

# **GREENHEART**

## **LEARNING PARTNERSHIP**

# **Recruitment and Selection Policy for Employees and Volunteers**

### **2024/2025 Policy Update**

Following significant changes to the GLP Governance Framework, all policies are currently under review. Where the existing policies reference local governors or GLAC members, these actions will be undertaken by Partnership Trustees.

**Signed off by Trust Board meeting dated: July 2024**

**Effective from: September 2024**

**Review Date: July 2025**

**Author: Director of People and Engagement – Revision Number: 1**

**Summary of Changes: Added social media requirements in line with KCSIE 2022 (12.1.16)**

**Changed NQT to ECT – Updated Appendix 1 to statement provided by Brown Jacobson**

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## 1. Introduction

Recruiting the best people to Greenheart Learning Partnership is vital for our continued success in providing the highest standards of education to our pupils.

Not appointing the right people to our roles can have a negative impact on the performance of our Partnership.

The Headteacher is responsible for deciding on the arrangements to recruit to any post in our academies, with the exception of the Headteacher role where the Trust Board via the Chief Executive Officer will be responsible.

In carrying out our recruitment processes we:

- Are committed to the creation of a safe environment for our pupils by operating safer recruitment practices in line with the statutory requirements and guidance
- Will comply with the requirements of Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018)
- Set out how we comply with Data Protection Legislation within our Data Protection Policy GDPR
- Will comply with the requirements of the Equality Act (2010) and are committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation

In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by the Trust Board/CEO/Director of People and Engagement who will provide reasons for this requirement.

Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience and skills will be assessed at the level that is relevant to the job.

If an applicant makes the Academy/Partnership aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

## 2. Scope of Purpose

The purpose of this policy is to set out our processes for recruiting, selecting and appointing any employee to work within our Partnership.

Sections 13 and 14 on Disclosure and Barring Service checks also applies to volunteers in our Partnership.

## 3. Safer Recruitment

All recruitment must be in line with this policy to ensure that we identify, deter and prevent people who pose a risk of harm from working with our pupils.

The recruitment of all applicants and volunteers to our Partnership must, without exception, follow the processes of safer recruitment. All offers of employment will be subject to us being satisfied that the applicant or volunteer is a suitable person to work with children and young people.

Any person involved in recruiting to our Partnership must read the "Keeping Children Safe in Education" guidance (or updated statutory guidance) produced by the DfE and our Partnership's Safeguarding and Child Protection policy which is available on the Academy or Partnership's website.

All recruitment must be planned to ensure that there is adequate time available to recruit safely.

Any person who becomes aware that this policy is not being followed during recruitment must inform the Headteacher/Designated Safeguarding Lead immediately.

All of the checks described in Sections 12 and 13 must be carried out and have been determined as satisfactory before an applicant can start their employment in the Academy/Partnership.

## 4. Advertising

Any vacant position will normally be advertised via the appropriate channels to ensure the most appropriate field of applicants is obtained.

Caution should be applied in appointing friends and relatives - these positions must be advertised externally and the relevant staff member must not be part of the recruitment process.

All advertisements will have the following statement about safeguarding children and young people and the requirement to have a DBS check:

Greenheart Learning Partnership is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. All offers of

employment are subject to an Enhanced DBS check, and where applicable, a prohibition from teaching check will be completed for all applicants.

Under Part 7 of the Immigration Act 2016, the Public Sector fluency duty requires state funded schools to ensure candidates for their customer facing roles have the necessary standard of spoken English. For example, a teaching assistant required to communicate with pupils to support their learning, would be viewed as operating in a public-facing role. Adverts (and Job Descriptions) should make clear the necessary standard of spoken English required for the role.

All applicants will be provided with a copy of our Privacy Notice which sets out how we will gather, process and hold personal data of individuals during and after the recruitment process.

## 5. Job Description and Person Specification

A job description and person specification will be required for all posts. The job description describes the duties and responsibilities of the post. It must be up to date, accurate and specific to the role. The person specification which outlines all of the necessary skills, experience, qualifications and knowledge requirements for the post should accompany the advertised position.

All job descriptions and person specifications must make reference to the responsibility for safeguarding and promoting the welfare of children.

## 6. Application Form

All applicants are required to fill out the Partnership's standard application form. CVs will not be accepted as a replacement for the application form and must not be used as part of the recruitment process.

## 7. References

All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:

- Be requested for all shortlisted applicants, including internal applicants
- Include the applicant's current or most recent employer and where an applicant for a teaching post is not currently employed as a teacher, will include the applicant's most recent employer as a teacher
- Ask the current employer for details of any capability history in the previous two years, and the reasons for this
- Be directly from the referee
- Not be accepted if they are 'to whom it may concern' letters

- Request information on the applicant's suitability to work with children and young people
- Be requested before the interview; and
- Be explored further with the referee and with the applicant during the interview if necessary

Where it has not been possible to obtain references before the interview any concerns that are subsequently raised will need to be resolved before the appointment is confirmed.

In order to comply with the Equality Act 2010, information relating to sickness absence will only be requested after a conditional offer of employment has been made and only if necessary (seek advice from HR if this is case).

## 8. Short Listing

Applicants will be short-listed against the requirements of the person specification. The same people should carry out the short-listing and the interviews wherever possible. The outcome of the short-listing process will be recorded and retained.

The equal opportunities monitoring form must be removed from the application and not provided to the short-listing panel.

The short listing panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process.

## 9. Interviews

A face to face interview must take place for all applicants to all posts. The use of video conferencing, Zoom, Skype, MS Teams or other similar technologies is acceptable for this purpose where face to face interviews are not possible e.g. due to a pandemic or if candidates are in another country at the time of interview.

All those involved in interviewing must be properly prepared to undertake the role, which may involve appropriate interview training. At least one person on the interview panel must have passed the appropriate safer recruitment training and this must be recorded in the interview documentation. (From September 2014 and subject to parliamentary procedure, schools may choose appropriate training which as a minimum covers the Keeping Children Safe guidance and will no longer need to be provided by a person approved by the Secretary of State).

The purpose of the interview is to assess the merits of each applicant against the job description and person specification to establish their suitability for the post and to work with children and young people.

Interviews should be conducted with a minimum of two interviewers on the panel ideally with an equal gender balance to enable one interviewer to assess the applicant, observe and make notes whilst the applicant talks to the other interviewer.

Before the interview commences the interview panel should have:

- Prepared appropriate questions for the role
- Prepared appropriate questions to test the applicant's suitability to work with children and young people
- Identified any areas for further probing, e.g. if a criminal record has been declared or if there are gaps in employment etc
- Agreed assessment criteria which reflects the person specification; and
- Decided a structure to the interview and established which member of the panel will ask which questions
- A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning

Any gaps in employment history must be explored during the interview process.

Candidates shortlisted for interview will be asked about their suitability to work with children. They will also be required to disclose and then discuss criminal convictions and/or cautions which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) that may deem them unsuitable.

## 10. Other Selection Methods

In addition to a face to face interview with the interview panel a variety of other selection methods may be used, such as:

- Observation of teaching practice in our Academy or in the applicant's current school or academy
- One or more additional panel interviews (for example, a panel made up of pupils/staff/governors)
- A presentation
- In tray exercises; and
- Psychometric testing

Those responsible for deciding the arrangements for recruitment to a specific post will determine the selection method(s). They will be relevant and appropriate to the role and will be based on the requirements for the particular post as set out in the job description and person specification.

Candidates will be informed in advance if any selection methods are to be used in addition to a face to face interview and what these are.

Should there be a conflict of interest between members of the interview panel and the applicant, the panel member must declare this prior to the start of the interview process by notifying the Chair of the interview panel or Headteacher/Director of People and Engagement.

## 11. Level of Language Proficiency

Under the "fluency duty" (Part 7 of the Immigration Act 2016), public authorities are required to ensure that workers in public facing roles are fluent in English (or Welsh in Wales). Public facing roles are those members of teaching and support staff who, as a regular and intrinsic part of their role, are required to speak to members of the public (including students in schools).

The Partnership will accept a range of evidence of spoken English language ability as follows:

- Competently answering interview questions in English
- Possessing a relevant qualification for the role attained as part of education in the UK or fully taught in English by a recognised institution abroad
- Passing an English spoken language competency test or possessing a relevant spoken English qualification, taught in English by a recognised institution abroad

## 12. Pre-Employment Checks

- An offer of appointment to the successful applicant will be conditional upon the following:
- Receipt of at least two satisfactory written references (one of which must be their current or most recent employer);
- Verification of the applicant's identity, preferably from current photographic ID and proof of address;
- Verification of the applicant's mental and physical fitness to carry out their work responsibilities
- Verification of qualifications where relevant
- Verification of professional status where applicable. For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction, if required, through the Teacher Services System <https://teacherservices.education.gov.uk/>;
- Satisfactory enhanced DBS check (see Section 13)
- For management positions (Applicable to Governors/Trustees, CEO, Directors, Headteachers, members of the Senior Leadership Team), verification that they are not subject to a section 128 direction or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012 by checking the Teacher Services System <https://teacherservices.education.gov.uk/>

- For teachers and other employees who hold QTS who are working in non-teaching roles, verification that they are not subject to a prohibition order by checking the Teacher Services System <https://teacherservices.education.gov.uk/>
- For teachers, satisfactory check to determine any restrictions/sanctions that have been imposed in other EEA member states, through the provision of a letter of professional standing from the professional regulating authority in the country that they qualified.
- A clear children's barred list check (except supervised volunteers);
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
- Verification of right to work in the United Kingdom
- Any further checks where the applicant has lived or work outside of the UK including receipt of criminal record information from overseas <https://www.gov.uk/government/publications/criminal-recolrds-checks-for-overseas-applicants>
- Confirmation that the applicant is not disqualified from providing childcare. (this will apply where the school/academy undertakes any of the following:
  - Runs its own before or after school clubs or activities for children up to the age of 8
  - Provides education for children up to the age of 5
  - Guidance for new starters that for this purpose is available at Appendix 1 to this document

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online.

All checks must be confirmed in writing, retained on the personnel file and recorded in the single central record (SCR).

### **13. Disclosure and Barring Service (DBS) Checks for New Employees and Volunteers**

The Academy/Partnership will carry out a risk assessment to determine if a DBS check is required for each volunteer in accordance with Keeping Children Safe in Education. Further information in relation to DBS checks can be found in the Partnership's DBS Policy. If a volunteer is assessed as requiring a DBS check, the following DBS checks will be undertaken for new appointments, before the employee or volunteer starts work:

Who?	Definition	Type of check
Employees who will be engaging in regulated activity	<ul style="list-style-type: none"> <li>• As an educational institution which is exclusively or mainly for the provision of full-time education to children, [name of Academy] is an establishment specified in the relevant legislation. Activity carried out in this establishment will therefore be regulated activity relating to children if it meets the definition in the relevant legislation, including that it is carried out:</li> <li>• Frequently by the same person (for example once a week or more); or</li> <li>• On more than three days in any period of 30 days.</li> <li>• Note – personal care of a child because of age, illness or disability including physical help with eating, toileting, washing, bathing or dressing is always regulated activity regardless of how frequently it is carried out.</li> </ul>	An enhanced DBS check with children’s barred list check will be obtained
Unsupervised volunteers	As above	<p>An enhanced DBS check with children’s barred list check will be obtained</p> <p>Those applying for Chair of Trustee posts (after 01.04.17) must also have their identity verified for a stipulated professional as part of their DBS check as per the below link:</p>

		<a href="https://www.gov.uk/government/publications/identity-verification-for-new-chairs-of-trustees">https://www.gov.uk/government/publications/identity-verification-for-new-chairs-of-trustees</a>
Supervised volunteers	<ul style="list-style-type: none"> <li>• Where an individual is a volunteer (e.g. carrying out activity that is unpaid) they will not be engaging in regulated activity if:</li> <li>• They are being supervised by someone that is in regulated activity; and</li> <li>• The supervision is regular and day to day (e.g. it is ongoing); and</li> <li>• The supervision is reasonable in all the circumstances to ensure the protection of children (this may take into account for example, the age (including the variation in ages), number and vulnerability of children the individual is working with, the nature of the work and opportunity for contact with children, whether other individuals are helping to look after them and how many workers a supervisor is supervising).</li> </ul>	We are unable by law to obtain a barred list check on a supervised volunteer. We will however obtain an enhanced DBS check (with no barred list check) for supervised volunteers.

In exceptional circumstances a new employee or unsupervised volunteer may be able to start before the enhanced DBS check has been received, but not before the children's barred list check has been completed. The Academy/Partnership must ensure that appropriate supervision is in place until the DBS check has been received and an appropriate risk assessment is undertaken and recorded on file. The barred list can be checked separately prior to the DBS check being returned using the Teaching Regulation Agency website here: <https://teacherservices.education.gov.uk/>

DBS certificates will only be issued to the applicant. All applicants must produce the disclosure when requested to do so. The disclosure will be scrutinised to ensure it is authentic and to detect any fraud. The DBS disclosure number and date of the check must be recorded in the Single Central Record (SCR). We are not required to take a copy of DBS certificates however, we may choose to do so for decision making purposes. Any copy will be held for no longer

than necessary, and up to a period of six months and be processed in line with Data Protection Legislation.

Any applicant who refuses to produce their DBS disclosure will not be able to start work at the Academy/Partnership and the conditional offer will be withdrawn as satisfactory checks are not in place. Any volunteer who refuses to produce their disclosure will not be able to volunteer in any of our academies.

Applicants will only be asked to declare convictions and cautions that are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020)

Information relating to an individual's criminal record will only be shared with the relevant people to enable the Academy/Partnership to make a decision about their suitability to work with children and young people.

#### **14. Disclosure and Barring Service (DBS) Checks for Existing Employees and Volunteers**

An enhanced DBS check and a children's barred list check will be carried out for all existing staff and unsupervised volunteers (subject to risk assessment) where their contact with children or young people has increased from that at their time of appointment.

An enhanced DBS and children's barred list check may be carried out on any employee or unsupervised volunteer (subject to risk assessment) where the Academy/Partnership has concerns about an individual's suitability to work with children and young people. An enhanced DBS (no barred list check) may be carried out on any supervised volunteer (subject to risk assessment) where the Academy/Partnership has concerns about their suitability to work with children and young people.

DBS certificates will only be issued to the applicant. The Academy/Partnership expects all applicants to produce the disclosure when requested to do so. Any existing employee who does not produce their DBS disclosure will be managed through the disciplinary procedure.

All existing employees are required to inform the Academy/Partnership of any change in their criminal record. This includes convictions, cautions, arrests and police investigations which are not protected under the amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020). The Academy/Partnership requires all employees to sign a declaration on an annual basis that there has been no change in their criminal record. Action may be taken as a result of any change or any failure to inform the Academy / Partnership of any change.

## 15. Agency Staff

In the case of agency staff, the Academy/Partnership must ensure that the arrangement with the agency imposes an obligation on the agency to carry out all recruitment checks as set out in section 12, including DBS and children's barred list checks, that the Academy/Partnership would otherwise complete for its staff. The Academy/Partnership must obtain written confirmation from the agency that these checks have been carried out and are satisfactory. This must be recorded in the single central record (SCR).

Upon the engagement of an agency worker, the agency must be supplied with a copy of the Academy's/Partnership's Managing Allegations Against Staff Procedure unless they have previously been provided with the most recent version of this procedure.

## 16. Induction and Probationary Period

Once the starting date has been agreed, a local induction programme should be arranged and appropriate stakeholders notified.

Appointments will be made subject to a satisfactory probationary period (in line with the Partnership Probationary Policy), where appropriate. New employees' progress should be monitored closely by a designated member of the senior management team during this period. A recommendation should be discussed and agreed at the probation interview as to whether the employment should be confirmed, extended or terminated. Early Career Teachers (ECT) induction must be in line with statutory guidance on the induction of ECT's.

## 17. Fixed Term Contracts

The Trust Managing Fixed Term Contracts Guidance should be referred to when considering recruiting to a fixed term position. The Academy/Partnership should only recruit staff on fixed-term contracts when:

- It is known that the job, task or project will last for only a temporary period
- It is known in advance that a particular job will come to an end on a specific date
- The employee is engaged to cover for another employee who is absent on leave
- The post is dependent on external funding or other resources and there is a possibility that the funding or resources will come to an end

The academy will not normally engage someone on a fixed-term contract for a period of more than one year. In exceptional circumstances, where employment on one or more fixed-term contracts has continued, without any gaps, for four years or more, the employee will have the right (under the Fixed-Term Employees Regulations 2002) automatically to be treated as a permanent employee.

## 18. Meeting Short-Term / Ad-Hoc Staffing Requirements

From time to time there may be a necessity to employ a worker on an 'ad-hoc' basis to cover situations where work fluctuates unexpectedly and where consequently the employer cannot guarantee work and also to avoid the costs associated with using agency workers. In these circumstances, an offer of work can be made using workers that fall into three categories i.e.: Casual Workers, Workers (Agency) and Contractors

Casual Workers - an agreement between the worker and the Academy/Partnership where: the employer is not obliged to provide work and the worker is not obliged to accept any work offered. Casual workers should receive a written copy of their terms and conditions and will be subject to all relevant pre-employment checks outlined in this policy.

Agency Workers - engaged under a contract of services and includes supply staff and have access to rights under the Agency Worker Regulations.

Off Payroll Workers i.e. Self Employed/Independent Contractors - engaged under a contract for services or consultancy services. IR35 employment status checks on these workers must be undertaken to determine if they are in scope of IR35.

## 19. Internal Secondment

Secondment opportunities support a developmental and motivating workplace enabling staff to develop their knowledge, skills and experience. Internal secondments can allow the Partnership to recruit to short or fixed term vacancies whilst enabling secondees to develop skills and their understanding of particular areas of work. Objectives for secondments may include the following:

- Temporarily filling a vacancy where the host Academy/department lacks the appropriate expertise
- Transfer of expertise
- A project assignment
- Secondee's personal and professional development
- Creation of career development opportunities
- Cover of extended leave e.g. maternity or adoption leave

When a member of staff is undertaking an internal secondment, individual objectives should be set with him/her aligned to the overall objectives of the Academy/Partnership and improvement plans. These individual objectives are agreed at an initial meeting at the beginning of the secondment and then regularly reviewed with the relevant Leader. An Internal Secondment applies to members of staff who have successfully completed their probation, have been employed by the Partnership for a minimum of 12 months and are performing satisfactorily in their substantive role. The latter will be assumed unless there is

information to the contrary by way of evidence of performance-related discussions with their manager. The maximum period for a secondment is usually 2 years.

It will be for the Headteacher/Partnership Officer to determine whether a fixed-term contract may be advertised on a secondment basis. This would apply in circumstances where it is considered likely that the expertise required to fulfil the role already exists within the Partnership. Alternatively, an individual may identify an advertised fixed-term opportunity for which they would like to be considered on a secondment basis if they fulfil the required criteria for the role. It will be at the discretion of both the individual's line manager and the recruiting manager to decide how to proceed with the secondment request in such circumstances. If the secondment request cannot be accommodated, it will be for the individual to apply for the post on the same basis as other applicants and s/he will relinquish his/her right to return to their current post.

### **Definitions - Internal secondment**

An internal secondment is the temporary deployment of a member of staff to another role for a specific purpose and period of time to the mutual benefit of all parties. A secondment is usually for no longer than 2 years and is different to a Temporary Responsibility arrangement which is defined below.

Internal secondments occur where a Department wishes to temporarily deploy a member of staff who has the appropriate skills, knowledge and experience to undertake particular responsibilities that cannot be covered by existing roles. Normally these responsibilities are expected to be for a limited duration although there are occasions when the secondment offers an opportunity to assess whether the need for the particular expertise is likely to be longer term.

Secondments may be within the individuals place of work i.e. Academy/Partnership in which the member of staff works (normally where there is no increase to the staffing establishment) or elsewhere within the Partnership. The same principles apply to full and part time secondments.

The Partnership supports the use of internal secondments, recognising them as:

- Personal and professional development for the individual
- A means of succession planning
- Adding to the skills base of the Partnership

Any internal secondment can be made as a direct appointment, if the period of secondment is 12 months or less or it can be made through the normal recruitment process, restricting advertising to internal staff only. Prior to advertising a secondment opportunity, the recruiting Manager should seek advice and guidance from the Head of Primary Academies and HR Representative.

Where a post contains specialist or specific skills that can only be sourced within a specified group of staff or a particular Department, or where a Department/Academy is undergoing organisational change, it may be possible to advertise the secondment to these limited groups only. In these circumstances the relevant Headteacher/Partnership Officer should consult with their HR representative before advertising the secondment.

An internal secondment is different to a temporary responsibility arrangement. A temporary responsibility is generally where unplanned cover for a position at a higher level is required for a short period of time, e.g. due to the absence of the substantive post holder, usually within the same department.

Appendix 2 sets out full guidance on the management of internal secondments.

## **20. External Secondments**

The Partnership supports the use of external secondments, recognising them as personal and professional development opportunities for the individual. An external secondment must be approved by the Partnership's Executive Leadership Team, and a formal secondment agreement in place between the Academy/Partnership and the external provider. Please contact the Director of People and Engagement to ensure the appropriate arrangements have been implemented prior to the individual commencing the secondment opportunity.

## **21. Breaches of this Policy**

Any instances of this policy not being adhered to will be taken very seriously and appropriate disciplinary action will be taken.

Any complaint in relation to this policy, including its application will be managed through the Academy/Partnership's complaints policy or grievance policy (for existing employees).

## **22. Record Keeping and Data Protection**

All written records of interviews, application forms and reasons for appointment or non-appointment will be kept by the Academy/Partnership in line with our Privacy Notices, and in line with the requirements of Data Protection Legislation.

## **23. Review of the Policy**

This policy is reviewed every three years by the Partnership. We will monitor the application and outcomes of this policy to ensure it is working effectively.

## Appendix 1 – Disqualification from Childcare Information for New Employees

At Greenheart Learning Partnership, best practice determines that we annually update our safeguarding records. One of the ways in which we do this is to ask all members of staff to complete a self-declaration.

Headteachers and/or DSLs are to use the following information to complete this process.

### Disqualification Briefing - Script for Schools

*(to be used either at new staff induction or as part of annual safeguarding update)*

*This staff briefing has been called to make you aware of your obligations relating to disqualification under the Childcare Act 2006 which came into force in schools in late 2014.*

*Further statutory guidance relating to disqualification was issued in late February 2015 and updated in September 2018. This information ensures we comply with the current guidance.*

*Your role within our school has been identified as one which the disqualification declaration applies to.*

*So what does this mean in practice?*

*We need to make you aware that there are certain things that may mean that you are automatically disqualified from providing childcare (affecting your role within this school) by you having committed a disqualifiable offence or a disqualifying event. These broadly fall into the four below categories:*

- *That you have a caution/conviction for certain violent/sexual offences*
- *Grounds relating to the care of children*
- *That you have had registration refused/cancelled in relation to childcare*
- *That you have committed an offence overseas which would constitute an offence regarding disqualification under the 2009 Regulations if it had been done in any part of the United Kingdom.*

*Ofsted have provided a list of [disqualifiable offences/events in tables A & B](#) of this guidance [give a copy for staff to share]. You need to read through this and come to see me by no later than [insert date] if there is anything to declare under the disqualification guidance. It is only the offences/events on this list that we require you to declare. If you are unsure of a specific offence/event is applicable after reading the Ofsted lists, then please let us know so that we can advise you appropriately.*

*You should also be aware that from this point forward if your circumstances change relating to the disqualification guidance, you are obligated to inform us of this without delay.*

*You will be required to sign an attendance sheet to confirm that you have attended this meeting and are clear relating to your obligations regarding disclosure pertaining to Disqualification under the Child Care Act 2016, so please do make sure that you ask us any*

*questions that you are unclear on. If you wish to do this after this briefing in a private environment, please come and speak with me.*

*We will provide a link to your email address which will take you straight to the Ofsted guidance / lists, should you want your own copy to peruse.*

*We appreciate that the above is a lot to take in, if you require additional information or help with any aspect of this, then please let me know so that we can take advice from our HR provider on your behalf.*

*You are required to sign an attendance sheet to confirm that you have attended the disqualification briefing and are clear relating to your obligations regarding disclosure pertaining to Disqualification under the Child Care Act 2016.*

*If your circumstances change in relation to disqualification, you are required to inform us without delay.*

*This information will be stored securely at an Academy/Partnership level.*

[Disqualification under the Childcare Act](#)

## Appendix 2 – Internal Secondment Guidance

### Support for internal secondments

Whilst the Partnership is committed to encouraging the personal and professional development of staff, this needs to be balanced against the business needs of the Academy/Partnership.

Approval of the individual's current line manager is required for a secondment to take place. Secondment opportunities should not be unreasonably refused by the substantive Academy, however support for secondments is not automatic and may not be possible in all circumstances. This will be dependent upon a number of factors and the length of the proposed secondment will have a bearing on whether the individual may be able to return to their substantive post. Secondments will normally be limited to a maximum of 2 years after which the individual will be expected to return to their substantive post.

Secondments should normally be granted provided they meet the following criteria:

- That the secondment will provide personal and professional development for the individual
- That there will be overall benefits to the Partnership through improved individual and organisational performance
- That the seconding Academy/department can reasonably expect to cover the work of the secondee by redeployment, inward secondment or recruitment

### Roles and Responsibilities:

#### Current (substantive) Line Manager/Headteacher

Managers should first consider whether it is possible to release the individual from their current role for the requested time period. Managers are advised to involve the HR representative/Head of Primary Academies in discussing the options for providing temporary cover of a post at an early stage. It is also important to consider the individual's development needs and how they may best be met by support for a secondment. Individuals can benefit from secondment opportunities and in many cases, will return to their original team at the end of the period with increased knowledge and experience and a greater understanding of the Partnership.

The substantive line manager will be responsible for the resolution of any employment-related issues, including those covered by formal HR Policies and Procedure, that occur whilst the individual is in his/her substantive role, including any that may be partially progressed at the time s/he takes up the secondment opportunity.

#### Line Manager for Secondment Period

The line manager for the secondment should ensure there is a formal induction programme in place.

During the secondment it is recommended that there are regular reviews with the secondee to ensure individuals are supported and to provide an opportunity to review performance.

The line manager during secondment will be responsible for the resolution of any employment-related issues, including those covered by formal HR Policies and Procedure that arise during the period of the secondment.

### **Individual**

Prior to submitting an application for secondment, individuals must discuss with their line manager whether a secondment application would be supported. Prior to approaching their line manager individuals are encouraged to identify areas of their own development which would directly benefit from the secondment opportunity and ultimately how any knowledge or experience gained as a result will benefit the team to which they will return. Normally a discussion between the manager and individual about the principle of secondment in relation to their personal and professional development will take place as part of the formal, annual appraisal process though a discussion about a specific secondment opportunity is likely to take place outside of this.

### **Preparation**

In order to maximise the success of the secondment opportunity, clear objectives should be set and there should be a clear understanding of the purpose/desired outcomes of the secondment by all parties.

For the secondment to be managed effectively and maximum benefits realised, the following should be considered; a formal induction programme should be developed followed by regular reviews, to address these points:

- All parties to be clear as to the objectives, benefits and outcomes of the secondment
- Objectives to be related to the department's business plans
- Regular review periods should be built into the secondment
- The seconding line manager should inform the substantive line manager of the secondee's performance against the agreed objectives
- Definition of the roles and responsibilities of all parties involved in the secondment
- Clarification about how the post will be covered
- Confirmation of a notice period to provide the secondee and department to end the agreement early
- Should a secondment come to an end due to organisational change, notice should be given and the seconding line manager and the substantive line manager have a joint responsibility to manage the process of returning the secondee to their substantive post

- Regular contact between the substantive line manager and the secondee should be maintained throughout the period of the secondment by for example, distribution of information, invitation to key meetings and presentations and personal visits
- Occupational health clearance if appropriate

### **At the end of Secondment**

Prior to the end of the period of secondment, a meeting should be arranged between the secondee and their substantive line manager to discuss the implications of returning to their substantive post, and in order to update the individual on any changes within their original place of work.

This meeting should be arranged at least 1 month before the return date.

The meeting may cover the following points:

- Updating the secondee on any developments within the department/Academy
- Ensuring that all the secondee's work is handed over smoothly
- De-briefing to understand what has been achieved from the secondment
- Ensuring that the work of the secondee is recognised
- Undertaking a further review of the secondment approximately 3 months after the secondee has returned to their substantive post in order to understand fully the value of the secondment

If, during the term of the secondment, organisational change results in the original post being substantially altered or is at risk of redundancy, the guaranteed right to return will cease to apply. In the event of this happening the individual will be consulted on any changes in line with the Academy/Partnership's Redundancy Policy.

At the end of the secondment the individual will revert to their substantive grade (benefitting from any increments they would have received had the secondment not taken place), if the secondment has involved a change of grade.

### **Secondment to Permanent Position**

Where a seconded role becomes available on a permanent basis, where there was an open recruitment process for the secondment and where there have been no substantial changes to the role, the secondee may be offered the role on a substantive basis, subject to the agreement of the seconding line manager, the substantive line manager and the secondee.

If the secondee was recruited to the secondment opportunity without a competitive selection process, she/he may apply to be considered for an open contract position if this becomes available. The Recruitment Policy will apply in the normal way.

Where a secondment period may be extended or becomes open, the line manager should discuss this with their HR Advisor.

## **Difficulties arising during the Secondment**

If difficulties arise during the period of secondment and it is not working successfully, all three parties - the substantive line manager, the seconding line manager and the secondee - should review the secondment and decide whether it should continue or not.

Greenheart Learning Partnership HR team may be approached to provide advice to both individuals and managers for example concerning unsatisfactory conduct, performance or attendance or difficulties in working relationships. Depending on the nature of the difficulties this may involve mediation and negotiation of acceptable outcomes.

## **Procedure**

Secondment opportunities will be offered as a direct appointment or will be advertised in accordance with this Policy.

Staff on open and fixed term contracts may apply for secondment opportunities, though it is more likely that the managers of staff on fixed term contracts may not be able to support a secondment. If the secondment continues beyond the end of a fixed term contract, as there will be no substantive post to return to, relevant notice will be given to the individual before the end of the secondment that their employment contract will be terminated. The normal redeployment process will apply towards the end of the secondment.

Secondments should not normally be for longer than 2 years. If a post is likely to exceed 2 years, this should be advertised as a fixed term contract rather than a secondment opportunity.

## **Releasing a Member of Staff to undertake a Secondment Opportunity**

Secondment opportunities should be advertised as such, and individuals who are interested in applying should seek agreement from their line manager prior to submitting an application. A decision may then be made about whether and how the individual's substantive role can be covered during the period of the secondment.

The line manager should consider requests and if she/he is unable to hold the substantive post open should discuss the reason for this with the individual. Whilst allowing individuals to take up secondment opportunities is encouraged, it is acknowledged that this may not always be possible. For example, if there is urgent work which cannot be covered or the postholder has specialist/technical knowledge and expertise that would be difficult to backfill on a temporary basis. Line managers are advised to discuss this with their HR representative.

## **Appointment Letters and Terms and Conditions of Employment**

Successful candidates will receive a letter confirming the appointment and terms and conditions covering the period of the secondment. This will specify:

- The pay and grade of the position, including salary progression the period of the secondment - start and end dates
- The terms and conditions of employment for the period of the secondment including:
  - Pension rights
  - Annual leave
  - Hours
  - Notice period
  - Performance review
- The arrangements to return to the substantive post at the end of the secondment

As a general principle, staff will remain on their substantive grade, salary, benefits, pension scheme and terms and conditions. A non-pensionable, non-consolidated supplement for the difference in pay for the role seconded into if applicable, will be paid. This is similar to the arrangement for awarding a Temporary Responsibility Allowance.

### **During the Secondment**

The individual will be paid the appropriate rate for the evaluated role. There is no pay protection in the (unlikely) event of the secondment being at a lower grade than the individual's substantive post.

Annual incremental progression will apply during the period of the secondment.

If, during the period of the secondment, organisational change results in the substantive post being substantially altered or made redundant, the right to return will no longer apply and the Partnership's Redundancy Policy will apply.

### **Salary and Pension**

If the secondment is to a higher graded post the individual's salary will be increased accordingly. The increase will usually be based on the bottom spine point of the new grade.