



The Governing Body of

Herons Dale Primary School

have adopted the following policy:

Recruitment and Selection of Headteachers and Deputy
Headteachers

The governing body has adopted the WSCC model policy.

Reviewed by:	Jenny Birch
Date:	March 2022
Ratified by Governing Body:	April 2022
Review Date:	March 2023

1. Aim

The aim of this document is to set out the best practice approach to the recruitment and selection of Head Teachers and Deputy Head Teachers, in line with The School Staffing (England) Regulations 2009. All school recruitment processes will be completed in accordance with the Safer Recruitment Policy adopted by the school.

2. Principles

General

Governing bodies must have the skills at their disposal to carry out effective selection processes.

At least one person on any selection panel must have completed appropriate safer recruitment training (see [Keeping Children Safe in Education - KCSIE](#) for more information).

All schools must appoint staff in accordance with employment law.

Maintained schools must follow the requirements set out in the School Staffing (England) Regulations 2009.

With all appointments schools should, prior to appointment, take up references from the applicant's current or former employer.

Headteacher Appointments

Every maintained school must have a headteacher.

In maintained schools the governing body must notify the local authority in writing of any headteacher vacancy, advertise the post as appropriate (unless it considers it has good reason not to), and then appoint a selection panel.

In all schools governing bodies can adapt the process to suit the individual circumstances of both their own school and the type of appointment they wish to make, subject to their statutory responsibilities.

In maintained schools the panel established to make the headteacher appointment must seek ratification of its decision from the full governing body.

Deputy Headteacher Appointments

There is no legal obligation for a school to have a deputy headteacher, or any limit on the number of deputies it may have.

Avoiding Discrimination in Appointments

When recruiting staff, employers and governing bodies must be aware of their responsibilities set out in the [Equality Act 2010](#).

Schools must not discriminate against any prospective employee on the basis of any protected characteristic (including race, sex or disability) in relation to appointments, pay and conditions.

For more details refer to the government document titled '[Staffing and Employment Advice For Schools](#)', in particular section 2 'Appointing Staff' which covers headteacher and deputy headteacher appointments.

3. Background

The School Staffing (England) Regulations 2009 describe the responsibilities that Governing Bodies have for the appointment, performance management and dismissal of all staff. The regulations specify that in Community, Voluntary Controlled, Community Special and Maintained Nursery schools, the Director of Operations Learning or his/her representative has a right to be present at selection panel meetings and interviews to offer advice.

The regulations provide governing bodies with specific parameters and certain discretions as to how they fill vacancies for Head Teachers and Deputy Head Teachers. This includes enabling the governing body, where it has a good reason, not to advertise and conduct a selection process for Head Teacher or Deputy Head Teacher. The local authority must appoint this person as outlined in the following regulations, SI 2009 no 2680, 'Education, England The School Staffing (England) Regulations 2009'.

This discretionary element needs to be managed within the context of general equalities legislation and safer recruitment practices.

4. Policy Statement

The governing body should only consider in very exceptional circumstances exercising their discretion not to advertise a vacancy and undergo a selection process for these two positions.

Exceptional circumstances will include:

- Where succession planning has identified an appropriate successor who was competitively appointed for this purpose.
- Where schools are amalgamating.
- Where both the Head Teacher and Deputy Head Teacher roles are vacant and a suitable candidate for the vacant Deputy Head Teacher role is identified as a result of completing the interviewing process for the Head Teacher role.

Prior to exercising this discretion, the governing body will take advice from the local authority officer assigned to the appointment to ensure that this decision is the right approach for the school and that it will not leave them open to challenge.

Where the Education & Skills Director's representative disagrees with the decision of the governing body this should be recorded in writing and

made known to the full governing body. Similarly, during the appointment process any decision made that these representatives or officers consider places the school at risk of challenge should be made known to the full governing body before the decision is ratified.

All decisions and advice received will be fully documented, as the governing body will need to demonstrate that it has acted reasonably should it be challenged.

5. Further Information

Governing bodies may find the government's [Recruiting A Headteacher website](#) useful. This contains the document titled '[Recruiting A Headteacher: A Guide To The Recruitment and Selection Of Headteachers and Other Leadership Roles](#)' and the '[Headteacher Recruitment Toolkit](#)'.

The government document titled '[Staffing and Employment Advice For Schools](#)' may also be useful for governing bodies to refer to. In particular section 2 'Appointing Staff' which covers headteacher and deputy headteacher appointments.

[The School Staffing \(England\) Regulations 2009](#).

The government's webpage on [Keeping Children Safe in Education - KCSIE](#) will provide governing bodies with more information on safer recruitment.

The government's webpage on the [Equality Act 2010](#) will help governing bodies avoid discrimination in appointments.

A model Safer Recruitment Policy is available on the West Sussex Services for Schools recruitment Page under [Pre-Employment Checks](#).

The application form for headteachers is available on the West Sussex Services for Schools [Recruitment Page](#) under [Attracting Applicants](#).

Finally, the guidance document titled 'Appointing Headteachers - What Governors Need To Know' is also available on West Sussex Services for Schools under [Pre-Recruitment Considerations](#).

Written by:	People Management Policy and Practice Team (LRW)
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