

## THE APPOINTMENT OF STAFF

The College intention is to recruit the best person for each vacancy using a fair, transparent, systematically reviewed recruitment and selection process. This policy is central to the College's ability to deliver a high quality learning experience to all students. Appointment will always be on merit, and compliant with relevant legislative and statutory obligations.

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

The Trust and CMT will always seek to recruit and retain staff of the highest quality and in so doing will be mindful of the College's Safeguarding policy.

## OPERATIONAL CONTROL

Control and responsibility for the recruitment process will rest with the Personnel Manager.

This will include the planning and timeliness of the campaign, the quality and placement of adverts, the quality of post specifications, the preparation of applicant packs and the organisation of the selection process.

Timeliness, preparation and accuracy are the key features of good recruitment activity.

## WHEN A VACANCY OCCURS OR WHEN STAFF SHORTAGE IS IDENTIFIED

The Line Manager will refer the matter, complete with justification, to the Principal (and SMT where necessary), who will consider:

- whether it is necessary to fill the vacancy;
- whether there should be any changes of duty;
- whether the establishment vacancy should be deleted or replaced by an alternative post;
- whether the replacement should be a permanent or temporary post;
- the membership of the short listing/interview panel, which will be chaired by a member of the CMT. Where possible, the panel will be of mixed gender and may include members of the Trust and/or external representatives.

If the request is authorised the following procedure will apply.

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## **JOB DESCRIPTION AND PERSON SPECIFICATION**

Both the Job Description and the Person Specification must follow the College's standard format.

Up to date and accurate Job descriptions and Person specifications should exist for every post. These need to be reviewed periodically to reflect changes in duties and responsibilities. This should not be left to the point of recruitment, as every current employee has the right to expect accurate specifications for their post. However, if this is not the case or for new posts the following will apply.

### **JOB DESCRIPTION**

With advice from Personnel, the line manager will prepare a job description showing:

- title and grade of post and salary range, as previously agreed by SMT;
- clear statement of main purpose of the job;
- specific duties of the post holder;
- a statement that the holder may be required to undertake "such other duties which may arise from time to time and which are commensurate with the job title";
- any other agreed standard duties and responsibilities (eg quality, health & safety, commitment to promoting welfare and safety of students);

### **PERSONAL SPECIFICATION**

With advice from Personnel, the Line Manager will prepare a person specification indicating the qualities and characteristics to be looked for in applicants, e.g. educational attainment, qualifications, experience, personal qualities, aptitudes and skills.

The personal specification will:

- avoid age limits. These may infringe discrimination regulations, unless specific to a range of relevant experience or qualifications without which the job cannot be done.
- avoid stating a minimum level of experience, unless it is demonstrably essential. Otherwise this may infringe discrimination regulations.

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- carefully consider any criteria about standards of written or spoken English (unnecessarily high standards may be held at law to be discriminatory);
- be capable of assessment in the selection procedure.

**USE OF THE JOB DESCRIPTION/PERSON SPECIFICATION**

The job description and person specification will be sent to applicants responding to advertisements, together with details of the salary level, application form, details of how to apply and the College’s Equality statement.

**ADVERTISING**

A job advert should be produced and cleared by the Principal, Deputy Principal or nominated Senior manager 3 weeks before application closing date and should appear in relevant external modes at least 2 weeks before the closing date. Vacancies may be advertised internally only where considered appropriate.

Existing College staff will be made aware of external vacancies via the College Website.

The Personnel Department will place advertisements where appropriate. Advertisements:

- Will be consistent with the job description/person specification;
- Will encourage applications from a full range of potentially suitable candidates;
- Will include a brief description of the nature of the work and experience/knowledge required and will clarify the minimum and specific requirements for the post.
- Will not discriminate against any of the nine protected characteristics.
- Will avoid age ranges, age related criteria or language likely to deter applicants from particular age groups (e.g. Mature, Young, Energetic, Gravitas);
- Will ensure that qualifications asked for are relevant and essential (they may not have been available when an applicant was undergoing training or education);
- Will ensure that personal details which can identify any protected characteristics will not be used for the short listing of candidates. A separate monitoring form will be used to compile equalities statistics.
- Will state grade, salary or salary range;

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- Will state the closing date for the receipt of applications.
- Will make clear the Colleges commitment to safeguarding and promoting the welfare of children and young people and will make reference to 'suitability to work with children and young people';

**APPLICATIONS**

All applications will be handled by the Personnel Department.

Applications will normally be made on the standard College application form accompanied by a supporting statement. A CV will not be accepted as a substitute.

Applications will normally be addressed to the Personnel Office.

Applications will not be acknowledged unless the candidate specifically makes a request.

Applicants will not normally be informed if they have not been short listed for interview unless the interview is delayed beyond one month of the closing date (except in the case of internal applicants who will be informed as soon as practicable).

All application forms and supporting information will be held for a minimum period of six months.

**SHORT LISTING**

Normally, applications received after the closing date will not be considered.

Short listing will be done by a minimum of two people and will normally include the chairperson of the interviewing panel and the Line Manager.

However, input from the Personnel Manager, with experience of recruitment, may provide valuable guidance.

Short list will be checked by the Personnel Department prior to inviting candidates for interview.

If there are a large number of applicants, an initial short or long list could be produced by the Personnel Manager, for further refinement by the relevant managers.

Short listing procedures for Senior Posts will be determined by the Trust.

Short listing criteria will be devised based on the following principles:

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- they must be based on the job description/person specification, (if an alternative to an 'essential' is acceptable the specification should say so, otherwise we may have excluded other 'alternative' candidates);
- the Person specification should indicate how each essential and desirable criteria will be measured (e.g. interview, application form, tasks)
- they must address the requirements specified in the advert.
- they must be capable of assessment by considering the application documents;
- they must not be based on generalised assumptions, traditions or stereotypes.
- A note will be kept of short listing criteria on the College's Criteria Matching Form for a period of six months after the appointment is made.

### **SELECTION PROCESS**

The selection process will always include an interview and a range of tasks.

Structured interview questions, tasks and criteria should be prepared 1 week before the interview date.

Interview questions and tasks must relate to the criteria being set for the post.

The interview panel will be chaired by a member of CMT and will, as far as practicable, be the same as the short listing panel.

The interview panel should, where necessary, include a member of the Personnel department with recruitment and employment law experience. In particular this will bring knowledge of discrimination legislation to the interview panel.

Short listed applicants will be invited to a selection process by the Personnel Department. The invitation will provide brief details of what the candidate can expect on the day and will ask candidates to inform the College, in advance, of any special requirements for the day.

Under section 8 of the Asylum and Immigration Act 1996, all candidates who attend for interview are required to bring along appropriate identification documents in order to ensure they have a right to live and work in the UK.

Where a qualification is specified, candidates must provide evidence of this at interview. The selection process will not discriminate against any protected characteristics in relation to the Equality Act 2010.

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Questions will not be asked about Trade Union membership or activities.

Candidates will be asked if they wish to declare anything in light of the requirement for a DBS Disclosure.

Each candidate will be scored against the College's scoring criteria and will be kept together with other relevant documentation for a period of six months.

**INTERVIEW EXPENSES**

If requested, candidates may claim back their travel and/or subsistence expenditure incurred during attendance at an interview as specified on the Interview Expenses Claim Form.

**APPOINTMENT**

The successful candidate, if s/he accepts the post, will be referred after the interview to the Personnel Department to determine the details required to the issuing of a contract of employment.

At this stage the successful candidate will be made an offer which is conditional upon the following:

- An Enhanced DBS Disclosure
- Medical clearance by the College's Occupational Health Department. Staff shall have access, on request, to medical reports.
- Receipt of satisfactory references if these have not already been received.
- Proof of qualifications and right to work in the UK.

With respect to the DBS disclosure, the successful candidate will be asked to visit the Personnel Department as soon as possible to provide all necessary documentation.

A Contract of employment (including conditions of service), Offer Letter, bank details form, and further details will be issued to the successful candidate.

**UNSUCCESSFUL CANDIDATES**

Unsuccessful short listed candidates will be offered the opportunity of a debriefing at a mutually convenient time. Written feedback will not be given to candidates.

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**INFORMATION CONCERNING APPOINTMENTS**

The Trust will be informed of all new appointments in the Principal's report for each meeting.

College staff will be informed of all new appointments as they occur through relevant College publications.

**INDUCTION**

All newly appointed staff shall follow a relevant induction process co-ordinated by the Personnel Department.

The progress of staff new to the College will be monitored and supported by the Line Manager.

All new appointments are subject to a six-month probationary period, at which point a formal review will be undertaken.

New staff whose progress gives cause for concern will be advised of this as soon as the situation becomes evident. The Line Manager will inform the Personnel Department, and will set targets for improvement. The new member of staff will be advised that his/her job is at risk.

If at the end of the probationary period performance is still unsatisfactory, the new member of staff will be given notice of dismissal.

It must be noted that serious concerns about performance or other issues may lead to dismissal during and at the end of the probationary period and the disciplinary procedure does not apply. In addition, the college may terminate a contract where there is a substantive decline in performance or professional conduct within a 2 year period from appointment.

Probationary periods may be extended at the discretion of the Principal.

**INTERNAL PROMOTION**

Opportunities for internal promotion will be advertised ~~in the staff room and~~ via e-mail.

Procedures outlined above for the selection of external candidates will apply as necessary, although the need for completion of the standard College application form and an induction may be waived.

**COMPLAINTS**

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Any complaint by existing staff relating to the conduct of any appointment should be pursued by the use of relevant grievance procedures and will be dealt with carefully and speedily by CMT.

Complaints by unsuccessful external candidates will be acknowledged speedily by the College and referred to the Principal.

## **RECRUITMENT OF EX-OFFENDERS**

### **Background**

Organisations who use DBS checks must comply with the DBS Code of Practice. The Code of Practice is intended to ensure - and to provide assurance to those applying for Standard and Enhanced Disclosures - that the information released will be used fairly. It is designed to protect applicants from unfair discrimination on the basis of non-relevant past convictions.

The College uses GBG Online Disclosures as its registered body.

### **Policy Statement**

This policy will be made available to all Disclosure applicants at the outset of the recruitment process.

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order, the Trust complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

The Trust is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race or ethnic origin, gender, religion or belief, sexual orientation, sex, gender re-assignment, marriage and civil partnership, pregnancy and maternity, age, physical/mental disability, or offending background.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

Where a Disclosure is required recruitment information will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

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Posts within the Trust are exempt from the provisions of Section 4(2) of the Rehabilitation of Offenders (ROA) Act 1974 by virtue of the ROA 1974 (Exceptions) order 1975. This means that all employees of the Trust are required to provide details of any convictions including those which for other purposes are 'spent' under the provisions of the Act. The only exception to this requirement is that applicants/employees do not need to disclose any 'protected' cautions or convictions as defined by The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. Guidance and criteria about 'protected' spent convictions and cautions can be found on the [Disclosure and Barring Service website](#). Guidance notes for applicants on disclosing information about cautions and convictions in their applications can be found in Appendix 1 attached to this policy. We encourage all applicants applying for positions to provide details of their criminal record at the application stage of the recruitment process.

Only when the conviction is relevant will criminal records be taken into account for recruitment purposes. This information will only be seen by those who need to see it as part of the recruitment process.

The College ensures that all those who are involved in the recruitment process take advice from the Personnel Department before identifying and assessing the relevance and circumstances of offences.

At interview, or in a separate discussion, the College will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

The College will make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

**Having a criminal record will not necessarily bar you from working with the College.** This will depend on the nature of the position and the circumstances and background of your offences.

*This policy has been subject to an equality impact assessment. It seeks to be fair to all and treat individuals according to their needs. The policy does not appear to discriminate directly or indirectly against any particular group or against individuals.*

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## Appendix 1

### Guidance note to applicants on disclosing information about cautions and convictions in their applications

The City of Stoke on Trent Sixth Form College is an educational establishment that provides education to children (and/or vulnerable adults). Therefore, the College needs to assess your suitability for the position you are applying for and is entitled to ask questions about your criminal record.

You are required to disclose certain information concerning your criminal cautions and convictions. You must disclose information about spent and unspent criminal convictions (other than a protected conviction) and spent and unspent cautions (other than a protected caution).

You are not legally required to disclose information concerning protected cautions and convictions. To determine if your caution or conviction is protected and whether or not you need to disclose it in your application, you need to refer to the relevant legislation, including the offences listed in [The Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(Amendment\) \(England and Wales\) Order 2013](#).

#### **Applicants who were over the age of 18 when the caution or conviction was issued**

#### **Do I need to disclose my conviction?**

If your answer to any of the following 3 questions is 'yes', you will need to disclose your conviction:

- 1) Is the conviction for a listed offence?
- 2) Did you receive a custodial sentence/sentence of service detention?
- 3) Have you been convicted of any other offence at any time?

If you answered 'no' to the above 3 questions, have 11 years or more passed since the date of the conviction?

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If less than 11 years have passed since the time of the conviction, you will still need to disclose it.

**Do I need to disclose my caution?**

1) Is the caution for a listed offence?

If your answer to question 1 above is yes, you will need to disclose your caution.

If your answer to question 1 above is no and you were over age 18 at the time of the caution, have 6 or more years passed since the time of the caution?

If less than 6 years have passed since the time of the caution, you will still need to disclose it.

**Applicants who were under the age of 18 when the caution or conviction was issued**

**Do I need to disclose my conviction?**

If your answer to any of the following 3 questions is 'yes', you will need to disclose your conviction:

- 1) Is the conviction for a listed offence?
- 2) Did you receive a custodial sentence/sentence of service detention?
- 3) Have you been convicted of any other offence at any time?

If you answered 'no' to the above 3 questions, has 5 years and 6 months or more passed since the date of the conviction?

If less than have 5 years and 6 months have passed since the time of the conviction, you will still need to disclose it.

**Do I need to disclose my caution?**

1) Is the caution for a listed offence?

If your answer to question 1 above is 'yes', you will need to disclose your caution.

If your answer to question 1 above is 'no', has 2 or more years passed since the time of the caution?

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If less than 2 years have passed since the time of the caution, you will still need to disclose it.

All cautions and convictions for specified serious violent and sexual offences, as well as other offences relating to the safeguarding of children and vulnerable adults will **always** need to be disclosed. Applicants are strongly encouraged to refer to the extensive list of such offences which is available on the [Disclosure and Barring Service website](#). The list of offences will be kept updated to reflect changes to legislation in the future.

In the event that you are offered employment, any failure to disclose unprotected convictions or cautions could result in disciplinary action which may lead to your dismissal from the College. For this reason, if you are unsure about how the law applies to you, you are encouraged to seek legal advice before making your application.

All applicants who are offered employment will be subject to a criminal records check from the Disclosure & Barring Service (DBS) and any appointment will be subject to satisfactory clearance of this check and any other relevant pre-employment checks.

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**EQUALITY IMPACT ASSESSMENT**

Date of assessment:	18-03-2019
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Assessed by:	Sally Bryan
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Who is affected by or associated with the policy?

*For example, who are the main users of the policy, who are the 'stakeholders'? (students, potential students, staff, visitors, general public, etc)*

Staff, General public (recruitment applicants)
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Is there anything to suggest that this policy (intentionally or unintentionally) does/could have an adverse effect on any of the 9 protected characteristics as stated below?

Characteristic	Yes	No
Age		x
Disability		x
Gender Re-assignment		x
Marriage or Civil Partnership		x
Pregnancy and Maternity		x
Race		x
Religion or Belief		x
Sex		x
Sexual Orientation		x

If you have answered 'Yes' to any of the above please explain in the box below

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Could the policy be modified to make a positive contribution to equality of opportunity for one or more of the protected characteristics?

*For example, consider: Do different groups have different needs in relation to the policy? Is the impact of the policy different on different groups? Are different groups more or less satisfied with the policy?*

Characteristic	Yes	No
Age		x
Disability		x
Gender Re-assignment		x
Marriage or Civil Partnership		x
Pregnancy and Maternity		x
Race		x
Religion or Belief		x
Sex		x
Sexual Orientation		x

If you have answered 'Yes' to any elements in this assessment, please complete the action plan below.

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### EQUALITY IMPACT ASSESSMENT - ACTION PLAN

Are there any points to note or modifications/ actions that are needed to be taken by the person/group responsible for the policy?

<b>Yes</b>	<b>No</b>
	x

Suggested Action – modification or note	Person responsible for action	Date for action and/or resubmission

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