

# Recruitment and Selection Policy



**Approved by:** The Trust Board **Date** October 2022

Recognised unions have been consulted on this document via the Unity Schools Partnership Joint Consultation and Negotiation Committee. It was accepted by Unity Schools Partnership on: **Date** October 2022

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**This policy should be read in conjunction with the accompanying Recruitment and Selection Guidance.**

## DOCUMENT CONTROL

### Changes History

Issue No	Date	Amended by	Summary of Changes
1.0	September 2020	Head of HR	Version 1.0
2.0	September 2021	Jude Seward	Document control page added KCSIE updates included Changes to process for overseas applicants included
3.0	October 2022	Anne-marie Shropshire	3.5 – how applicants receive the Criminal Disclosure form 4 – added Trust Safer Recruitment offer 4.1 – added requirement for requesting birth certificate as per KCSiE 2021 4.6 - add 'Instructors and others' who have a teaching role Included online searches for shortlisted candidates. Added mandatory SCR training.

### Authorisation (Responsible Owner)

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Name and/or Role	Approval Date
Directors of Education Headteachers JCNC	

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Date Document Reviewed	By Whom
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## **1. INTRODUCTION**

The Unity Schools Partnership (“the Trust”) Board of Directors recognises that recruiting and retaining high quality staff is critical to the Trust’s success. Successful appointments have a direct impact on the quality of teaching and learning. This policy, along with the Recruitment and Selection Guidance provides information and resources for all stages of the recruitment and selection process.

Safer recruitment practices are embedded throughout the policy in line with recommendations from the DfE’s current statutory guidance “Keeping Children Safe In Education”. The policy aims to deter, identify and support schools/the Trust in rejecting people who may be unsuited to work with children and who may present a risk of abuse to children.

The aim of this policy is to ensure the systems in place are:

- Safe – appropriate checks are made to reduce the risk of appointing people who are unsuitable to work with children.
- Fair and transparent – decisions are made on merit and in line with procedures.
- Legal – comply with other internal policies, employment law and immigration rules.
- Effective – candidates with the appropriate skills and qualifications apply and are recruited to the job.
- Efficient – cost effective in methods, resources and time.

Throughout recruitment and selection processes, schools/the Trust should be mindful of their responsibilities under equalities legislation, ensuring their practices are not discriminatory and consider reasonable adjustments related to disability. Guidance on equal opportunities, equal pay, discrimination in employment and employment and disability is provided in the Trust’s Equal Opportunities policy and guidance document.

The Trust uses an Applicant Tracking System called Reach to manage the recruitment process and to analyse our commitment to equal opportunities. All vacancies must be advertised on Reach and all candidates must apply using Reach. The HR Helpdesk are able to provide support to schools/the Trust with managing the process on Reach and further information can be found in the Recruitment and Selection Guidance.

### **1.1. Delegation of Responsibility for Recruitment and Selection**

The Trust’s arrangements are that decisions on recruitment of all school/Trust staff other than headteachers are delegated to the Headteacher/Line Manager. The HR Team (and for schools the Director of Primary/Secondary/SEND Education) are available to provide support as is helpful.

Headteachers will generally involve local governing body members in interviews for more senior posts and the Director of Primary/Secondary/SEND Education will be consulted on the appointment of deputy and assistant headteachers. Agreement on a starting salary and/or any recruitment incentives to individuals selected for appointment will be agreed when the post is approved for advertising.

A Headteacher should not take any part in the arrangements for selecting their successor. The Trust will work with the local governing body on this appointment.

### **1.2. Headteacher Appointments**

Every school must appoint a Headteacher. When a headship vacancy occurs the Trust's CEO/Director will lead on the recruitment and will involve other stakeholders as necessary – i.e. Trust Board, colleagues, COG. The following will need to be considered:

- As necessary, the appointment of a member of staff to carry out the functions of a Headteacher pending the appointment of a Headteacher.
- Review the salary range of the Headteacher.
- Establish a selection panel to assist in the appointment process.
- Advertise the post in an appropriate manner, generally advertising the vacancy at a national level. Any decision not to advertise should only be taken where the Trust can demonstrate there is a good reason not to. All decisions should be fully documented.

The selection panel will make a recommendation that is endorsed and approved by the CEO.

### **1.3. Appointment of Other Staff in Schools**

The Headteacher will normally take the lead in teacher recruitment and has the right to be consulted and attend all relevant selection meetings of governors.

The Headteacher will normally take the lead in recruitment of support staff.

## **2. EQUALITY**

This policy seeks to eliminate discrimination and promote equal opportunities in employment, thereby enhancing the quality and range of people employed by the Trust to enrich the education of students. The Trust seeks to ensure that everyone has the same opportunity for employment and promotion based on their ability, qualifications and suitability for the work, and that no applicant receives less favourable treatment because of a protected characteristic such as: race, ethnicity, sex, religion/belief, disability, marital status, age, sexual orientation, gender identity, gender expression, pregnancy or caring responsibilities throughout the whole recruitment process.

Throughout the recruitment and selection process, the Trust/schools should be mindful of their responsibilities under equalities legislation, ensuring their practices are not discriminatory and considering reasonable adjustments related to disability.

For all vacancies, full short-listing and interview notes will be completed by the Hiring Manager. Shortlisting is completed on Reach and interview notes will be held on file. The data on Reach will be used by the Trust to analyse our commitment to Equal Opportunities.

## **3. RECRUITMENT AND SELECTION**

### **3.1 Defining the Vacancy**

The Trust's central team and every individual school should have a staffing structure agreed by the Executive team, which has been developed in consultation with staff.

All recruitment should be to a post in the staffing structure. However, before any recruitment action is initiated, careful consideration should be given to the necessity of filling the post. A vacancy presents an opportunity to consider restructuring, to reassess the requirements of the job and whether you need to recruit. This assessment is valid, whether it is to fill an existing job or a new one and should help to clarify the actual requirements of the job and how it fits into the rest of the structure.

The Executive Team should also consider arrangements for CPD, career progression and succession planning to ensure they are effectively managing the long-term recruitment and retention needs of the school.

Headteachers/Line Managers should think about including the following information when defining the role (through the job description and person specification):

- the skills, abilities, experience, attitude, and behaviours required for the post; and
- the safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.

### **3.2 Advertising**

To ensure equality of opportunity, all permanent vacancies, and temporary vacancies for longer than one year, should be advertised internally and, where a wider pool of candidates is sought, externally.

Under the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and the Agency Worker Regulations 2010, both temporary and agency workers have a right to be informed about job vacancies in the same way as permanent staff. Vacancy details should be displayed in a place where all employees would be expected to see them or provided directly to the individuals.

All advertisements should include a statement about the school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken and may also make reference to the requirement for a check of criminal records.

The advert should also detail the safeguarding responsibilities of the post as per the job description and person specification.

Finally, the advert should advise whether the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means that when applying for certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the [DBS filtering guide](#).

### **3.3 Application Forms**

All applications will be made electronically, using the Trust's Applicant Tracking System (Reach), and the process will be managed by the Hiring Manager.

Within their application, candidates will be expected to provide:

- personal details, current and former names, current address and national insurance number;
- details of their present (or last) employment and reason for leaving;
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
- qualifications, the awarding body and date of award;
- details of referees/references (see below for further information);
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

Candidates must provide a full, written employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment. The candidate's employment history should give precise dates of employment (i.e. day and month as well as year) so that any gaps in employment history cannot be disguised. Where an applicant is shortlisted, any discrepancies or gaps in employment will be discussed at interview.

Applicants will be advised within the application process that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

A copy of the school's child protection policy and practices and policy on employment of ex-offenders will be available via Reach.

### **3.4 Recruitment Monitoring Information**

As part of the application process, applicants will be asked to complete the equal opportunities section of the application form. Completion of the form will ensure that the Trust can be effective in promoting equality and diversity in recruitment and that the Trust's workforce reflects the communities it serves.

The recruitment monitoring information does not form part of the selection process and the information contained within the equal opportunities section is not visible to the Hiring Manager.

### **3.5 Shortlisting**

Shortlisting should include careful checking to ensure that information is not contradictory or incomplete, in particular, in relation to employment history and any gaps on the application form which may need to be followed up as part of any interview and in reference checks. All potential concerns should be discussed at interview.

Shortlisting should be undertaken by at least two members of the interview panel. Each application should be assessed against the essential criteria in the person specification. Should there be a large number of candidates that meet all the essential criteria, the desirable criteria may be used to reduce the shortlist.

Shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children, when they accept the invitation to interview via REACH.

#### **4. SAFER RECRUITMENT**

The Trust and all its schools will follow the DfE's current statutory guidance on safer recruitment – [Keeping children safe in education](#). At all stages of the recruitment, selection and appointment process the Trust includes an explicit statement about the organisation's commitment to safeguarding and promoting the welfare of children. This includes carrying out online searches (including social media checks) on all shortlisted candidates. Templates and guidance for online searches is available from the trust HR team.

All Trust schools and central team are required to ensure that at least one member of any recruitment panel has received appropriate training in line with safeguarding guidance and must be involved in key parts of the recruitment process, including reviewing the application form, reviewing references and interviewing. In addition, the Trust seeks to ensure that all those involved in the administration of the recruitment and selection process and/or administration of the Single Central Record have up to date training in relation to recruitment and safeguarding. This will ensure that employees have an awareness of understanding offender behaviour to be able to deter or prevent the appointment of unsuitable people into roles with children. This training is monitored and all Managers/Administrators who require it undergo refresher training when required to ensure compliance with safer recruitment requirements.

The Trust provide free of charge, accredited, face to face Safer Recruitment training at least once every half term. The Trust advises that school staff would benefit from at least one, Trust delivered, face to face session, using other training if they choose, to renew skills every three years. Headteachers/Line Managers are free to use their professional judgement to determine appropriate training for the needs of their staff/ school.

##### **4.1 Pre-Employment Checks**

The following pre-employment checks will be undertaken for all school appointments:

- Employment References (**covering at least the 5 most recent years of employment**)
- Identity (Photo ID to include a Birth Certificate where available (KCSiE 2021))
- Enhanced DBS including Barred List Check where appropriate to the role
- Disqualification under the Childcare Act 2006, where appropriate to the role
- Prohibition from teaching, for those engaged in teaching work
- Section 128 check, for management positions
- Health

- Right to work in the UK
- Further checks on people who have lived or worked outside the UK; this would include checks for those who have lived, worked or trained outside of the UK.
- Professional qualifications, as appropriate All Trust schools and central team should actively manage the progress of preemployment checks to ensure that wherever practicable the checks have been completed before the applicant starts work.

A checklist is provided in the Recruitment and Selection Guidance and schools should ensure that the outcomes of all checks are recorded in their Single Central Record. A thorough risk assessment, with the advice of one of the Trust's HR Business Partners, should be undertaken when considering allowing an applicant to start work while any pre-employment checks remain outstanding and additional supervision may be necessary if this is agreed.

All Trust schools and central team should seek written confirmation from any employment agency that it uses (for example, to obtain supply teachers) that the agency has undertaken all necessary pre-employment checks.

## **4.2 Employment References**

References should be sought on all applicants (including volunteers and internal applicants) and should always cover at least the five most recent years of employment.

References should be obtained before interview so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview. In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but that should be the aim in all cases.

If, for whatever reason, references are not obtained before the interview, the candidate should also be asked at interview if there is anything they wish to declare or discuss in light of the questions that have been (or will be) put to their referees. References must be obtained and scrutinised very carefully and any concerns should be resolved to the satisfaction of the school, before a person's appointment is confirmed and before they start work.

References should always include one from an applicant's current employer. References should be completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect of disciplinary investigations)

Where an applicant is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained from the organisation at which they were employed. Where an applicant has not been very long in their current or most recent post, the second reference should be from the previous employer.

If a candidate is not currently working with children but has done so previously, a reference should be secured from the relevant employer, from the last time they worked with children. If the applicant has never worked with children, then a reference from their current

employer should be secured.

Employers' references should be provided by an authoritative source in the employer's organisation. In schools, this will normally be the Headteacher or a member of the Senior Leadership Team. Hiring Managers should ensure that a reference is not, in effect, a personal reference from a colleague at the same place of work. Only one reference should be obtained from each organisation.

References will be sought using a standard pro forma which asks referees for specific information about the candidate's suitability to work with children and young people. Requests for references will automatically be generated by Reach. In order to comply with the requirements of the Equality Act 2010, the proforma asks for health-related information to be supplied in "Part 2" of the reference form, allowing this information to be separated upon receipt and only considered after any conditional offer of employment.

### **4.3 Identity**

All Trust schools and central team must ensure that a person is who they claim to be, this includes being aware of the potential for individuals to change their name. Best practice is to check the name on their birth certificate, where it is available, and verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available.

### **4.4 Disclosure and Barring service (DBS checks)**

All Unity Schools Partnership employees are required to obtain a satisfactory Enhanced Disclosure from the Disclosure and Barring Service (DBS) as part of their pre-employment checks, in line with the Trust's legal obligations in relation to the safer recruitment of staff. All offers of employment will be conditional upon a satisfactory DBS disclosure.

A DBS certificate must be obtained from the candidate before or as soon as practicable after appointment. A separate barred list check must be made if an individual is to start work in regulated activity before the DBS certificate is available. A person may not be employed to work with children or young people if they are barred by the Disclosure and Barring Service, i.e. their name appears on the Barred List. In addition, information regarding convictions, cautions, reprimands or warnings provided as part of a DBS check may suggest that the person offered an appointment is unsuitable for that post. Schools should actively follow up on progress with applications. Once received, applicants must bring their DBS certificate into school to be checked, both in terms of contents and authenticity.

Access to the DBS information is restricted to those staff who have a genuine need to have access to it for their job roles in accordance with the provisions of the GDPR and the Data Protection Act 2018 and includes the following:

- School administrator as part of maintaining the SCR
- Headteacher to determine suitability for employment
- The Trust's Designated Safeguarding Lead and/or HR in order to provide appropriate advice and guidance, where required.

#### 4.5 Disqualification Under the Childcare Act 2006

Under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge (Extended Entitlement) (Amendment) Regulations 2018, made under the Childcare Act 2006, individuals may be disqualified from providing certain early and later years childcare or being directly concerned with the management of that provision, where they are included in the Children's Barred List, have committed certain violent and sexual criminal offences or because of certain orders or determinations made in relation to the care of children, childcare and private fostering.

All Trust schools and central team are required to ensure relevant staff (including those undertaking training in schools (both salaried and unsalaried), casual workers and volunteers) are made aware of the legislation. Schools must ensure they do not knowingly employ a person who is disqualified. See the Recruitment and Selection Guidance for further information.

The following categories of staff are covered by the legislation:

- **Staff who work in early years childcare.**  
This covers the age range from birth until 1 September following a child's fifth birthday (i.e. up to and including reception year) and includes education, childcare and any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) during or outside of school hours.

The DfE statutory guidance states those providing education, childcare or supervised activity during school hours to children above reception age are not covered by the legislation.

- **Staff providing certain later years childcare.**  
Relevant later years provision is defined as childcare provided by the school outside of school hours for children above reception age but who have not attained the age of 8. This does not include education or supervised activity for such children during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but does apply to before school settings, such as breakfast clubs, and after school provision.
- **Staff who are directly concerned in the management of such early or later years provision.**  
Schools will need to use their judgement to determine who is covered, but this will include the headteacher, and may also include other members of the school's leadership team and any manager, supervisor, leader or volunteer responsible for the day-to-day management of the provision.

The Trust recommend disqualification checks are made for any role in Primary education as it is not possible to guarantee cover in these areas will not be required from other staff members.

#### 4.6 Teacher Prohibition Checks

All Trust schools are required to check that a candidate to be employed in a role that involves teaching work is not subject to a prohibition order issued by the Secretary of State. This includes any support staff who take part in formal teaching work or have done so in

the past.

All higher-level TAs (HLTAs), instructors and another staff who are involved in delivering lessons should have a prohibition from teaching check. The check should also be carried out on TA's who have had any past experience of teaching in a position higher than TA.

#### **4.7 Section 128 (Management Positions)**

All Trust schools are required to check that a candidate that is being recruited into a management role is not prohibited or restricted from participating in the management of an independent school, including academies and free schools. An individual who is subject to a section 128 direction is unable to:

- take up a management position in an independent school, academy, or in a free school as an employee;
- be a trustee of an academy or free school trust; a governor or member of a proprietor body of an independent school;
- be a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

There is no exhaustive list of roles that might be regarded as 'management' for the purpose of determining what constitutes management in an independent school. However, roles involving, or very likely to involve, management of a school include (but are not limited to) headteachers, principals, deputy/assistant headteachers, governors and trustees. It is important to note that the individual's job title is not the determining factor and whether other individuals such as teachers with additional responsibilities could be considered to be 'taking part in management' depends on the situation.

#### **4.8 Health**

Once a conditional offer of employment has been made, fitness for the post should be assessed through the school's occupational provider, normally via the completion of a Health Assessment Questionnaire. Employment should not be confirmed until the school has received confirmation of the applicant's fitness for the post.

Subject to the employer's duties under the Equality Act 2010 (i.e. to make reasonable adjustments) a person may not be appointed as a teacher or worker with young people (nor continue in that capacity) if they do not have the requisite health and mental and physical capacity. Again, schools should actively manage progress with health assessments, to ensure that all necessary information is received and considered before employment commences.

All Trust schools and central team should seek advice from the Trust's HR Team on any information regarding health or disability declared on application forms or at interview and how this may be further considered within the provisions of the Equality Act 2010.

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

Under the Immigration, Asylum and Nationality Act 2006, employers are required to verify

an employee's right to work in the UK before employment begins.

From 1 January 2021, all employers are required to be a Home Office Licensed Sponsor, if wishing to recruit anyone from outside the UK (including hiring people from the EU). The Trust holds a licence centrally and therefore if any Headteacher/Line Manager is recruiting an individual from outside the UK, they should contact the HR team before any offer of employment is made. Only people who meet the job and salary requirements will be eligible.

#### **4.10 Further Checks if a Person has Lived or Worked Outside the UK**

Following the UK's exit from the EU, schools and colleges should apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world.

Whilst a DBS check considers any criminal record in the UK, it cannot currently assess criminal records held overseas. Therefore, schools should ask any candidate who has lived outside of the UK for more than six months in the past five years, to obtain a criminal record check from the country they lived in. This is commonly referred to as a 'Certificate of Good Conduct' but has many different names including Certificate of Clearance and Certificate of no Criminal Conviction. The candidate will need to obtain a Certificate of Good Conduct in addition to a DBS check.

In addition, for teaching positions, schools should ask candidates to obtain a letter, where possible, from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach.

#### **4.11 Professional Qualifications**

Schools and the central team should ask to see original or certified copies of all relevant professional qualifications described in the candidate's application form, particularly where these have been stated as 'essential' criteria on the person specification for the post.

The Teacher Services system should be used to verify any award of QTS (Qualified Teacher Status), and the completion of teacher induction or probation.

### **5. SINGLE CENTRAL RECORD**

All Trust schools and central team must keep a single central record (SCR). All staff maintaining the SCR must undertake induction training and an annual training SCR update with the Trust's HR team. It is recommended that DSLs and Headteachers also undertake the training.

The SCR must cover the following people:

- All staff (including supply staff, and teacher trainees on salaried routes) who work at the school; and

- All members of the proprietor body i.e. the local governing body (the Trust's central SCR includes its members and trustees).

The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- An identity check;
- A barred list check;
- An enhanced DBS check/certificate;
- A prohibition from teaching check;
- A section 128 check (for management positions)
- Further checks on people who have lived or worked outside the UK; this would include recording checks for those who have lived, trained or worked outside of the UK
- A check of professional qualifications, where required; and
- A check to establish the person's right to work in the United Kingdom.

The Trust recommends that its schools also record the following pre-employment checks on the SCR:

- References;
- Disqualification under the Childcare Act 2006, where relevant to the role; and
- Health

For agency supply staff, all Trust schools and central team must also include whether written confirmation that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member staff. The date on which any certificate was obtained should also be recorded.

Where checks are carried out on volunteers, schools should record these on the single central record.

## **6. SELECTION PROCESS**

Assessment and selection methods will be used to assess the candidate's suitability to the role and whether the candidate meets the criteria for the role. The selection methods used will be relevant, non-discriminatory and cost-effective.

Where a candidate has made a declaration of criminal convictions, or where a candidate

declares information on a Childcare Disqualification Declaration Form these will be discussed as part of the selection process and discrepancies or anomalies in the information that candidates have provided will be queried and resolved satisfactorily.

All Trust schools and central team should conduct a formal interview for all appointments, even if there is only one candidate. Internal applicants should be subjected to exactly the same procedure as external applicants. The interview process should be compliant with Safer Recruitment practices.

## **7. APPOINTMENT AND FOLLOW UP**

The Hiring Manager may make a provisional and conditional offer of appointment to the preferred candidate on behalf of the Trust. In doing so, the Hiring Manager must make it clear that the offer is subject to satisfactory completion of a number of pre-employment checks. The preferred candidate should be asked to give a verbal acceptance of the offer.

If no appointment is made for whatever reason the panel should decide whether a further selection process could be held on the basis of the applications already received or if the post should be re-advertised.

Feedback should normally be offered to all candidates, both successful and unsuccessful.

## **8. ADDITIONAL REQUIREMENTS**

### **8.1 Equal Opportunities**

Schools should note particularly the importance of using the appropriate equal opportunities monitoring processes to record and monitor appropriate information about the gender, ethnic origin and disability of all candidates.

### **8.2 Internally Promoted Posts**

There may be occasions when the Trust/school wishes to consider an internal promotion without first advertising externally. Advice should be sought from the Trust's HR team. (see Leadership Development Programme policy and procedure).

### **8.3 Teaching Qualifications**

There is no longer a general requirement for teaching staff in academies to have QTS. It is the intention of the Trust however to appoint an individual with QTS to every teaching post if possible. The Trust will comply with the requirement that all Special Educational Needs Coordinators and designated teachers for looked-after and previously looked-after children must have QTS, including those in academies. All teachers in special academies must hold QTS.

This policy and procedure is non-contractual and may be updated from time to time following consultation through the Trust's JCNC arrangements.