



## HR DIVISION GUIDANCE FOR HEADTEACHERS AND GOVERNORS ON APPOINTMENTS AND SAFE RECRUITMENT PRACTICE

### 1. Introduction

This Council is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims to:

- Attract and select the best possible applicants to vacancies
- Deter prospective applicants who are unsuitable to work with children or young people
- Identify and reject applicants who are unsuitable to work with children and young people

The School will operate safe recruitment practices ensuring that all staff in “regulated activity” have appropriate Disclosure and Barring Service (DBS) and reference checks undertaken according to Welsh Government circular 158/2015 ‘Keeping Learners Safe’.

The circular emphasises:

***It is vital that schools, Further Education (FE) colleges and other education establishments adopt recruitment and selection procedures, and other HR management processes that help to prevent, identify and reject people who might abuse children, or are otherwise unsuited to work with them.***

Recruitment and selection to positions in schools must be conducted in accordance with the principles and provisions of the Equality Act 2010.

### 2. Before Advertising

- 2.1 When a vacancy occurs the school needs to consider whether the job in its present form is still needed. This should be done after a full financial and curriculum review.
- 2.2 If there is a vacancy the school should inform the HR Division of that vacancy by completing an Employee Requisition Form and forwarding to the HR Adviser (Appendix 1). If the vacancy has arisen due to a resignation, please ensure that a copy of the letter of resignation has been sent to the HR Division together with a termination form.
- 2.3 The Governing Body may delegate an appointment to an appropriate sub-committee.
- 2.4 A specific panel comprising at least three governors should be established by the full Governing Body for Headteacher or Deputy Headteacher appointments. The panel membership for other posts should be agreed by the Governing Body.

Pembrokeshire County Council	Document Control no: 052
	Page 1 of 13
	Issued: April 2009
	Review: September 2021
	Amend: August 2011, March 2013, August 2019, October 2019
HR Guidance for Schools on Safe Recruitment Practice	

- 2.5 An appointment panel should never consist of more than 50% of the Governing Body, but as a minimum one governor and the Headteacher should be panel members for any contracted post.
- 2.6 At least one member should have attended the Safer Recruitment Training module delivered through the Council.
- 2.7 For new posts, the Headteacher and governors shall produce a job description and person specification for the post. The job description will capture the key accountabilities of the post, and define the competencies and knowledge range required to deliver them including attitude/motivation and values towards children and young people. When recruiting to existing posts, the Headteacher and governors should review the job description to ensure it remains fit for purpose.
- 2.8 Generic job descriptions for teaching and support staff can be used and are located on the HR folder of the Pembrokeshire Hwb site. All job descriptions must contain specific reference to safeguarding responsibilities and requirements. The generic job descriptions already contain these references. In instances where Headteachers and Governors choose to write a job description for a unique post, they must ensure that these safeguarding references are included.
- 2.9 Prior to advertising, the School should give prior consideration to any suitable candidate within the Council who has been nominated for redeployment in line with the Redeployment Protocol<sup>1</sup>. The HR Division will provide the school with a list of these employees on receiving information about the vacancy.
- 2.10 There is no need to advertise a temporary post which is for 4 months or less even though such posts will be subject to the same vetting procedures as all other posts.

### 3. The Advertisement

Having prepared a job description and person specification for the vacancy and considered the scope for redeployment, attention can now be given to advertising the position.

- 3.1 All adverts for Headteachers and Deputies must be advertised nationally. They will be advertised on the Council's website as a minimum; governors may choose to advertise nationally in other publications such as the TES.. However this requirement does not extend to all other school based posts. The current advertising protocol for non-teaching vacancies, determines that all posts will be advertised internally in the first instance. The exception being where the Headteacher has a genuine occupational requirement which supports the need for an external advertisement.
- 3.2 Advertisements for posts will include the statement:

<sup>1</sup> Governing Bodies who have adopted the LA recommended Redundancy & Redeployment Policy have given a commitment to following the redeployment process.

Pembrokeshire County Council	Document Control no: 052
	Page 2 of 13
	Issued: April 2009
	Review: September 2021
HR Guidance for Schools on Safe Recruitment Practice	Amend: August 2011, March 2013, August 2019, October 2019

*“Safeguarding and Child Protection are key priorities for Pembrokeshire’s Children & Schools’ Directorate. We aim to support vulnerable children and young people to ensure they are as safe as they can possibly be. Our schools are committed to ensuring the safety and protection of all children and will take action to safeguard their well-being, and acknowledge that children have a right to protection. This is supported in the general ethos of all schools.*

*This post is subject to an Enhanced DBS check.”*

- 3.3 Completed application forms should be submitted for all posts on the Council’s standard employment application. CVs will not be accepted as a substitute although they can be accepted in addition to the application form.
- 3.4 Allow reasonable time from the date of the advertisement to intended commencement date in order to obtain all relevant vetting documentation.

#### **4. Shortlisting Meeting**

- 4.1 The same appointment panel must be present to shortlist and to interview. If one of the panel members is unable to attend the interview, the remaining members should proceed with the interview.
- 4.2 For all Head and Deputy Headteacher appointments it is a requirement for the Director’s representative to be present for the shortlisting meeting and the interview. For other appointments it is at the discretion of the governing body whether the Director’s representative or HR Division representative is present.
- 4.3 If the Director’s representative or HR Division representative is not involved, then responsibility for the appointment process and its outcome rests solely with the Governing Body.
- 4.4 Shortlisting will be based on the agreed and appropriate criteria. The criteria for shortlisting will be an assessment of each applicant’s ability, based on available information, to meet person specification criteria. All applications and associated documentation should be returned to the HR Division and will be retained for a minimum of 6 months. This will ensure that any query about shortlisting decisions, whether or not this is based on a claim of discrimination, can be responded to properly.
- 4.5 The Panel could consider supplementing interview with other means of assessing candidates e.g. short presentation, informal discussion, classroom observation that may be deemed an appropriate assessment for the post in question. Where appropriate, involvement of children/young people is considered to be an appropriate tool to supplement the interview.
- 4.6 Unsuccessful candidates should be informed by letter.

#### **5. Selection**

Pembrokeshire County Council	Document Control no: 052
	Page 3 of 13
	Issued: April 2009
	Review: September 2021
HR Guidance for Schools on Safe Recruitment Practice	Amend: August 2011, March 2013, August 2019,
	October 2019

- 5.1 It is customary to invite candidates for teaching posts to visit the school prior to the interview.
- 5.2 The interview should adopt structured competency based format using the person specification criteria.
- 5.3 It is recommended that the interview include a selection of “Warner-style” questioning to assess values, motives and attitudes towards working with children and young people. Sample questions can be found on the HR folder of the Pembrokeshire Hwb site.
- 5.4 Candidates must always be required to:
  - Explain satisfactorily any gaps in employment
  - Explain satisfactorily any anomalies or discrepancies in the information available to recruiters
  - Declare any information that will appear on a DBS disclosure
  - Demonstrate their capacity to safeguard and protect the welfare of children and young people
- 5.5 A nominated panel member must ensure that the candidate evaluation record is completed according to the Council’s template.
- 5.6 This will ensure that any query about an interviewing decision, especially if this is based on an allegation of discrimination, can be dealt with in an informed way.
- 5.7 The job may only be offered conditionally subject to appropriate employment checks, including health checks, DBS disclosures, professional registration and the receipt of two satisfactory written references<sup>2</sup>.

## 6. Employment Checks

- 6.1 All successful applicants are required:
  - to complete an enhanced DBS disclosure application and receive satisfactory clearance (where applicable)
  - to provide original certificates of qualifications
  - to complete a confidential health questionnaire
  - to provide proof of eligibility to live and work in the UK, where appropriate
  - to provide proof of EWC registration (in the case of teaching staff and support staff directly supporting the delivery of teaching & learning, as defined by the EWC regulations)
- 6.2 Two Written references must be sought directly from the named referees. References or testimonials provided by the candidate should not be accepted.

<sup>2</sup> The requirement to have two written references prior to commencement of duties applies to new starters to the Council (including schools). For internal transfers (both corporate department to department and PCC school to school) consideration will be given to the existing references on record; in addition an employer reference will be sought from the current PCC line manager/Head Teacher.

Pembrokeshire County Council	Document Control no: 052
	Page 4 of 13
	Issued: April 2009
	Review: September 2021
HR Guidance for Schools on Safe Recruitment Practice	Amend: August 2011, March 2013, August 2019, October 2019

The standard PCC reference request form will be used in all cases. One reference must be from the applicant's current or previous employer.

- 6.3 Any written references sought direct by the School must be forwarded to the HR Division within 7 days of the appointment panel's decision to confirm appointment for retention of central personnel records.
- 6.4 Unless there is evidence of satisfactory DBS disclosure and two satisfactory written references on the personnel file held in County Hall, **new** employees **to the Council** must not be allowed to commence employment.
- 6.5 Schools shall observe the requirements of the Council's **Policy "Safe Recruitment: Statement of Policy and Practice"** on the use of criminal records information in employee selection."

## 7. Post-Interview

- 7.1 The successful candidate will be informed of the Panel's decision by the Chair of Governors or nominated person, where it will be confirmed that the offer is conditional upon satisfactory completion of the vetting procedure.
- 7.2 The Director's representative or nominated person will usually offer all unsuccessful candidates feedback on their interviews.
- 7.3 For out of county candidates it may be courteous to provide feedback immediately following the interview.
- 7.4 Schools should not show references to candidates.
- 7.5 Once the HR Division has been notified of the outcome of the interviews, the offer of the appointment will be confirmed in writing by the HR Division within 15 working days of receiving formal notification from a nominated member of the panel.
- 7.6 Schools are reminded that until all relevant checks are completed and evidence held on file, **newly appointed** staff cannot be permitted to take up their appointments and consequently cannot be placed on the payroll.

Pembrokeshire County Council	Document Control no: 052
	Page 5 of 13
	Issued: April 2009
	Review: September 2021
	Amend: August 2011, March 2013, August 2019, October 2019
HR Guidance for Schools on Safe Recruitment Practice	



## SCHOOL EMPLOYEE REQUISITION

It is assumed that, before advertising, all avenues to reduce staffing costs will have been explored.

<b>Position Details:</b>	
School	
Job Title	
Name of person to be replaced	
Employee number	
If additional post, the reason why	
Permanent/Temporary/Fixed Term	
If temporary/fixed term – until when	
If temporary/fixed term – reason for recruitment	
Number of hours per week	
Number of weeks to be worked	
Provisional start date (actual start date dependent on completion of vetting process)	
Grade of post	
Statutory Welsh language standards: assessment of Welsh language skills (please tick <b>one</b> box)	
(a) Welsh language skills are essential	
(b) Welsh language skills need to be learnt when appointed to the post	
(c) Welsh language skills are desirable	
(d) Welsh language skills are not necessary	
<p><b>Managers are reminded to ensure that the Person Specification for the job reflects the level of Welsh language skills listed above.</b></p>	
Job description attached	
Any additional comments:	

Pembrokeshire County Council	Document Control no: 052
	Page 6 of 13
	Issued: April 2009
	Review: September 2021
HR Guidance for Schools on Safe Recruitment Practice	Amend: August 2011, March 2013, August 2019, October 2019

# Pembrokeshire County Council

<p><b>REDEPLOYMENT</b></p> <p>Is the school prepared to consider suitable candidate from the redeployment pool prior to advertising? YES / NO</p> <p>This means that the vacancy will be referred to the next fortnightly meeting of the Corporate Redeployment Panel, who will determine if there are any suitable employees in the redeployment pool for your consideration. Schools are recommended to support the Authority's processes to redeploy employees at risk of redundancy.</p>
<p><b>INTERNAL/EXTERNAL RECRUITMENT</b></p> <p>The current advertising protocol for non-teaching vacancies, determines that all posts will be advertised internally in the first instance. The exception being where the Headteacher has a genuine occupational requirement which supports the need for an external advertisement.</p> <p>Please indicate whether you wish the vacancy to be advertised: <b>Internal or External</b></p> <p>What is the genuine occupational requirement which supports the need for an external advertisement?</p>
<p><b>APPROVAL TO RECRUIT</b></p>
<p>Headteacher:</p>  <p>Date:</p>
<p>Head of HR/HR Education Manager:</p>  <p>Date:</p>

Date Given to HR Adviser:

<p><b>F: To be completed by the link HR Adviser</b></p>	
<p>Please record the job details below and ensure they match those recorded in part 1, if there are any discrepancies please clarify these with the department before passing requisition to the recruitment team.</p>	
<p>Agreed Job Title: Title used for evaluation and Trent</p>	
<p>Job ID Descriptor:</p>	
<p>Role Profile:</p>	<p>Job ID:</p>
<p>Grade :</p>	<p>Job Family</p>
<p>DBS required?: Yes:                      No:</p>	<p>Trent position reference:</p>
<p> </p>	

Pembrokeshire County Council	Document Control no: 052
	Page 7 of 13
	Issued: April 2009
	Review: September 2021
HR Guidance for Schools on Safe Recruitment Practice	Amend: August 2011, March 2013, August 2019, October 2019

Pembrokeshire County Council

Signed:  
(HR Adviser)

Date:

When complete, please forward to the recruitment team

Pembrokeshire County Council	Document Control no: 052
	Page 8 of 13
	Issued: April 2009
	Review: September 2021
	Amend: August 2011, March 2013, August 2019, October 2019
HR Guidance for Schools on Safe Recruitment Practice	



## **Annex to the HR Division Guidance for Headteachers and Governors on appointments and safer recruitment practice**

### **GUIDANCE FOR GOVERNORS ON THE APPOINTMENT OF HEADTEACHERS AND DEPUTY HEADTEACHERS**

#### **1. Introduction**

This annex supplements the *Guidance for Headteachers and Governors on appointments and safer working practice* and should be read in conjunction with that document.

Welsh Government guidance places a framework around how a governing body (GB) should fulfil the responsibility of appointing a new headteacher or deputy headteacher, including central roles for LA officers.

Within the legal framework, the decisions on the detail of the process are for the governing body to determine, i.e. what selection methods to use, who to involve and the membership of selection panels.

Advice will be available to the GB from HR, Challenge Advisers and, where applicable, the diocesan authority. Governors are required to take careful account of the advice offered, and it is advisable that there is consensus over the suitability, both within the GB and between the GB and the local authority.

#### **2. Responsibility for recruiting a headteacher**

The Chief Education Officer of the LA or their representative is assigned advisory rights in all maintained schools (i.e. all the county's primary and secondary schools other than private schools). In VA schools, the appropriate diocesan officer has the same advisory rights. In VC schools, the GB may agree to grant advisory rights to the diocesan officer.

A Local Authority representative must be present during the appointment process to support and advise the GB. This will be in an advisory capacity with no voting rights. In a VA school the diocesan officer has the same advisory rights as the Chief Education Officer with respect to the appointment of staff.

Community and VC schools: the LA is legally the employer, but responsibility for appointments is delegated, in law, to the GB. The decision on who to appoint to headship rests with the governing body, following a recommendation from the selection panel.

**The GB must seek the agreement of the LA to appoint its chosen candidate. If, in exceptional circumstances, the governors wish to appoint a person to whom the LA has objected, the reasons for this decision must be stated in writing and may be subject to challenge.**

Pembrokeshire County Council	Document Control no: 052
	Page 9 of 13
	Issued: April 2009
	Review: September 2021
	Amend: August 2011, March 2013, August 2019, October 2019
HR Guidance for Schools on Safe Recruitment Practice	

VA schools: the GB is the employer. The decision on who to appoint to headship rests with the governing body, following a recommendation from the selection panel.

### 3. The main steps of the headteacher appointment process

- (i) The GB must ensure that the LA is notified of a vacancy, in writing, before taking any steps to advertise the post.
- (ii) Before the recruitment process begins, it is recommended that the full GB review the Individual School Range (ISR) for the headteacher and deputy headteachers, taking into account the school's size and circumstances. This should be done before finalising the advertisement.
- (iii) In order to ensure that governors and LA officers are available to attend, there must be adequate notification periods between meetings (preparation/shortlisting/interviewing)
- (iv) Advertising for headteachers or deputies must be placed nationally throughout England and Wales (see section 3.1 of the main guidance document). Note: Where two or more schools are amalgamating following statutory processes, the GB may choose not to advertise; LA officers will provide further advice on this where the situation arises.
- (v) Once the advert has been drawn up with advice from LA officers, the selection panel is responsible for approving it, including the cost, as this will be borne by the school's budget.

### 4. Deadline dates for resignations throughout the academic year

To leave at	Headteacher resignation deadline Minimum of 3 months' notice, 4 months in summer term	Deputy headteacher resignation deadline Minimum of 2 months' notice, 3 months in summer term
30 <sup>th</sup> April (or end of spring term)	31 <sup>st</sup> January	28 <sup>th</sup> /29 <sup>th</sup> February
31 <sup>st</sup> August (end of summer term)	30 <sup>th</sup> April	31 <sup>st</sup> May
31 <sup>st</sup> December (end of autumn term)	30 <sup>th</sup> September	31 <sup>st</sup> October

### 5. The selection panel

- (i) The GB must appoint a selection panel. This must comprise at least 3 but no more than 7 governors. The LA recommends that the panel has an odd number of members. In VA schools only, the GB can appoint a selection panel, or the whole of the GB can form the panel.
- (ii) The LA recommends that any governor employed to work at the school should not be a member of the appointment panel.
- (iii) Outgoing or acting headteachers/deputy headteachers **must not** be involved in any way with the formal appointment process of their successor.

Pembrokeshire County Council	Document Control no: 052
	Page 10 of 13
	Issued: April 2009
	Review: September 2021
HR Guidance for Schools on Safe Recruitment Practice	Amend: August 2011, March 2013, August 2019, October 2019

- (iv) Panel members should be available to give the time necessary to all stages of the appointment process. The same appointment panel must be present to shortlist and interview. If one of the panel members is unable to attend the interview, the remaining members should proceed with the interview.
- (v) At least one panel member must have attended Safer Recruitment training.

#### **6. Conduct of the selection panel (from the Staffing of Maintained Schools (Wales) Regulations 2006)**

- (i) One member of the panel should be elected as chair. This cannot be a governor that works at the school.
- (ii) The GB could choose to have non-governor members. The GB decides whether a non-governor member has a vote. The majority of panel members on any selection panel must be governors.
- (iii) In the event that there is an equal division of votes, the chair has a second or casting vote. Any decision of the selection panel must be taken by a vote representing an absolute majority of all the members of the panel, whether or not taking part in the vote.

#### **7. Duties of the selection panel**

- (i) Agree a person specification, detailed job description and an advertisement for the post (model person specification and job description will be provided by the LA).
- (ii) Short-list candidates in accordance with the person and job specification and essential criteria.
- (iii) Agree the format of the interview, tasks and questions to be used, including appropriate involvement of pupils. It is recommended that headteacher and deputy headteacher recruitment includes an interview, a presentation and one or more tasks; one of these should allow for pupil engagement and pupil voice.
- (iv) Interview selected candidates.
- (v) Where considered appropriate, recommend to the full governing body the appointment of the preferred candidate.

#### **FLOWCHART ON NEXT SHEET**

Pembrokeshire County Council	Document Control no: 052
	Page 11 of 13
	Issued: April 2009
	Review: September 2021
	Amend: August 2011, March 2013, August 2019, October 2019
HR Guidance for Schools on Safe Recruitment Practice	

## 8. The Process – flowchart

<b>Vacancy identified</b>
<b>Notify LA in writing</b>
<b>First meeting – full GB with support from LA officer</b> <ul style="list-style-type: none"> <li>• appoint selection panel including at least one member who has completed Safer Recruitment training</li> <li>• review ISR</li> </ul>
<b>Second meeting (may immediately follow the first meeting) – selection panel with support from LA officer</b> <ul style="list-style-type: none"> <li>• planning</li> <li>• agree person specification, job description and advertisement</li> </ul>
<b>Third meeting – selection panel with support from LA officer</b> <ul style="list-style-type: none"> <li>• Shortlisting</li> <li>• Agree the format of the interview process including appropriate involvement of pupils</li> </ul>
<b>Interviews with support from LA officer</b> <ul style="list-style-type: none"> <li>• Include interview(s) and other tasks</li> <li>• May be a two day process</li> </ul>
<b>Selection of candidate for appointment by panel</b> <ul style="list-style-type: none"> <li>• LA representative to seek approval from Chief Education Officer</li> </ul>
<b>Verbal offer to successful candidate</b> <ul style="list-style-type: none"> <li>• Any offer must clearly indicate that it is subject to the usual employment conditions (see section 7 of the main guidance document) and to ratification by the full GB</li> </ul>
<b>Extraordinary full GB meeting</b> <ul style="list-style-type: none"> <li>• Recommended that this takes place following the deliberations of the selection panel – preferably the same day</li> <li>• GB receives the recommendation of the selection panel and confirms appointment subject to appropriate pre-employment checks</li> </ul>
<b>Chair of GB informs LA in writing</b> <ul style="list-style-type: none"> <li>• Details of successful candidate including start date and starting salary point</li> </ul>

Pembrokeshire County Council	Document Control no: 052
	Page 12 of 13
	Issued: April 2009
	Review: September 2021
	Amend: August 2011, March 2013, August 2019, October 2019
HR Guidance for Schools on Safe Recruitment Practice	

Pembrokeshire County Council	Document Control no: 052
	Page 13 of 13
	Issued: April 2009
	Review: September 2021
	Amend: August 2011, March 2013, August 2019, October 2019
HR Guidance for Schools on Safe Recruitment Practice	