a concern to the role and the school.

Please refer to the Guidance on pre-appointment vettings checks for more information. Please refer to the [Guidance on pre-appointment vettings checks](#).

Note: It is not the School's policy to pay travel expenses incurred by the candidates invited to interview.

9.7 Selection tests

It is recommended that a selection test is used in addition to interviews. This will provide the selection panel with additional information on the suitability of candidates for the role. Selection tests can often be designed to assimilate certain aspects of the role and test how the candidate performs in those scenarios.

Examples can be in-tray exercises, presentation skills or an observed teaching lesson.

It is important that these exercises are designed so the candidates can be scored against criteria in the job description and can be used alongside the interview to assess the candidate's suitability for the role.

10. Decision to appoint

The decision is based on the amalgamation of the individual interview scoring sheets and any selection testing results. These scores can be noted on the Candidate Comparison Form.

Please refer to [Hackney Education's Recruitment and Selection Toolkit](#) for a template Candidate Comparison Form.

The highest scoring candidate overall should be offered the post, providing the minimum acceptable standards have been met.

If there are two or more candidates who are closely matched in scoring following the selection stage, the recruiting manager may decide to carry out an additional stage of the selection process such as a second interview. The panel members of a 2nd stage interview can be different to the 1st stage interview but any additional interviews should be consistent for all candidates.

If none of the candidates are considered suitable, thought should be given to reviewing the advertising/shortlisting/interviewing process and/or the Job Description itself and if necessary re-advertising the vacancy.

If the post is re-advertised without material changes to the Job Description, previous applicants may still apply.

The emphasis for filling a post should be on putting the “right person” in the job and not the person being available at the “right time”. Candidates should be appointed based on their ability to do the job for which they were interviewed and not because of the need to fill the post.

Interview records for unsuccessful candidates must be retained for a period of six months following the interviews. Records for successful candidates will be filed on their Personal file.

11. Making a conditional offer

11.1 Unsuccessful applicants

The School will notify unsuccessful applicants in writing. If feedback is requested, the Recruitment Panel Chair should provide a valid reason why the candidate was not successful and give feedback to support the unsuccessful candidate to identify areas for development. Candidate details will be kept on file for six months.

Note: Documentation relating to the applicants will be treated with the utmost confidentiality and in accordance with the Data Protection Act (DPA) 2018. Please see the [HR Records Policy](#) for further details.

Applicants will have the right for feedback from the Recruiting Manager after the interview and to access documentation held on them in accordance with the DPA, including shortlisting and interview notes.

11.2 Offer of employment

A contract comes into effect once a verbal offer has been made and accepted. A member of the interviewing panel should make the conditional offer verbally, followed up by a written conditional offer of employment. The successful applicant should receive a verbal offer no later than 5 working days after the interview.

Written offers of employment will only be produced by the School upon receipt of all required documentation and authorisation by the Headteacher.

This must include:

- Relevant Job Description and Person Specification.
- Signed interview and selection testing notes
- Signed hard copy self-declaration form by the candidate

Please refer to [Hackney Education's Recruitment and Selection Toolkit](#) for a template offer letter.

Schools can use the [New Starter Checklist](#) to make sure the relevant documentation is stored on the individual's file, and the correct process is followed.

Conditional Employment Offer letters are sent to the selected candidate with the following documentation:

- DBS Application Form, including candidates from overseas (if applicable to the role)
- Applicant's Guide to Completing the DBS Form.
- Job Description and Person Specification.
- Copy of safeguarding checks form

This approach will guarantee:

- A structured approach to recruitment across the School.
- Auditable outcomes of recruitment campaigns.
- Individual file management.
- The candidate is clear on the pre-appointment vettings checks required for the role.

All offers will be conditional upon the School receiving all relevant pre-appointment vettings checks.

12. Pre-appointment vetting checks

The School should ensure all pre-appointment vettings checks are complete prior to the successful candidate starting employment. Candidates should not begin employment without all checks being clear (for exceptions see section 12.2). Please refer to the Guidance on pre appointment vetting checks for further information.

All offers of employment will also remain conditional until the following have been received:

- Two satisfactory references covering at least 5 years of the candidates most recent work experience (see 12.1 for more information).
- Verification of the applicant's identity. Identification checking guidelines can be found on the [GOV.UK](#) website
- Obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity);
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role
- Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the [GOV.UK](#) website.
- If the person has lived or worked outside the UK, make any further checks the school or college consider appropriate;

- Verify professional qualifications, as appropriate. The Teacher Services' system should be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.
- Declaration of Personal and Pecuniary Interest (where required).
- Verification of professional status, where required.

In addition:

- Schools must ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012; and
- Independent schools, including academies and free schools, must check that a person taking up a management position is not subject to a section 128 direction made by the Secretary of State.

If any of the above checks are not satisfactory, the offer may be revoked. Where this is necessary, written reasons will be supplied to the individual.

All pre-appointment vettings checks will be confirmed in writing, documented and retained on the employee's Personnel file. Where they are unsatisfactory or there are any discrepancies in the information provided, these must be followed up with advice from HR at Hackney Education

If a candidate is found to be on the DBS Children's Barred List, the Headteacher will be informed by the DBS Team and this person will **not** be able to be employed.

If a candidate has an unclear DBS Disclosure, HR at Hackney Education will be informed by the DBS Team. They must discuss the circumstances with the School and the applicant, and decide whether to continue with the offer of employment. The ultimate decision will be made by the Headteacher. Please refer to the [DBS Policy](#) for further information.

Childcare Disqualification: DfE statutory guidance: [Disqualification under the Childcare Act 2006](#).

People who have been convicted of certain offences are disqualified from providing childcare under the Children Act 2006 and the Childcare (Disqualification) Regulations 2018.

These arrangements apply to staff working with young children in childcare settings. This includes:

- **Early years** - Staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes or any supervised activity (e.g. breakfast clubs or after schools clubs provided by the school) both inside school the normal school day and outside of school hours.
- **Late provision (for children under 8)** - Staff who are employed in childcare provided outside of the normal school day but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's

choir or sports teams) but it does include before-school settings, such as breakfast clubs, and after school provision.

- Staff who are involved in the management of early or later years provision are also covered by this legislation.

It is the responsibility of the school to define which roles are covered by the legislation. There is further guidance on staff who [are covered](#), [maybe covered](#) and [are not covered](#) by this legislation available at [GOV.UK](#). The guidance includes individuals employed by the school, those undertaking training in schools (both salaried and unsalaried), casual workers and volunteers.

Schools must make staff who are covered or may be covered by these regulations aware of what information will be required of them and how it will be used to make decisions about disqualification.

The criteria under the 2006 act and the 2018 regulations that would disqualify a member of staff can be found under the [disqualification criteria section](#) in the DfE's statutory guidance: [Disqualification under the Childcare Act 2006](#).

Child disqualification checks for school staff: At interview stage, staff will be required to complete and sign a self declaration form to ensure they are aware that they are covered by the Childcare Disqualification Regulations 2018 and that they have a duty to disclose any relevant information that means that they are disqualified from providing childcare. Successful applicants will also be subject to the following pre-appointment vetting checks:

- Enhanced DBS certificate including children's barred list
- Appropriate checks for staff who have lived or worked overseas (see section 12.6).

If Recruiting Managers require any further guidance, please contact their HR Business Partner or Advisor.

Under the legislation a person is disqualified if they are found to have committed an offence which is included in the 2018 regulations (a 'relevant' offence). The list of offences and orders that result in disqualification is included in the [guidance](#) by the DfE (set out in Appendices A and B).

Please refer to the [Guidance on pre-appointment vettings checks](#) for more information.

12.1 References

Every effort must be made to obtain references for all shortlisted applicants before they are interviewed. Schools should seek permission from the candidates before they approach the candidates references.

There are occasions when a candidate will request "no contact with current employer unless they are preferred candidate after interview" Although the recruiting manager may accede to such a request, it is **not recommended as good practice**.

Further information on obtaining references is available in the [Guidance on pre-appointment vettings checks](#).

A template [Reference Request Form](#) is available in the [Hackney Education's Recruitment and Selection Toolkit](#).

12.2 Criminal records

Candidates who have access to children and vulnerable people will normally not be employed until a clear DBS Disclosure is received. In exceptional cases, candidates may commence employment prior to DBS clearance provided there is **no** unsupervised access to children or vulnerable people, and following a clear check of the DBS Children's Barred List. The Headteacher is responsible for the final decision. Please refer to the [DBS Policy](#) for further information.

12.3 Convictions

The Headteacher will be responsible for ascertaining whether a candidate's criminal record does or does not render them unfit for the post.

Posts which are exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020 (in which case criminal convictions never become "spent") should be identified at the start of the recruitment campaign and should be confirmed in the job advert.

12.4 Occupational Health

Once the conditional offer of employment has been made, all successful candidates must be cleared by Occupational Health before confirmation of appointment can be made. Depending on the particular circumstances of a candidate, Occupational Health may require a personal appointment with the candidate to ascertain fitness for work. This may delay the appointment process.

In some cases, Occupational Health may declare that a candidate should not be employed on medical grounds. In this event, the conditional offer will be retracted.

Please refer to the [Guidance on pre-appointment vettings checks](#) for more information.

12.5 Eligibility to work in the UK

The school has a responsibility under the provisions in s.21 of the Immigration, Asylum and Nationality Act 2006 to check before they start, that an individual has the right to work in the UK.

As an employer, the School is required to make basic document checks to make sure it does not break the law by employing illegal workers. Guidance on checking a job applicant's right to work is available on the [GOV.UK](#) website.

Please refer to the [Guidance on pre-appointment vettings checks](#) for more information.

12.6 Checks for individuals who have lived and worked overseas

Staff who have lived and worked overseas should undergo the same checks as other staff. In addition, for roles involving regulated activity, Hackney Education will undertake additional checks to establish that whilst the candidate was overseas, their professional and personal conduct means they are suitable to work with children.

Please refer to the [Guidance on pre-appointment vettings checks](#) for more information.

12.7 Evidence of qualifications required for the job

In posts where qualifications are an essential requirement, successful candidates must provide proof in the form of a certificate of achievement, membership number or other documentary evidence that may be relevant.

For centrally-employed teaching staff, you can contact the HR Team at Hackney Education who have access to an online service which enables a quick verification of qualifications, induction and registration status of all teachers, via the DfE – [Teaching Regulation Agency](#).

Please refer to the [Guidance on pre-appointment vettings checks](#) for more information.

12.8 Performance and conduct checks

For centrally-employed teaching staff, the Education HR Team is able to check whether there is an active disciplinary order or prohibition against them via the DfE – [Teaching Regulation Agency](#).

Please refer to the [Guidance on pre-appointment vettings checks](#) for more information.

13. Commencement of employment

Prior to commencement of employment and once in receipt of satisfactory pre-appointment vettings checks, employment can be confirmed and the candidate can be sent the following:

- Confirmation of employment and start date.
- Contract of employment (on or before the individual's first day of employment).
- New Starter form for payroll.
- Pensions form.
- P46 form
- Job Description and Person Specification.
- Safeguarding checks form
- Personal and Pecuniary Interest Form, if applicable.
- The Safeguarding and Child Protection Policy
- Code of conduct

Templates and documents are available in the [Hackney Education's Recruitment and Selection Toolkit](#).

The Recruiting Manager must complete the New Starter Form, get it authorised and return to the Payroll/HR Team.

14. Induction

The line manager of the appointee will be responsible for the planning of the induction programme. For early career teachers, please refer to the DfE's guidance: [Induction for newly qualified teachers \(England\)](#). Further details on induction can be found on the [Recruitment and Onboarding page](#) on the Services for Schools.

Please also refer to the [Induction Policy](#) and the [Induction Checklist for Schools](#)

15. Evaluation

It is extremely important to evaluate the success of the recruitment and selection process at each stage to see whether mistakes were made and whether a repetition of them can be avoided in the future.

Effective monitoring is essential as a key element to inform the recruitment strategy and is an important tool in fulfilling the responsibility to provide equality of opportunity to all job applicants. Data collected for monitoring should not be used for any other purposes.

It is also advisable to monitor where applicants have heard about vacancies in order to identify which source is most effective.

16. Data collection and protection

Special care should be taken regarding all information supplied by job applicants. Data must only be collected that is relevant to the purpose. In addition, any 'sensitive' data should only be collected where the applicant's express consent has been gained.

Therefore the School should ensure the following steps are taken:

- All information gathered is stored securely and used only for the stated purposes.
- Applications and interview notes for unsuccessful candidates are destroyed when they are no longer needed (it is recommended that this is done after six months).
- Names of unsuccessful applicants should only be kept on file if the applicants have been informed.
- Job applicants should be given a chance to provide an explanation if any checks on their application details produce discrepancies.

In addition, the interview panel should be aware that interviewees have the right to access their interview notes and therefore any opinions noted must be based on fact.

Candidates have the right to request feedback on the status of their application at any stage of the recruitment process.

Please refer to the [HR Records Policy](#) for further information.

16.1 Records and monitoring

All records in relation to recruitment and selection exercises must comply with the provision of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Refer to the [Human Resources Records Policy](#) for further information.

16.2 Analysis

The School will analyse recruitment data to identify trends in relation to the above factors for evidence of disparate impact.

Data will also be analysed for budget projection purposes and to identify service improvements.

17. Summary of roles and responsibilities

17.1 Recruiting Manager

It is the responsibility of the Recruiting Manager to:

- Discuss the vacancy with the Headteacher (to ensure it is necessary and all alternatives have been considered, and agree details of the campaign and the timescales).
- Ensure the job description has been drafted or reviewed and where necessary evaluated by HR
- Complete a Safeguarding checks form for the role.
- Approve the final version of the job advertisement.
- Arrange the Selection Panel and the contact person for interviewees on the interview day; book rooms/equipment.
- Shortlist candidates for interview (with the selection panel).
- Check if any of the shortlisted candidates require any reasonable adjustments and ensure that these are arranged.
- Prepare questions and selection tests for the interviews.
- Conduct interviews, select the successful candidate and complete the interview paperwork.
- Ask all interviewees to sign a hard copy of their self-declaration form at the interview.
- Provide feedback to unsuccessful candidates.
- Ensure all pre- interview and pre-employment checks are completed.
- Agree a start date and time for the new employee and inform relevant colleagues.
- Ensure the New Starter Form is sent to Payroll.
- Prepare for the employee's first day and induction programme.

The Recruiting Manager is accountable for their recruitment campaign and must take action as appropriate to ensure that the recruitment campaign is conducted appropriately and to the highest standard.

17.2 Human Resources

The HR team at Hackney Education will:

- Assist with writing job descriptions and person specifications, evaluating and advising on salary where appropriate.
- Give advice on contractual obligations.
- Provide advice on creating adverts, application packs and placing adverts.
- Provide advice on pre-appointment vettings checks
- Place adverts on behalf of the School on the Hackney Education website.

18. Toolkit

Templates and documents are available in the [Hackney Education's Recruitment and Selection Toolkit](#).

19. Further information

In addition to the material in the toolkit, please refer to:

Government guidance:

- [School workforce planning](#)
- [Keeping children safe in education](#)
- [Disqualification under the Childcare Act 2006](#)
- [Staffing and employment advice for schools](#)
- [Recruit teachers from overseas](#)
- [Statutory framework for early years foundation stage \(EYFS\)](#)
- [Working together to safeguard children](#)

Hackney Education guidance:

- [DBS Policy](#)
- [Guidance on pre-appointment vettings checks](#)
- [Inclusive recruitment and selection](#)
- [Organisational Change Policy](#)
- [Recruiting a new Headteacher](#)

Further information and advice may be obtained from Hackney Education HR Team.

Appendix A - Recruiting volunteers

As with members of staff, volunteers in a school or setting are also seen by children as safe and trustworthy adults and schools should apply a safeguarding process when recruiting volunteers to work with children.

Before recruiting a volunteer, schools and colleges should undertake a written risk assessment and use their professional judgement and experience when deciding what checks, if any, are required.

The risk assessment should consider:

- the nature of the work with children, especially if it will constitute regulated activity, including the level of supervision
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability, and
- whether the role is eligible for a DBS check, and if it is, the level of the check, for volunteer roles that are not in regulated activity.

Details of the risk assessment should be recorded.

The criteria for when a recruitment process for a volunteer is required should be applied with common sense and the process may need to be adapted to cater for particular roles and sensitivities. For example, if a parent volunteer is one of a group helping out on a one-off occasion such as a day trip, a sports day or a school disco, with a reasonable level of supervision, there is no need for a formal recruitment and selection process or for a DBS certificate.

On the other hand, if the volunteer is going to have an ongoing role that involves regular contact with children, or means that the person will be on the premises when children are present regularly or frequently, a similar recruitment process should be adopted as would be used to recruit a paid member of staff filling a similar role.

The process might need to be presented differently, or adapted to be more informal, but the principal safeguards and features of the recruitment and selection process should be the same.

In those cases the process should include:

- Information about the organisation's commitment to safeguarding children.
- Completion of an application or 'registration' form.
- Obtaining reference.
- A face-to-face interview
- Pre-appointment checks similar to those which would be applied in the case of paid employment, including a DBS certificate and, if the volunteer will be in regulated activity, a check of the children's barred list. The school will also need to assess if the volunteer role is covered by the Childcare Disqualification Regulations 2018.
- Evidence of right to work in the UK

Interviews

Interviews for volunteers should be structured and organised but more informal than for paid members of staff. The interview is a two way process where both the parties have the opportunity to get to know each other. It is also about the volunteer deciding whether they like the role in the school, as well as the school deciding to take on the volunteer. An ideal process will reflect both.

Although more informal, safeguarding principles will also apply when interviewing volunteers. The interview should still probe into candidates' attitudes and motives and their suitability for work with children or in the school depending on the role. This is even more important for candidates who perhaps have no previous experience of working with children.

Safeguarding checks

Keeping Children Safe in Education states that:

Schools or colleges should obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are new to working in regulated activity with children, i.e. where they are unsupervised and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges. [See Annex E for statutory supervision guidance.](#)

Employers are not legally permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

There are certain circumstances where schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on [GOV.UK](#).

When volunteers are recruited from another institution, the School should obtain evidence and assurance from the institution that the person has been subject to a proper recruitment process that includes the necessary safeguards.

Please refer to the [Guidance on single central records checks](#) for further information on checks on volunteers.

Induction

Schools should ensure volunteers are given a clear induction programme which includes their responsibilities for safeguarding, what is and what is not acceptable behaviour towards children, what to do if they believe there is a safeguarding concern and what reasonable steps they can take to avoid creating concerns themselves.

Volunteers should be given a [code of conduct](#) document. There is further information on volunteers in the [Keeping children safe in education](#) guidance.

Appendix B - Contracts of employment

All employees and, from 6 April 2020, all workers too, have a statutory right to a written statement of particulars of employment setting out certain key employment terms on their first day of work.

A contract of employment is a legally binding agreement between an employer and employee. In the UK, the term 'employee' is defined by the Employment Rights Act 1996 as an individual who has entered into or works under a contract of service or apprenticeship.

Additional hours: There may be an opportunity for an existing member of staff to work additional hours above their contracted hours. If these hours are infrequent and relatively small, these may be covered by TOIL (time off in lieu) arrangements, where the employee takes the equivalent of the additional hours worked off at a time agreed between the member of staff and their manager. Alternatively, the member of staff could be issued with a casual worker contract in addition to their contract for their substantive role. Please refer to the section on **Casual Contracts**.

If the additional hours are for a longer term arrangement e.g. to cover an increase in workload for a few months then the member of staff can agree to a temporary variation of their contract. This increase will mean their holiday entitlement and pension contributions are increased.

If the employee is taking on extra hours in a role in addition to their substantive post, they should receive a separate contract setting out the terms and conditions for this role.

Apprenticeships: Apprentices combine work and study to gain skills and knowledge in a specific job. The apprentice agreement is a contract of employment and will contain specific information in relation to the skill, trade or occupation the apprentice is being trained for, the name of the apprenticeship they are working towards and the amount of study the apprentice is expected to undertake. The duration of the apprentice agreement must be sufficient to allow the apprentice to complete their training and gain their apprentice related qualification. Please see further guidance, including templates for both teaching and support staff Apprenticeship agreements on the [Apprentices](#) page on the Services for Schools website

Casual contracts: Casual contracts are agreements where there is normally no obligation on the employer to offer work to the individual and no obligation on the individual to accept work that is offered to them. This means that the mutuality of obligation does not arise and, therefore, the individual does not have employee status. These types of contract are typically used by employers where the demand for work is unpredictable and fluctuating.

Casual workers have entitlement to certain employment rights and may also have entitlement to some types of statutory pay. Further details are available [here](#).

Schools should be aware that if an individual is on a casual contract and has accepted all the work offered to them over a significant period of time, even if they have the contractual right to refuse it, in

the result of a tribunal claim it may be considered that a mutuality of obligation exists and an employment relationship has been established under an overarching or "umbrella" contract.

Please contact your HR Business Partner or Advisor for guidance and the contract template for casual staff.

Fixed term contract: A fixed-term contract is one that ends on a specified date or on the occurrence of a particular event such as the loss of funding or the completion of a task. A temporary replacement for an absent employee whose contract is to terminate when the regular employee returns is employed on a fixed-term contract. The reason for the fixed term contract should be clear and should be stated on the job advert for the role and also in the contract of employment.

The termination of the contract is automatic and neither party needs to give notice. The expiry of a fixed-term contract is a dismissal and fixed-term employees will have employment rights on being employed for two years.

Employees on fixed term contracts are also entitled to the same statutory rights, such as family-related leave, as employees whose employment is deemed to be permanent. They also have the right to the same pay and conditions and benefits as permanent staff doing an equivalent role, though some of these may be subject to a qualifying period).

Fixed-term employees who have been continuously employed for four years or more on a series of successive fixed-term contracts will automatically be treated as permanent employees (that is, employed under an indefinite contract), unless the continued use of a fixed-term contract can be objectively justified.

Job share: A job share arrangement is where two (or more) members of staff share the duties, responsibilities, pay and benefits of a full-time post. Each job sharer receives pay and benefits in proportion to the hours they work. The pattern worked will be determined on a case by case basis. It may be determined by the needs of the school (e.g. the need for continuity); the preferences of the job sharers; or a combination of both. Examples include split days, split weeks or alternative weeks.

Job share is a form of part-time working and employees will receive pay and benefits proportionate to the hours worked – see **Part-time workers**. Job-share partners will be treated as individuals in terms of their contractual rights, responsibilities, obligations and conduct.

For further guidance on the management of job share posts, please speak to your HR Business Partner or Advisor.

Part time workers: Part-time workers are individuals who are engaged to work under a contract for fewer hours than the employer's normal full-time hours. Part-time workers are entitled to the same statutory employment rights as full-time workers.

Part-time employees will receive pay and benefits proportionate to the hours worked i.e. in accordance with the full-time equivalent (fte). Exceptions that are not prorata are:

- **Training:** Part-time employees will have the same access to training opportunities as full-time employees. When attending a training course outside their contracted daily hours, the employee will be paid on the same basis as full-time employees (i.e. they will be paid for the additional hours or given time off in lieu at a later date).
- **Special leave:** Whether or not special leave is pro rata will depend on what is reasonable in the circumstances. In some cases, the full entitlement may be required to meet the purpose of the leave. It is important to judge the circumstances and ensure that a part-time employee is not disadvantaged when compared to a full-time employee.

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 give part-time workers the right not to be treated less favourably than comparable full-time workers in terms of current workforce practices and also opportunities for training, development and progression.

Permanent contract: Permanent contracts are typically for an indefinite term, i.e. a contract will remain in force until one of the parties terminates it. Permanent contracts may be either full time or part time.

Most employment contracts could be termed "indefinite contracts". Indefinite contracts are not a type of contract as such. However, this term can be used to describe the standard contractual arrangements under which most employees are typically engaged.

As indefinite contracts may last for some time, employers should consider whether or not to include some flexibility in terms such as the work, hours or location, either through a power to change those terms, or by including some machinery to enable terms to be changed, such as incorporated collective agreements

Term time only: Under a term-time only contract, the employee works only during the periods that coincide with school terms and is not required to work during school holidays. Term-time only contracts are commonly used in the Education sector.

Although employees who are employed on a term-time basis work for only part of the year, they remain employees throughout the whole year and the whole year counts toward their continuity of employment. Payment may be by 12 monthly or 52 weekly equal instalments, with the pay for the term-time periods of work spread out over the calendar year. Alternatively, a term-time employee may be paid only during the periods of actual work (and during annual leave).