



# NORTH BIRMINGHAM ACADEMY

## STAFF APPOINTMENT POLICY

### 1 Introduction

- 1.1 The North Birmingham Academy (NBA) recognises that its employees are its single most important resource. Therefore, recruitment is a management activity of major importance. Recruitment is not an isolated task but rather the beginning of the employment relationship.
- 1.2 The Academy recruitment and selection processes are based on:
- i the ability of the candidate to undertake the specific role;
  - ii the ability of the candidate to make a contribution to the life of the Academy; and
  - iii the candidate's potential for development.
- 1.3 The Academy should at all times use the recruitment and selection process to:
- i attract and retain a high calibre of staff;
  - ii ensure the highest quality of teaching and support for all students;
  - iii be competitive with other organisations especially in the areas and categories where recruitment is particularly difficult; and
  - iv promote the most favourable image of the Academy.
- 1.4 This procedure covers the appointment of staff to all posts.
- 1.5 The Principal has sole responsibility for the appointment of staff under this procedure.
- 1.6 Throughout the recruitment and selection process, all staff involved must be mindful of the Academy's Equal Opportunities (Staff) policy.

### 2 Review of the vacancy

- 2.1 When there is a vacancy due to an employee leaving the Academy, it is the Principal's responsibility to review the vacant position and assess whether the vacancy requires to be filled. The role and its fit within the structure of the Academy should be included in this review. The Principal should make a brief note of the conclusions of this review.

- 2.2 Where an increase in student numbers generates the need for additional staff, it is the Principal's responsibility to assess the level and nature of that need. The Principal should report the conclusions of that assessment to the Governing Body and wherever possible (ie time allows) should seek approval for any increase in the number of posts. It is anticipated that this would normally form part of the annual budget process.
- 2.3 Consideration must be given to whether vacancies can be filled by a part time appointment or a job share. The requirements of continuity for the learning experience of students are of primary importance.

### **3 Job description and person specification**

- 3.1 The job description should outline the duties and responsibilities of the job. The job description must state whether the position requires Standard or Enhanced Disclosure from the Criminal Records Bureau (CRB).
- 3.2 The person specification will outline the characteristics and attributes of the ideal candidate. When determining the person specification, the Principal should avoid setting standards of qualifications, experience or personal qualities which may unfairly discriminate against minority racial groups, those of one sex or the other or the disabled. The person specification should be used as a check-list of attributes in the short-listing, interviewing and appointment process.

### **4 Application Form**

- 4.1 The Academy will use a standard application form for the appointment of staff. Modifications to the standard application form may be made to reflect the needs of the particular position being advertised. For example, there may be differences in the information required from applicants for teaching and support posts.
- 4.2 The use of an application form as a standard recruitment tool is intended to contribute to ensuring that the recruitment process is non-discrimatory.

### **5 Job Information Pack**

- 5.1 A job information pack should be produced for all vacancies prior to advertising the vacancy. The pack should include:
- i Application form
  - ii Equal Opportunities Monitoring form
  - iii Job description
  - iv Person specification
  - v Background information on the Academy (e.g. prospectus)
  - vi Contextual information, where appropriate (e.g. staffing structure)
- 5.2 Applicants should receive the job information pack promptly after their enquiry.

## **6 Advertising**

- 6.1 The Principal must consider whether or not it would be appropriate only to advertise the vacancy internally. In arriving at this decision, the Principal should be mindful of the principles set out in the Introduction to these procedures, the requirements of these procedures in relation to discrimination and the Academy's Equal Opportunities (Staff) policy. The Principal should record the reason(s) for the decision taken on external advertising.
- 6.2 Steps should be taken to ensure that knowledge of vacancies reaches under-represented groups internally and, where appropriate, externally.
- 6.3 The Principal should ensure that a copy of the advertisement is circulated within the Academy immediately prior to any external advertisement.
- 6.4 Wherever appropriate, vacancies should be notified to job centres, careers offices and colleges as well as to minority press, media and organisations. The Academy may also invite someone for interview by approaching a specific individual.
- 6.5 All vacancy advertisements should include a short statement on equal opportunities.
- 6.6 The Academy may use an agency or external consultancy to manage the recruitment process in whole or in part.

## **7 Short-listing of Applicants**

- 7.1 The Principal should decide who is to be involved in the short-listing process. The short-listing panel should consist of at least two people.
- 7.2 The criteria for short-listing should be based on the job description and the person specification in order to ensure that the short-listing is carried out fairly and systematically.
- 7.3 A record of the decisions taken should be made. In particular, this should be clear on the reason(s) why unsuccessful applicants were not selected for interview.

## **8 Candidate References**

- 8.1 References will normally be sought between the short-listing process and the interview. No reference may be sought without the prior agreement of the candidate. This permission is requested on the application form.
- 8.2 One reference should be from the present or most recent employer of the candidate, unless the most recent employment relates to a period finishing over ten years ago.
- 8.3 Referees should have had some management responsibility for the applicant. However, where appropriate, a tutor's or client's reference would be acceptable. A personal reference, although sometimes helpful, should not be relied upon in making an assessment of the candidate's professional or work capabilities.

- 8.4 Referees should be asked to state their relationship to the applicant. Referees should also be asked to confirm the candidate's record of attendance and punctuality. This may lead to questions regarding the candidate's health record and suitability for the post. The Principal should follow up any concerns with the referee to ensure clarity of information. Similarly, where a reference is ambiguous on a material point, the Principal may make further enquiries of the referee.
- 8.5 The reference request may be open-ended or ask referees to respond to pre-determined questions. Care must be taken to ensure that any questions asked are fair and based on the job role. The job description and person specification should be included with all reference requests.
- 8.6 Two satisfactory written references are required before an offer of employment may be confirmed. If two references have not been received at the point of offer, the offer of employment should be made conditional on receipt of references. If a reference regarded as unsatisfactory is received, the candidate must be informed as soon as possible but should not be told the specific piece of information within the reference judged to make the reference unsatisfactory. Where a conditional offer is withdrawn, the Principal should ensure that the reason(s) for deciding that the reference is unsatisfactory is recorded.

## **9 Selection**

- 9.1 The Principal will determine the size and composition of the selection panel, taking into account the nature and seniority of the position being filled. The selection panel should consist of at least two people.
- 9.2 Care will be taken over the practical arrangements for the selection day(s). The process has an impact on how the Academy is perceived by both the successful and unsuccessful candidates. Care will also be taken where candidates have indicated that they have a disability which requires a reasonable adjustment to be made to the selection process.
- 9.3 The selection panel will draw up selection criteria taking account of the job description and the person specification. The selection panel should then consider the range of selection activities to be used; for example, interview, test(s), lesson delivery. The selection panel should be clear as to how these selection activities will allow them to apply the selection criteria. The candidates should be advised of these selection activities prior to the selection day.
- 9.4 The selection panel will also consider what activities might be appropriate in informing candidates of the nature of the post and the Academy; for example, tour of the Academy building, meeting(s) with staff and/or students.
- 9.5 On the day of the selection, panel members must allow time before the start to rehearse the areas to be covered. This may include reviewing the interview questions to ensure that they are based on the job description and person specification and address the selection criteria. To ensure consistency and fairness, every candidate should be asked the same or similar questions, as far as possible. The selection panel may allocate particular questions to its members. The selection

panel may seek advice from others involved in the selection day as long as such advice is sought consistently in respect of all candidates, and is recorded.

- 9.6 Each panel member should complete the evaluation sheet in respect of every candidate. This allows each panel member to state the reasons for their selection decisions.
- 9.7 Candidates must be notified of the outcome of the selection exercise as soon as possible after the selection day.

## **10 Conditional Offer**

- 10.1 The offer of appointment is typically conditional. Confirmation of the appointment may be conditional on receipt of:
- i Satisfactory references
  - ii Criminal Records Bureau Disclosure
  - iii Proof of qualifications
- 10.2 A conditional offer must state clearly that it is conditional, indicating the information on which the offer is dependent.

## **11 Criminal Records Disclosure**

- 11.1 All appointments are conditional upon the disclosure process operated through the Criminal Records Bureau. This process is a legal requirement with respect to all employees who have regular contact with children.
- 11.2 Teachers and those working closely with children or in sole charge of children must undergo Enhanced Disclosure. All other employees of the Academy must undergo Standard Disclosure.
- 11.3 Standard Disclosure will contain details of all convictions on record including current and spent convictions (i.e. those that happened some time ago and are defined as spent under the Rehabilitation of Offenders Act 1974). In addition, Standard Disclosure includes details of any cautions, reprimands or warnings held on the police national computer.
- 11.4 Standard Disclosure will also give information contained on government department lists of those unsuitable to work with children. These lists are held by the Department of Health and the Department for Education and Skills. The employment within an Academy of an individual on such a list is illegal.
- 11.5 Enhanced Disclosure includes the information that would be on a Standard Disclosure but may also contain information that is held locally by the police.
- 11.5 The advertisement for the post and the details within the Job Information Pack sent to all candidates should state whether the appointment requires Standard or Enhanced Disclosure.

- 11.6 The disclosure requirement is clearly stated in the contract of employment but should be explicitly stated during the selection process. This gives the candidate the opportunity to raise any known issues themselves during the interview.
- 11.7 In making a conditional offer of employment, the successful candidate should be invited to sign the Confidential Declaration Form and to return the form under confidential cover to the Principal. This form sets out clearly the legal requirements with regard to Disclosure and ensures that the candidate has the opportunity to declare any cautions, reprimands, warnings or convictions in confidence.
- 11.8 The disclosure of a current or spent conviction, caution, reprimand or warning does not necessarily mean that the offer of employment cannot be confirmed. The main consideration should be whether the nature or timing of the offence makes the candidate unsuitable for work in a Academy.
- 11.9 Appropriate and secure arrangements for storing disclosure documents during the recruitment process must be made. This information must be stored separately from personnel files and only those senior members of staff directly involved in the recruitment process should have access to the documents. The disclosure documents should be destroyed as soon as the appointment decision has been made.
- 11.10 The Academy must retain a record that disclosure has been requested and received for every employee. This record should include for each employee:
- i Date of Disclosure
  - ii Name of the person to whom Disclosure applies
  - iii Type of Disclosure
  - iv The position in question
  - v The unique identification number of the Disclosure
  - vi The recruitment decision taken
- 11.11 Disclosure should be requested for every new appointment to the Academy and also where there is a significant change of role impacting on the level or nature of contact with children causing an Enhanced Disclosure to be necessary for an employee who has only been subject to Standard Disclosure.

## **12 Policy on the Recruitment of Ex-Offenders**

- 12.1 As its policy on the recruitment of ex-offenders, the Academy has adopted the general practice guidance published by the Chartered Institute of Personnel and Development on the employment of people with criminal records.

## **13 Proof of Qualifications**

- 13.1 All appointments are conditional upon documentary proof of the applicant's qualifications (if applicable). This condition is clearly stated in the contract of employment but should be explicitly stated during the selection process.

13.2 The Principal should ask for sight of original documentation from the successful candidate.

## **14 Pay Decisions**

14.1 The Principal is responsible for deciding the salary level of the successful candidate. The pay decision will be made in line with the published pay policy, the experience and qualifications of the successful candidate and the previously approved salary band agreed when the proposed position was authorised.

## **15 Discrimination**

15.1 The Academy may not discriminate against applicants for employment on grounds of race, sex or disability. Very considerable care needs to be taken with respect to discrimination at all stages of the recruitment and selection process.

15.2 All applicants should be asked to complete an Equal Opportunities Monitoring form. The applicants' Equal Opportunities Monitoring forms must not be made available to those taking short-listing or selection decisions.

### ***Race Discrimination***

15.3 Direct discrimination arises where the Academy treats an employee or prospective employee less favourably on the grounds of race or ethnic origins than it treats (or would treat) someone else.

15.4 Indirect discrimination involves treatment which, although it applies to all employees and prospective employees, has a disproportionate effect on a particular group such as certain ethnic groups. Care needs to be taken where there may be an overlap between race and religion.

### ***Sex Discrimination***

15.5 Direct sex discrimination arises where the Academy treats an employee less favourably, on the grounds of gender, than it treats (or would treat) someone else.

15.6 Indirect sex discrimination involves treatment which, although it applies to all employees and prospective employees, has a disproportionate effect on a particular group, such as women. Care must be taken to avoid indirect discrimination which arises where the recruitment policies, selection criteria and/or conditions of employment make it more difficult for members of one sex to comply. Such policies may appear to be right in principle but are not permissible if they are discriminatory in effect.

15.7 Many women and, in particular, those returning to work after maternity leave express the wish to work on a part-time (or job share) basis and such requests should be received and considered sympathetically. Although there is no specific right to return to part-time employment after a period of maternity leave, an employee could argue that a refusal to allow her to return on a part-time basis is indirect discrimination. The

Academy must be able to show good reason why the work has to be done on a full-time basis.

***Disability Discrimination***

- 15.8 Employers are required to make reasonable adjustments to their employment arrangements or premises if the existing arrangements substantially disadvantage disabled applicants or employees. This includes making reasonable changes to premises, fixtures and fittings, furniture and stairways. Less favourable treatment can be justified if the treatment is relevant to the circumstances of the individual case or if the reason is substantial and cannot be reasonably overcome or reduced.
- 15.9 The Equal Opportunities Monitoring form asks prospective candidates to indicate whether there is a need for any reasonable adjustment to be made. It is essential that action is taken based on this information.

**16 Monitoring, Evaluation and Review**

- 16.1 The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Academy.

**Approved by NBA Governors on:** .....

**Date of Next Review:** .....

**Lead Manager:** .....