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JOINT NEGOTIATING COMMITTEE FOR TEACHERS

HEAD AND DEPUTE HEAD TEACHER RECRUITMENT & SELECTION

Policy & Procedure

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1.0 INTRODUCTION

- 1.1 East Ayrshire Council is committed to recruiting a high quality teaching workforce with appropriate expertise and experience which is vital to the effective implementation of the policies of East Ayrshire Council and the provision of effective and efficient education in schools.
- 1.2 Equality of opportunity is a core value of the Council and recruitment and selection procedures have been designed to provide ways to assess and appoint the most capable and effective employees while ensuring that all individuals are treated with fairness and sensitivity. It is the Council's policy to recruit the most appropriate person for each approved vacancy regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- 1.3 Selection is a subjective process, so a systematic framework is essential to ensure that decisions are soundly based, consistent and defensible.
- 1.4 Anyone involved within the shortlisting or selection process must be aware of the Council's policy relating to personal and professional relationships. If there is any possibility that a relationship could be perceived to affect a decision with any stage of the recruitment process, the Chair must be informed, so that they can seek appropriate advice from Human Resources. The test is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it would be likely to prejudice the decision.
- 1.5 Human Resources (HR) will ensure the recruitment and selection process is clear and up to date with regards to legislation. HR is available to provide advice and guidance at every stage of the process.

2.0 POLICY OUTLINE

- 2.1 This policy document is intended to complement the Council's Recruitment and Selection Policy & Procedure and address the differences necessary when recruiting teaching staff.
- 2.2 The aim of this policy is to ensure that appointments are made on merit in an effective, efficient, consistent and safe way.

2.3 This policy applies to all teaching staff, Head Teachers and senior staff who are responsible for recruitment and selection within East Ayrshire schools.

3.0 RESPONSIBILITY

3.1 The Depute Chief Executive (Economy & Skills) and Head of Education, in consultation with Human Resources, along with Head Teachers have separate and particular responsibilities for selecting and managing employees.

4.0 LEGISLATION

4.1 It is a legal requirement for any teacher teaching in a Scottish state school to be registered with the General Teaching Council for Scotland (The Requirements for Teachers (Scotland) Regulations 2005). Permanent appointments can only be offered to fully registered teachers.

4.2 This policy sets out procedures to be followed in compliance with The Parental Involvement in Head Teacher and Deputy Head Teacher Appointments (Scotland) Regulations 2007, laid before the Scottish Parliament in 2007. Guidance was also issued.

4.3 The Council is legally required to ensure that where an appointment is being made to a denominational school that "A teacher appointed to any post on the staff of any such school by the education authority shall be required to be approved as regards religious belief and character by representatives of the church or denominational body in whose interest the school has been conducted".[Education (Scotland) Act 1918; Education (Scotland) Act 1980 Section 21(2); Self Governing Schools etc. (Scotland) Act 1989 Sch.10] The process of seeking and securing approval is determined solely by the Roman Catholic Church. Human Resources will provide information to assist candidates to access the approval process via the Scottish Catholic Education Service (SCES) but otherwise has no role in the process itself. The Council will withdraw any offer of employment where approval has not been granted or where a candidate fails to seek approval.

4.4 The Council is committed to safeguarding and promoting the welfare of children and young people, and will comply fully with the provisions of the Protection of Vulnerable Groups (Scotland) Act 2007 by ensuring that robust procedures are in place.

4.5 For Head Teacher appointments the Council must now comply with the provisions of The Head Teachers Education and Training Standards (Scotland) Regulations 2019. These Regulations set the minimum qualifications necessary for the appointment of a Head Teacher.

5.0 EQUALITY STATEMENT

5.1 East Ayrshire Council aims to have in place policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It considers the provisions of the Equality Act 2010 and advances equal opportunities for all. This document has been assessed, in accordance with the Council's policy on undertaking an Equality Impact Assessment, to ensure that no one receives less favourable treatment on the protected characteristics.

6.0 SAFER RECRUITMENT PRACTICE

6.1 Only individuals who have membership of the Protection of Vulnerable Groups (PVG) Scheme will be made an offer by the Council to undertake regulated work with children and young people as defined within the 2007 Act. The cost of PVG membership will be met by the individual.

6.2 The Protection of Vulnerable Groups (Scotland) Act 2007 provides statutory protection to children and protected adults from harm and defines work (paid or unpaid) with children or protected adults as 'regulated work'.

6.3 The PVG Scheme is managed by Disclosure Scotland, which is the body responsible for establishing lists of individuals who are barred from working with children and/or protected adults. Those lists provide the Council and other registered bodies with the means of identifying whether prospective or existing employees are barred from undertaking regulated work. It is an offence under the PVG Act for the Council to employ or offer regulated work to an individual who is listed as barred from undertaking that work.

6.4 The PVG Act establishes two separate lists, one which contains the names of those individuals who are unsuitable to do regulated work with children and another for those who are unsuitable to do regulated work with protected adults.

6.5 'Listing' refers to the inclusion of an individual in the PVG Children's List or the PVG Adults List. 'Barring' is the consequence of listing.

6.6 Through the PVG Scheme checking process, Disclosure Scotland will advise the Council if an applicant is being considered for listing or is barred from carrying out regulated work with children and/or protected adults. Where an individual is listed they can no longer be a PVG Scheme Member for the type of work to which the listing relates.

- 6.7 Disclosure Scotland will issue a PVG Scheme Record to individuals who are not barred. Where an individual is being considered for listing, this would be disclosed on the Scheme Record. The Scheme Record provides vetting information relating to any criminal convictions that an individual may have and/or relevant information held by the Police. This information enables Human Resources, in consultation with the Head of Education, to carry out a risk assessment to determine an applicant's suitability for the position for which they have applied.
- 6.8 PVG Scheme Record checks will only be carried out on the preferred candidate who will be issued with a conditional offer of employment. No unconditional offer of employment will be made to any applicant until a satisfactory PVG check and other satisfactory recruitment checks have been received.

7.0 CONFIDENTIALITY

- 7.1 The confidentiality of the recruitment and selection process must be maintained under all circumstances. Details of applicants, interviews or any other aspect of the selection process should not be discussed outside of the appointment panel. Breaches of confidentiality and their impact on the Council and individuals are regarded as serious matters.

8.0 THE APPOINTMENT PROCESS

- 8.1 Recruitment and selection is a two-way process. While the appointment panel want to be able to determine the most suitable individual for a post, all candidates, successful or unsuccessful need to feel they have been fairly treated and have been given every opportunity to give of their best and demonstrate the competencies they can bring to the post. If not achieved this may leave the candidate with a poor impression of the school/establishment and East Ayrshire Council. It may also lead to legal challenges to the fairness of an appointment should an unsuccessful candidate feel unfairly treated. The appointment procedures set-out in this document must also be applied to temporary positions that are fixed in duration. Short-term acting up arrangements are except.

9.0 PARENTAL INVOLVEMENT

- 9.1 The Council has a statutory duty to ensure parental involvement in the selection of Head and Depute Head Teachers appointments. Members of the Parent Council will be invited to become involved in the appointment process. Where there is no Parent Council, parental representation from the school's Parent Forum will be sought by the Council. Where for any

reason it is not possible for there to be parent representation, the appointment panel will consist of the authority's nominees only.

- 9.2 In circumstances relating to the appointment of a Head Teacher for an amalgamating school, parental representation will be invited from the existing school's. Parents will be invited to nominate two representatives to become involved in the appointment process.

10.0 ELECTED MEMBERS

- 10.1 Two Elected Members will be involved in the appointment process for all Head Teacher appointments.

11.0 THE ROLE OF HUMAN RESOURCES IN INTERVIEWS

- 11.1 The Human Resources representative will be independent and someone who will not have a direct involvement in the role and can bring a different perspective and add value to selection.
- 11.2 The Human Resources representative represents the broader Council interest and provides an external perspective and impartiality in the assessment of candidates during the selection process to ensure consistency of standards across Services. This may involve broadening the scope of the interview in order to avoid undue emphasis being given to a specific element or set of elements of the person specification which are important and which apply more generally and ensuring that long-term Council interests are kept in mind as well as that of the Education Service.
- 11.3 In addition to the responsibilities required by all panel members, the actions required by the Human Resources representative are:
1. Actions during the pre-interview preparation time:
 - a. Ensure that the questions being asked test candidates' performance against the criteria set in the person specification and that all criteria will have been tested at some point during the selection process.
 2. Actions following the interviews during decision making:
 - a. In order to ensure that staff being appointed to posts meet the standard as laid out in the person specification, ensure that each criteria is given due consideration with candidates being fairly considered against each.
- 11.4 If at any point during the interview or decision making, the Human Resources representative has cause for concern, then the matter should be referred to the Head of Human Resources before any offer of employment is made.

12.0 HEAD TEACHER APPOINTMENTS

12.1 Education Scotland makes very clear the expectations placed on all Head Teachers. In essence, Head Teachers:

- a. are responsible for the development of a shared vision which is meaningful and relevant to the context of the school within its community and is based on collaborative leadership at all levels;
- b. ensure continuous improvement of the school through effective self-evaluation based on strong evidence and collegiate planning processes;
- c. ensure that the need for change is well understood and the pace of change is appropriate towards achieving the desired positive impact for learners
- d. are responsible for the leadership of improvements in learning and teaching in the school. They challenge and support colleagues and young people towards a commitment to improving pedagogy through a range of approaches to career-long professional learning including collegiate working. They focus on leadership which improves outcomes for learners through enabling them to lead their own learning.
- e. provide sound governance with fair and proper recruitment and selection of staff. They effectively empower staff and partners with due regard to wellbeing and positive relationships. They focus on accountability, responsibility and shared values as important features of building and sustaining a highly professional staff team.

12.2 Fundamental to the selection process are the Standards for Leadership and Management. These Standards will be used as the foundation for preparation of job descriptions and person specifications.

12.3 For a candidate to be successful, they must meet the criteria required to carry out the duties of the Head Teacher post effectively. Meeting the criteria will be demonstrated via the application and selection process described in this policy document.

13.0 HEAD TEACHER QUALIFICATIONS

- 13.1 The Scottish Government has taken powers in the Education (Scotland) Act 2016 to set the standards of education and training needed before a teacher can be appointed as a Head Teacher, and has introduced The Head Teachers Education and Training Standards (Scotland) Regulations 2019.
- 13.2 Regulation 2(1) provides that only applicants falling within section 90A(2) of the Education (Scotland) Act 1980 may be appointed by the Council as a Head Teacher. Regulation 2(2) provides that an applicant falls within section 90A(2) of the 1980 Act if the person has achieved the Standard for Headship.
- 13.3 The Standard for Headship is defined in regulation 1(2) as meaning the professional standard awarded to a person by the General Teaching Council for Scotland ("the GTCS"), pursuant to the GTCS's functions under article 6 of the Public Services Reform (General Teaching Council for Scotland) Order 2011 (S.S.I. 2011/215) and rules made under article 15 of that Order.
- 13.4 Regulation 3 provides for exemptions from the general requirement in regulation 2(1) that only applicants who have achieved the Standard for Headship may be appointed as a Head Teachers by the Council.
- 13.5 Regulation 3(1) provides that the general requirement does not apply to an applicant who on or before 1 August 2020 held a permanent appointment as a Head Teacher of a public school, a grant-aided school or an independent school.
- 13.6 Regulation 3(2) provides that the general requirement in regulation 2(1) does not prevent the appointment of a person as a Head Teacher, on or after the 1 August 2020 where that person has not yet achieved the Standard for Headship provided the appointment does not exceed 30 months. The person must be working towards achieving the standard.

14.0 LEETING PROCESS

- 14.1 The Depute Chief Executive (Economy & Skills) and Head of Education will determine the format to be used when leeting. There may be circumstances where it may be more appropriate for the leeting process to be conducted: online; conference call or email. In such circumstances, the Head of Education will notify the parent representatives.
- 14.2 The Depute Chief Executive (Economy & Skills) and Head of Education, or nominees, will lead the leeting process, together with a representative from Human Resources and Parent

Council. In accordance with the Scottish Schools (Parental Involvement) Act 2006, the Parent Council can choose whether it wishes to be represented in the leeting process. The Parent Council can also choose to have someone who is not on the Parent Council to assist it in discharging its functions. All parties should, where appropriate, declare any interest in the leeting process.

- 14.2 The essential criteria to be evidenced in the application form requires to be explicitly stated in the person specification in order that applicants have the opportunity to offer evidence relating to each criterion. Candidates must satisfy the Council that they meet the minimum criteria in the person specification.
- 14.3 Where an applicant has demonstrated through their application that the relevant essential criteria has been met, then that applicant should be selected for assessment in order that the remaining criteria can be explored. Depending on the number of applicants who meet the essential criteria, it may be necessary to assess against the desirable criteria in order to determine the final candidates for assessment.
- 14.4 The quality of the evidence offered in relation to the essential, and desirable, criteria will be used as a basis for the selection of candidates to be shortlisted.
- 14.5 In most cases it will be possible to consider applications and decide on an initial leet that will be interviewed by the appointment committee. The number of candidates to be interviewed will not normally be fewer than three or greater than six. In exceptional circumstances, if it is felt desirable to interview a larger number of candidates, a preliminary professional interview stage may be introduced. Where a satisfactory leet cannot be formed, the post will be re-advertised.

15.0 PROFESSIONAL INTERVIEW

- 15.1 The professional interview will be designed to select candidates for a short leet on the basis of best evidence of experiences matching the selection criteria. The interviewing panel for the professional interview should normally consist of three Officers identified by the Depute Chief Executive (Economy & Skills) together with the Head of Education. The selected officers will be senior members of staff and will include a Senior Education Manager, and Head Teacher.
- 15.2 The professional interview is designed to elicit in depth evidence relating to essential criteria which require personal interaction for their assessment. It should explore in some detail the

relevant experiences of the candidate and support key parts of the information stated in the application form. It should last approximately 30 minutes.

- 15.3 Interview questions should be related to the essential criteria, and should be designed in such a way that candidates can demonstrate the extent to which they satisfy the criteria. Questions should allow candidates to draw on their current experience and practice in order to demonstrate their ability to meet the relevant criteria.

16.0 INITIAL ASSESSMENT PROCESS

- 16.1 The format of the interview process will be described at the leeting meeting between members of the Education Service and the Parent Council representatives. For the appointment of Head Teachers, the process is in three stages including final interview.
- 16.2 The first stage of the process is the candidate involvement in an assessment exercise. The purpose of the assessment exercise is to provide information on the skills and qualities of each candidate. The assessment exercise takes place at a venue in East Ayrshire, and may last for up to one day depending upon the format used. Feedback from this process is provided to the chair of the interview panel prior to the final interview and is shared with panel members after the candidates have been interviewed and prior to final consideration for the post.
- 16.3 The second stage is participation in focus group sessions, which will normally take place in the school where the vacancy exists. Depending on the number of candidates, this stage may need to take place over two days. This programme will begin with a tour of the school, accompanied by the existing Head Teacher (where possible) and the school's and a senior manager selected by the Head of Education. This tour provides all candidates with the opportunity to visit the school, to be briefed on major issues affecting the school, to meet the appropriate staff and to seek any information about the school which they feel might be helpful to them. This part of the process is for the benefit of candidates and does not form part of the candidate selection process.
- 16.4 On the same day, each candidate will meet with up to three focus groups - each group facilitated by a senior manager selected by the Head of Education. The senior manager will visit the school prior to this stage to brief the focus groups on their role, and to provide appropriate training. For Secondary Head Teacher appointments, the focus groups will be as follows: teaching staff, support staff and pupils. Each group should consist of up to six people. For appointments in Primary, Special schools or Early Years, the focus groups will be as follows: two members of teaching staff, one member of support staff and six pupils (2 x P5,

2 x P6, 2 x P7). Each focus group discussion will last around 30 minutes, and will address the areas around the personal qualities and interpersonal skills as outlined in section 4 of the GTCS Standard for Leadership and Management.

- 16.5 Following the focus group discussions, the senior manager will meet to collate the feedback for each candidate across all of the focus groups. The senior manager will summarise the focus group feedback and share their observation with panel members after the candidates have been interviewed and prior to final consideration for the post.
- 16.6 To maintain the integrity of the selection process, focus group chairs will not be selected from within the school where an appointment is to be made.

17.0 APPOINTMENT PANEL

- 17.1 The appointment panel will include: Depute Chief Executive (Economy & Skills); Head of Education (or their nominees); two Elected Members (at least one of whom will be a Cabinet Member, both to be nominated by the Leader of the Council) and two representatives of the Parent Council. A Human Resources Manager and Head Teacher will be in attendance to advise the panel in their respective professional areas. The Head Teacher advisor will have the responsibility for questioning candidates on their presentation. In the case of an appointment to a denominational school, a representative selected by the Diocese of Galloway will also be invited to attend.
- 17.2 When an appointment is being made to a Head Teacher position within a Campus, the Head of Campus has an important role in advising the appointment panel and will participate in the recruitment process as an advisor.
- 17.3 The appointment panel will be chaired by the Depute Chief Executive (Economy & Skills) or nominee. After the final interview there should be a full discussion by the panel members. Every effort should be made to reach a decision by consensus. Where it is not possible to reach a consensus, a vote will be required.
- 17.4 All members of the appointment panel are entitled to vote. This will include the representative from the Roman Catholic Church in the case of appointment to a denominational school. Advisors to the panel are not permitted to vote. For a candidate to be successful, they must have a majority of votes. If there is an equality of votes at any time, the Chair will have both a deliberative and a casting vote.

- 17.5 It is open to the Appointment Panel not to make an appointment. In this circumstance the appointment procedure should be carried out afresh.
- 17.6 Panel members should be appropriately trained in recruitment and selection and must have undertaken safer recruitment training provided by the Council. Pupils of the school and members of staff of the school may not be members of an appointment panel.

18.0 INTERVIEW

- 18.1 The final stage in recruitment is the formal interview. The aim of this stage of the process is to afford the opportunity for two-way communications to occur. The interviewing panel needs to be able to obtain as much information as possible with regard to the candidate's ability to fulfil the criteria for the post. The interviewee needs to feel that they were afforded the opportunity to give of their best and also to make a determination as to whether the post is appropriate for them.
- 18.2 The format should be determined in advance by the Depute Chief Executive (Economy & Skills), in consultation with and the Head of Education and in consultation with the Cabinet Member for Skills and Learning, taking account of any views expressed by the Parent Council. The interview should allow the same time for each candidate, provide for at least one standard question and permit candidates some opportunity to clarify essential matters by putting questions to the Chair.
- 18.3 The interview should assess the merits of each candidate against the job requirements and explore their suitability for the role. Areas which may be addressed in the final interview include: education policy and strategy, continuous improvement issues and scenarios specific to the post. The minimum time allowed for each candidate will normally be 50 minutes excluding presentation. It allows for a ten minute presentation, as well as a question and answer session.
- 18.4 Questions should relate to the challenges of the role, and relate directly to the essential criteria. Prior to interview, panel members should agree who will lead on each question. Where supplementary questions require to be asked, they should be directly related to the essential criteria. Where the candidate fails to pick up on a criterion, an appropriate supplementary question can be asked to bring the candidate back on track.
- 18.5 During the interview candidates may be presented with a scenario relating to the reality of being a Head Teacher and be asked to respond appropriately. The scenario should be directly related to the essential criteria.

- 18.6 All candidates should be asked the same questions, although any follow-up questions may be different and depend on the candidate's initial response. It is also appropriate to seek clarification from any candidate by way of referencing any aspect of their application form or presentation.

19.0 APPOINTMENT & FEEDBACK

- 19.1 The candidate appointed should be the person, best suited for the role, having met and demonstrated the selection criteria during the recruitment process.
- 19.2 The successful candidate should be advised that they are the preferred candidate and that their appointment will be subject to the necessary pre-employment checks. This information will have been set out in the recruitment pack for the role.
- 19.3 Candidates who have been unsuccessful at this stage must be provided with the opportunity for feedback. It will be the responsibility of Chair of the panel to make appropriate arrangements.

20.0 DEPUTE HEAD TEACHER APPOINTMENTS

- 20.1 The Depute Head has a particular responsibility in supporting the Head Teacher in providing visible leadership. They are responsible for fostering relationships within the school community to promote better understanding and appreciation of respective roles, relationships and responsibilities. In partnership with the Head teacher as a member of the Senior Leadership Team, they provide professional leadership and management of Teaching and Learning throughout the school.
- 20.2 The appointment procedures to be followed for the appointment to a Depute Head mirrors that for a Head Teacher except in the following way.

21.0 LEETING PROCESS FOR DEPUTE

- 21.1 The leeting process will be chaired by the Head Teacher of the school where the vacancy exists. The Head Teacher, the Head of Education or nominee, or, if deemed appropriate, a senior Education Manager, the Education Group Human Resources Officer, and Parent Council representative on the appointment panel will draw up the short leet for the interview. The Head Teacher should keep a written record of the leeting process.

22.0 APPOINTMENT PANEL FOR DEPUTE

22.1 The appointment panel will be chaired by the Head Teacher of the school where the vacancy exists and include: two representatives of the Parent Council; two representatives nominated by the Head of Education, and the Education Group Human Resources Officer or nominee.

23.0 INTERVIEW FOR DEPUTE

23.1 The format should be determined in advance by the Head Teacher in consultation with Human Resources. The minimum time allowed for each candidate will normally be 50 minutes excluding presentation. This allows for a ten minute presentation, as well as a question and answer session. It may also be deemed approach for candidates to undertake a desktop exercise under controlled conditions.

24.0 APPOINTMENT & FEEDBACK

Appointment and feedback will mirror that for the appointment of a Head Teacher.

Head & Depute Head Teacher Recruitment & Selection

APPENDIX 1

