



## Recruitment and Selection Policy

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All Things SEN recognises that its employees are fundamental to its success. A strategic, professional and timely approach to recruitment processes help enable the Organisation to attract and appoint employees with the necessary skills and attributes to support the Organisation's values and to meet the Organisation aims. The Organisation is committed to ensuring that the recruitment and selection of employees is conducted in a manner that is systematic, efficient and effective and which promotes equality of opportunity.

The Organisation is also committed to safeguarding and promoting the welfare of children and young people and expects all staff to share this commitment. The Policy is designed to provide a flexible framework which promotes good practice, supports the Organisation's core business and provides a safe and sound recruitment framework to help deter, identify or reject people who might be unsuitable for working with children.

## **1. Scope**

- 1.1 This Policy applies to the recruitment and selection of all staff to the Organisation. Any employee involved in the recruitment and selection of staff is responsible for familiarising themselves with and complying with the provisions of this Policy to ensure consistency throughout the Organisation.

## **2. Aims**

The aims of the Policy are to ensure:

- 2.1 That the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- 2.2 That all job applicants are considered equally and consistently;
- 2.3 Equality of opportunity for all applicants and that the Organisation complies with all equal opportunities and relevant employment legislation;
- 2.4 Compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS);

- 2.5 That the Organisation meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary and timely pre-employment checks.

### **3. General Principles**

- 3.1 Employees should not be involved in the recruitment and selection process unless they understand the role they are undertaking and have had appropriate training (Safer Recruitment in Education).
- 3.2 Staff involved in the recruitment process should also be aware of their responsibilities under the relevant legislation. It is important that they maintain a positive attitude towards equality of opportunity.
- 3.3 The recruitment process will normally be co-ordinated by the Joint Directors
- 3.4 If an employee involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.
- 3.5 At least one person on any recruitment interview panel must have a current 'Safer Recruitment in Education' certificate. It is imperative that Child Protection questions exploring each interviewee's understanding, attitude and reasons for wanting to work at All Things SEN are asked during the selection process. It must also be established whether there is any disqualification from working with children – see note below \*.

*\*A person may be disqualified from working with children if one of the following applies:*

- *They are on the DBS Children's Barred List;*
- *They have been cautioned for, or convicted of or charged, with certain violent and/or sexual criminal offences against adults or children in the UK or overseas;*
- *They have been involved in any offence involving death or injury to a child;*
- *They are subject of an order, direction or similar in respect of childcare, including orders in respect of any children of their own;*

- *They have had registration refused or cancelled in relation to childcare or children's homes or being prohibited from private fostering, including orders made in respect of any children of their own.*

3.6 A recruitment process, in line with the Policy, will be conducted to fill every vacancy.

3.7 Recruiting Managers must provide, collate and secure all details and interview notes on any new employee whom they have recruited to work for All Things SEN so that all necessary checks and paperwork can be carried out in a timely manner and recorded in accordance with the Organisation's statutory obligations.

#### **4. Data Protection**

4.1 The Organisation is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the Organisation to enable the Organisation to carry out the checks that are applicable to their role. The Organisation will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (NCTL)). Failure to provide requested information may result in the Organisation not being able to meet its employment, safeguarding or legal obligations. The Organisation will process personal information in accordance with its Data Protection Policy.

#### **5. Analysis of Job Requirement**

5.1 All vacancies, whether new or replacement, must be authorised by the Joint Directors before the formal recruitment process commences.

#### **6. Advertising the Vacancy**

6.1 Prior to advertising, the Joint Directors will ensure that there is an up-to-date job description and person specification for the role and details such as hours, salary and contract duration are agreed. Shortlisting and interview dates are set in advance; where possible these will be added to the job advert and published.

6.2 All vacancies will be advertised internally and on The Quay website.

- 6.3 All positions will normally be advertised externally using the most appropriate and cost effective medium for the role and to maximise the number of suitably qualified applicants.
- 6.4 The Joint Directors will be responsible for placing advertisements for each position. All advertisements and job descriptions must reflect the Organisation's visual identity and must comply with equal opportunity and safer recruitment requirements.
- 6.5 All Things SEN require all applicants to complete an application form as CV's alone cannot be accepted due to the inability to support safer recruitment. Should there be any gaps in academic or employment history or where a candidate has changed employment or location frequently, a satisfactory explanation must be provided.

## **7. The Selection Process**

The selection process should be:

- 7.1 Transparent – processes that are clearly defined, easy to understand and are open to scrutiny;
- 7.2 Timely and cost effective;
- 7.3 Equitable – fair and open to all without bias, whether systematic or unintentional, on the grounds of gender, marital status, pregnancy, race, disability, sexual orientation, gender reassignment, religion or cultural beliefs, age, irrelevant criminal record or trade union activity;
- 7.4 Based on the:
- Ability to do the job;
  - Ability to make a contribution to the Organisation's effectiveness;
  - Ability to fit with the Organisation and team; and
  - Potential for development and a growth mind-set, where appropriate; and

- 7.5 Free from conflict of interest – i.e. no person involved in making a decision regarding an appointment has a non-professional interest in the outcome e.g. a close personal or family relationship with an applicant.
- 7.6 Recruitment and selection must be conducted as an evidence-based process and candidates should be assessed against agreed selection criteria, based on relevant knowledge, skills, competencies, experience and qualifications to perform the role as outlined in the job description and person specification. All decisions must be recorded and interview notes filed and securely retained.

## **8. Assessment and Selection**

- 8.1 Once the closing date for a vacancy has passed, longlisting and shortlisting should be undertaken independently by at least two individuals who are involved in the recruitment and selection process. The Organisation reserves the right to carry out online searches as part of due diligence on shortlisted candidates, in particular for learner-facing roles. This ‘digital screening’ is part of checking suitability for working with children only, and not other parts of a person’s life. The Joint Directors will carry this out using Google as the search engine, to obtain a ‘snapshot’ of the applicant. All decisions are made based on reasonable and objective information only.
- 8.2 An interview schedule will be agreed to include a panel interview and any skill tests (e.g. presentations, observed teaching, administration, psychometric and/or aptitude tests). Any skills tests must be directly related to the role and assessed by the same person. Candidates must be notified of the details of any skills test when they are invited for interview and adjustments required to do these tests must be taken into consideration. Ideally at least 5 working days’ notice should be given to all candidates of the interview date to ensure adequate time for preparation.
- 8.3 Should the selection process be extensive [e.g. incorporating a number of skills assessments/ tasks] then no less than 1 weeks’ notice should be given to candidates.
- 8.4 Interviews must be conducted by at least two people, one of whom must have a current ‘Safer Recruitment in Education’ certificate. All interviews for the same post should be conducted by the same panel, where operationally possible, to allow for consistency.

- 8.5 All applications should be scrutinised during shortlisting for discrepancies/ anomalies/ gaps in employment and frequent changes to roles or location and notes taken to explore at interview if a candidate is considered for shortlisting. Where references are received before interview these should be checked against the application form to ensure that the data matches - this can be explored at interview. Shortlisted candidates will be asked to complete a Criminal Record self-declaration form – this will be sent with the invite to interview.
- 8.6 Interview questions must relate to the job requirements as stated in the job description and person specification and the candidate's suitability for the position. These documents should be used as the basis for determining the interview questions. Candidates should be asked the same core questions within each interview process including all questions relating to Safer Recruitment. The Joint Directors can advise on the appropriateness of questions, ensuring fairness and legislative compliance. It is imperative that Child Protection questions are asked finding out what attracted the candidate to the post being applied for and their motivation for working with children. Interviewers should ask for examples of working with children.

## **9. Offer of Employment**

- 9.1 The choice of appointee will normally be determined by agreement of the interview panel.
- 9.2 Once an appointment has been offered by the Hiring Manager, and verbally accepted, the unsuccessful candidates will be notified via email. Any written offer of employment must be sent to the applicant as a hard copy.
- 9.3 Offers of employment are conditional on the following, dependent on role:
- 9.3.1 the agreement of a mutually acceptable start date and the signing of a contract/ casual worker agreement incorporating the Organisation's standard terms and conditions of employment/engagement;
- 9.3.2 verification of the applicant's identity;

- 9.3.3 the receipt of at least two references (one of which must be from the applicant's most recent employer) which the Organisation considers to be satisfactory;
- 9.3.4 the Organisation being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at the Organisation or which, in the Organisation's opinion, renders the applicant unsuitable to work at the Organisation; and
- 9.3.5 the Organisation being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the Organisation or which, in the Organisation's opinion, renders the applicant unsuitable to work at the Organisation;
- 9.3.6 the receipt of an enhanced disclosure from the DBS which the Organisation considers to be satisfactory;
- 9.3.7 confirmation that the applicant is not named on the Children's Barred List;
- 9.3.8 confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education or working in a position which involves regular contact with children;
- 9.3.9 confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent Organisation, where applicable;
- 9.3.10 verification of the applicant's medical fitness for the role;
- 9.3.11 Verification of the applicant's right to work in the UK;
- 9.3.12 any further checks which are necessary as a result of the applicant having lived or worked outside of the UK, where applicable;



9.3.13 verification of professional qualifications which the Organisation deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified);

9.3.14 a satisfactory Social Media Check (online).

9.4 Conditional offers of employment will normally be made verbally by telephone by the Hiring Manager and, once agreed, confirmed in writing.

9.5 The process of co-ordinating and conducting pre-employment checks will be conducted by the Joint Directors, who will also confirm the date on which the candidate can commence employment once all checks are complete.

## **10. Feedback to Candidates**

10.1 The Organisation will provide feedback to unsuccessful candidates who have attended interview if this is requested. The Joint Directors can provide advice as required. It is the Organisation's policy not to provide feedback to candidates who are not invited to interview.

## **11. Interview Documentation**

11.1 All recruitment records such as shortlisting information and interview notes and assessments must be retained for a minimum period of six months and then confidentially disposed of. Access to these records will be limited to Directors. Application forms, recruitment notes or ID documents must not be saved or stored by any panel member in their own directory or files.

## **12. Pre-employment Checks**

### **12.1 Barred List**

A Barred List check will be obtained separately from the Enhanced Disclosure and Barring Service (DBS) check through the online service to ensure that applicants are not unsuitable for working with children.

### **12.2 Disclosure and Barring Service (DBS) Check**

- 12.2.1 An enhanced criminal record check using the Disclosure and Barring Service (DBS) will be carried out for every member of staff. An enhanced DBS check will also be carried out by the Organisation for any person authorised to work with or supervise any pupil(s) in All Things SEN.
- 12.2.2 All employment with children is exempt from the provisions of the Rehabilitation of Offenders Act 1974. Therefore applicants must declare all previous convictions, cautions reprimands or final warnings including those which would normally be considered “spent” except those received for an offence committed in the UK if it has been filtered in accordance with the DBS filtering rules. In the event that an applicant discloses relevant information, or information is disclosed on the DBS, a Risk Assessment will be carried out before reaching a recruitment decision.
- 12.2.3 A DBS check should be completed prior to a member of staff starting employment at All Things SEN. In extreme cases it may be necessary for a member of staff to start employment before the DBS check has been fully processed. In such a case a Barred List check and all other relevant checks must have been completed satisfactorily. The DBS application must be made in advance and a risk document completed by the Line Manager assessing any risk and outlining controls and supervision which will be put in place around the new employee prior to them starting employment. The risk assessment will be subject to regular review and details will be recorded on the Organisation’s Single Central Record (SCR). The risk assessment must be signed off by a manager with relevant authority.
- 12.2.4 It should be noted that original DBS certificates are sent directly to the person who they are carried out for and the Organisation receive notification via the online DBS portal. A printout from the portal is kept on file which shows the date and results of the enhanced check. The original certificate must be seen and verified by the Joint Directors prior to the employee starting work and no later than their first day of employment.
- 12.2.5 DBS certificates are not portable between one organisation and another unless the applicant has registered for the DBS Update Service.

### **12.3 Verification of Identity and Address**

- 12.3.1 All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications as set

out below and in the list of valid identity documents at the ID checking guidelines for DBS applications available on the gov.uk website:

[www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018](https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018)

12.3.2 Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. The Organisation asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE. Proof of date of birth is necessary so that the Organisation may verify the identity of, and check for any unexplained discrepancies in the employment and education history of, all applicants.

12.3.3 The Organisation does not discriminate on the grounds of age.

12.3.4 **Please note that original of the above documents are required. Photocopies or certified copies are not sufficient.**

## **12.4 Medical Fitness**

12.4.1 The Organisation is legally required to verify the medical fitness [both mental and physical] of anyone to be appointed to a post at the Organisation, after an offer of employment has been made but before the appointment can be confirmed. It is the Organisation's practice that all applicants to whom an offer of employment is made must complete a health questionnaire. The Organisation will arrange for the information contained in the health questionnaire to be reviewed by the Joint Directors in the first instance. If there are any doubts about an applicant's fitness the Organisation will consider reasonable adjustments in consultation with the applicant. The Organisation may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment, if necessary.

12.4.2 The Organisation is aware of its duties under the Equality Act 2010 and that legislation prohibits questioning regarding medical fitness prior to an offer of employment. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and/ or suitable alternative employment.

## **12.5 References**

- 12.5.1 All offers of employment will be subject to the receipt of a minimum of two references, which are considered satisfactory to the Organisation; one of whom must be the current employer. Where this is no current employer, references must be obtained from the most recent periods of employment.
- 12.5.2 For pupil facing roles, references will be requested prior to a face to face, on-site interview, wherever possible. For staff in non-pupil facing roles, references will normally be requested when a verbal job offer has been made and in any case references must be received before the staff member starts work for the Organisation. All offers are conditional upon the receipt of a minimum of two satisfactory references. A reference will not be valid if it is provided by a family member or friend of the candidate.
- 12.5.3 Candidates should be made aware of the Organisation's intention to contact referees and therefore give their agreement to this where feasible. This is usually done via the application form. Applicants are able to indicate on their application form if they do not want a referee to be contacted prior to interview and contact should not be made in either writing or verbally in such circumstances.
- 12.5.4 References should be provided in writing and ideally should be from a senior person with appropriate authority. If received via email, they must originate from a legitimate source. References must include information on whether the referee considers the candidate is able to perform the role, whether they know of any reason why the candidate may not be suitable for working with children and whether there are any health issues which may affect their performance in the role. Reasons for leaving should also be obtained.
- 12.5.6 Where a verbal reference is provided, a note for the file will be made outlining the key points which will be signed and dated with details of who was spoken to.
- 12.5.7 References will be reviewed by Directors upon receipt to check that all specific answers have been answered satisfactorily and dates of employment match with what is stated on the application form.

- 12.5.8 The Organisation will seek references from the current and most recent employer for up to a period of 5 years prior to their start date. At times the Organisation may need to gain references beyond 5 years, such as when the candidate has had a number of employers, for example.
- 12.5.9 The Organisation will verbally verify references received with the referee when the candidate has worked with children in their previous role(s). As part of the verification process past employers will be asked about child protection or disciplinary issues in relation to the new employee and confirm reasons for leaving.
- 12.5.10 All references will be held on the personal file. Any references taken up for unsuccessful candidates will form part of the recruitment paperwork and will be destroyed after a period of six months from the date of the interview.

## **12.6 Qualifications**

- 12.6.1 The Organisation will request sight of qualification certificates / professional qualifications which the Organisation deems a requirement for the post. The certificates will be verified against the details provided in the application form.
- 12.6.2 For teaching staff who need to evidence the level of their overseas qualification for employment, they may be required to access the relevant service via UK ENIC [formerly known as NARIC].

## **12.7 Overseas Checks**

- 12.7.1 Where an applicant has worked overseas for three months or more in the last five years, the Organisation will require them to provide a certificate of good conduct or equivalent from the police or relevant authority in that country they have worked. This will be obtained by following the information contained in the [www.gov.uk link: https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants).
- 12.7.2 The Organisation reserve the right to request checks for overseas roles that were held more than five years ago or for less than three months.

- 12.7.3 The application to the relevant authorities must have been before the person starts work, whether or not any response is received. The Joint Directors will need to see evidence of this application for compliance purposes.
- 12.7.4 In the absence of a response before the person starts work, or if the country does not have a suitable system in place, the Organisation will obtain additional references. This is likely to be requested from a suitable person who worked with the new staff member whilst they were abroad.
- 12.7.5 The Organisation may request that an applicant obtains a letter of professional standing from the professional regulating authority in the country in which they worked.

## **12.8 Right to Work in the UK**

- 12.8.1 It is unlawful to employ a person who does not have permission to be in, or work in, the UK. A National Insurance number is not sufficient evidence that an individual is eligible to work in the UK. The Organisation can be prosecuted with a fine up to £20,000 per illegal worker if it is found to breach these regulations.
- 12.8.2 All new employees will be required to produce evidence that they are eligible to work in the UK before they are able to commence employment with the Organisation. A passport or documentation proving place of birth will be required as well as any documentation showing permission to work in the UK if the passport does not cover this, such as a Permanent Residence Card or Biometric Residence Permit. The Joint Directors will advise on any documentation required. Further information regarding the right to work in the UK can be found on the Government website: [www.gov.uk/check-job-applicant-right-to-work](https://www.gov.uk/check-job-applicant-right-to-work).
- 12.8.3 Free movement with the European Union (EU) ended on 31<sup>st</sup> December 2020 and there are new arrangements for EU citizens. For all non-British nationals a combination of some or all of the following schemes come into play to determine their immigration/ right to work status:
- The EU Settlement Scheme [Settled and Pre-Settled Status]
  - The points-based immigration system
  - Employer sponsorship

#### **12.8.4 The EU Settlement Scheme [Settled and Pre-Settled Status]**

This applies to EU nationals who started living in the UK prior to 31st December 2020. They had the opportunity to register to the Scheme before 30th June 2021 for either settled or pre-settled status. This gives them a number of rights depending on how long they had been in the UK, including an automatic right to work.

It is the individual's responsibility to have done this, and not the Organisation's.

The Joint Directors will conduct an online Right to Work check using the applicant's date of birth and share code.

#### **12.8.5 Points based immigration system**

Every non-British national who does not have settled or pre-settled status, whether EU or otherwise, is subject to the new points-based immigration system. This sees points awarded for characteristics like education level, fluency of English and salary. A points threshold must be reached to qualify for a right to work.

#### **12.8.6 Employer sponsorship**

All Things SEN are not licensed to sponsor non-British nationals for employment purposes.

### **12.9 Prohibition from Teaching**

All staff employed or engaged to carry out teaching work will be subject to an online Prohibition Check using the online Portal. This check is applicable even if the staff member does not have Qualified Teacher Status or a Teacher Reference Number. At All Things SEN this applies to any staff throughout the Organisation working directly with pupils.

## **13. Single Central Record (SCR) of Appointments**

The Organisation is legally required to keep a central record for all members of 'staff' including volunteers and others brought into the Organisation to provide additional teaching, instruction or supervision. The record is confidential and is the responsibility of the Joint Directors. Details contained on the SCR include the staff member's name, address, date of birth, right to work in the UK, DBS and prohibition checks, qualifications (if required for the post) as well as dates when references were received, receipt of application form and confirmation of medical fitness.

## **14. New Starters**

### **14.1 Contract**

All contracts and offer letters will be produced and signed by the Joint Directors.

### **14.2 Probationary Period**

All staff who are new to the Organisation will undergo a probationary period, as per their contract of employment. During this time they will receive regular reviews from their line manager.

## **15. Induction Process**

15.1 All new employees will receive a systematic induction when they join the Organisation. Induction guidelines are contained in the Training Policy.

## **16. Appointment of Supply Staff [Agency Staff]**

16.1 The checks below apply to people who are offered for supply work at the Organisation by an employment business (temping agency) and who will be in regulated and unsupervised work. Supply staff could perform any function at the Organisation, not only teaching.



- 16.2 The Joint Directors will coordinate and authorise the use of an agency worker. The Agency will be informed of the terms and conditions of the role (hours, job description etc.) and will agree a rate of pay for services.
- 16.3 The Supply Agency will be asked by HR to confirm in writing that the required checks have been carried out to the extent relevant to that person and the role. These checks will include: identity, enhanced DBS, right to work in the UK, barred list, prohibition from teaching, prohibition from management, qualifications and overseas checks.
- 16.4 The Supply Agency should take up references, obtain a declaration of fitness, check previous employment history and, if applicable, check whether the person is disqualified from childcare under the Childcare Act 2006.
- 16.5 The Organisation will be required to see the DBS certificate, where appropriate, as well as check the identity of the supply staff upon arrival at the Organisation to ensure they are the same person on whom the checks have been carried out.

## **17. Appointment of Proprietors**

- 17.1 The Proprietor is the person or body of persons responsible for the management of the Organisation. For All Things SEN, the Proprietors are Dean Frances-Hawksley and Steven Lane, also referred to as Joint Directors.
- 17.2 The checks on a Proprietor will include a check on the barred list, prohibition from management, enhanced DBS check which is countersigned by the Secretary of State, identity and right to work in the UK. Further checks may be required as considered appropriate by the Secretary of State in the event the Proprietor has lived overseas.