Briefing Note Headteacher Recruitment in Maintained Schools

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1. Introduction

The purpose of this briefing note is to provide guidance to governing boards (GB) in the event that the Headteacher (HT) position at their school becomes vacant, to ensure that appointments are made in a fair, transparent and robust manner.

School leadership has a significant influence on the success of a school, and it is therefore essential that GBs give sufficient thought, care and time to the recruitment and selection process.

In all cases, GBs **must** ensure compliance with the legal requirements set out in statutory guidance and take into account non-statutory guidance, best practice and other local expectations from the LA and, where applicable, the diocesan authority/faith body.

Schools should have a recruitment and selection policy that ensures a consistent, professional approach, complies with equality, diversity and employment law, and promotes the appointment of staff based on merit. Schools with a religious character should consult their diocesan authority/faith body before launching a recruitment process.

2. Notice periods

The notice period for HT resignation or retirement is as follows:

- By **30 September** to leave at the **end of the autumn term**
- By **31 January** to leave at the **end of the spring term**
- By **30 April** to leave at the **end of the summer term**

The HT's final working day will normally be the last day of the school term in which their employment ends. However, in accordance with the School Teachers' Pay and Conditions Document (STPCD), HTs are required to remain available for work until the day before the start of the following term. For example, a HT leaving at the end of the summer term must remain available to support the school until 31 August. It is therefore expected that the HT will be available throughout this period, including during school closure periods, unless there are exceptional circumstances. Any exception to this expectation must be approved by the Chair of Governors (CoG) to allow appropriate alternative arrangements and cover to be put in place.

3. Informing stakeholders

In line with the SSR Regulation 15 (1)(a), the CoG **must** notify the Local Authority (LA) in writing of any HT vacancy by emailing schoolimprovement@birmingham.gov.uk as soon as practicable.

If required, the CoG and/or the LA's School Improvement Adviser (SIA) can provide support to the HT in communicating with stakeholders. It is recommended consideration is given to the order of communication.

Consideration can be given to the CoG co-signing or leading the parent communication, providing reassurance about the GB's next steps.

4. Responsibilities of the GB

It is the legal responsibility of the GB led by the CoG, to select a HT, as such it must:

- Appoint a selection panel, consisting of at least three of its members with relevant skills and experience. There is no limit to the number of governors who can sit on the panel, but it should not be unnecessarily large. S&GS have provided a template terms of reference for the panel, **Appendix A**. Maintained schools must include the school's LA SIA on the panel, in an advisory capacity and without voting rights.

- Consider the available budget for the process bearing in mind the cost of buying expertise (if required), agency fees, and any recruitment exercises planned. Also consider costs (and the time required) for a second recruitment round should this be needed. Support from the SIA is fully funded by the LA.

- Ensure that at least one member of the selection panel is Safer Recruitment trained. The DfE states that GBs should also consider what general recruitment training members of the panel might need, and it is good practice for all members of the panel to receive unconscious bias training before selection begins.

- Ensure that the integrity and fairness of the process is maintained should a member of the panel be unable to complete the process. The panel can continue provided it remains quorate. Replacement panel members would not normally be introduced mid-process, and only those who have participated in the full process should be involved in the final decision/ recommendation. Further advice can be provided by the LA's SIA.

- In collaboration with the existing HT and new appointee, announce the appointment to all stakeholders once all pre-appointment checks have been completed.

- Ensure there is a structured induction process in place to support the new Headteacher in settling into their role.

5. Accessing advice and guidance

- **Statutory/Non-Statutory Guidance:** GBs must take account of statutory guidance:

    - The School Staffing (England) Regulations 2009 (SSR)
    - Keeping Children Safe in Education (KCSiE)
    - Equality Act 2010
    - Constitution of Governing Bodies (Roles and Procedures) Regulations 2012.

  Alongside this, GBs should refer to other relevant guidance, best practice and expectations from the DfE (Recruiting a headteacher), LA, and where relevant, the diocesan authority/faith body (see below).

- **HR/ER:** Schools must seek advice and guidance from their HR/ER provider throughout the process to ensure compliance with school policies, employment and education legislation, and

safer recruitment requirements. The HR provider can also advise on the LA's statutory duties and ongoing employer compliance and assurance role in schools.

- **Local Authority**: In line with the School Staffing Regulations, the **GB must consider any advice offered by the LA**. The SIA will provide educationalist guidance and **must** be an advisory (i.e. non-voting) member of the selection panel. The SIA will support the GB in identifying the qualities they are looking for in a new HT (the person specification), shape appropriate assessment exercises, and support the panel in judging candidates' individual strengths. Details of SIA allocations can be provided by contacting: schoolimprovement@birmingham.gov.uk.

  In community, voluntary-controlled and community special schools, the LA as the employer, has the right to attend all selection panel proceedings (including interviews) and provide advice.

  In voluntary-aided, foundation and foundation special schools, the LA does not have an automatic right to attend, but may offer advice where this is set out in a written agreement, and any such advice must be considered by the board.

- **Diocesan Authorities/Faith Bodies:** Schools with a religious character are required to consult their diocesan authority/faith body before launching a recruitment process. Some will have their own employment guidance which schools will be expected to follow.

6. Safer Recruitment

It is essential that safer recruitment practices are embedded at every stage of the recruitment and selection process in terms of attracting, assessing, appointing, and monitoring individuals safely to work with children and young people.

Safer recruitment is an ongoing process that commences before a role is advertised and continues following appointment, into the working environment; it is not a single check.

Safer recruitment practices are designed to ensure that at all stages the safety and welfare of children and young people are protected, to uphold the highest standards of professional integrity, and to foster a culture of vigilance and safety within educational environments.

7. Fair and transparent process

Maintaining independence, fairness and transparency throughout the recruitment process is essential when appointing a HT. Recruitment must be sufficiently robust to withstand scrutiny from staff and trade unions, respond to any challenge from unsuccessful candidates, and be able to demonstrate rigour under external review, complaint or governance scrutiny:

- Those involved in the recruitment process should uphold confidentiality throughout.

- The DfE states that the membership of the panel should be diverse and inclusive to help ensure an equal and fair recruitment process. In choosing panel members, GBs should consider factors such as conflict of interest.

- It is strongly recommended that staff governors are not members of the panel, due to potential conflicts of interest, confidentiality considerations, and the need to maintain a clear separation between governance and staff roles. Recruitment panels should therefore consist of non-staff governors, with staff views gathered through structured engagement, such as involvement in assessment activities, to ensure meaningful input without compromising panel independence.

- The Regulations prohibit the resigning or retiring HT from being a member of the panel. In addition, they should not be involved in any aspect of the recruitment process, particularly in decision-making or candidate assessment, to ensure impartiality and avoid any perceived or actual conflict of interest. This also applies where the individual is serving in the Headteacher role on an acting basis.

8. Visits to the school from interested candidates

The panel should ensure these are carefully planned to support fairness, objectivity, and good candidate experience.

There are no prescribed rules on how these are conducted but the DfE suggests this process is provided by the school office or School Business Manager, or suggests expertise could be bought in from the school's HR provider. While governors may be present during tours, it is generally not recommended that members of the panel lead or undertake tours themselves, to maintain clear separation between informal interactions and the formal assessment process.

The panel should ensure that all candidates receive an equivalent experience and that visits remain distinct from the formal assessment process.

9. Supporting a New Headteacher: Transition and Induction

Once the recruitment process is complete, the GB will know who is expected to lead the school when the current HT leaves. In most cases, this will be the successful candidate, although an interim or temporary arrangement may sometimes be required. Whatever the circumstances, a well-planned transition between leaders is essential.

Appendix B provides a useful template to capture key information and support a smooth transition.

The GB should consider arrangements to support the transition, such as keeping-in-touch days that allow the new HT to spend time with current leaders, staff, pupils and parents/carers. The GB should also support the new HT to attend the LA's fully funded Headteacher Induction Programme. Further information is available by emailing schoolimprovement@birmingham.gov.uk.

10. Further information

- The School Staffing (England) Regulations 2009
- DfE: Recruiting a headteacher. Staffing and employment advice for schools
- NGA Headteacher Recruitment Toolkit (subscription required)
- School and Governor Support: governors@birmingham.gov.uk
- Local Authority School Improvement Team: schoolimprovement@birmingham.gov.uk

Birmingham City Council

Appendix A

Suggested Terms of Reference

Headteacher Recruitment Panel

1. Purpose

The Headteacher Recruitment Panel is established by the Governing Board (GB) to undertake the process for the recruitment and selection of a Headteacher, ensuring that the appointment is fair, robust, transparent and in line with statutory requirements.

2. Scope

The panel is constituted under Regulation 15 of the *School Staffing (England) Regulations 2009*. The GB has delegated authority to the panel to:

2.1 Manage the recruitment and selection process for the Headteacher position.

2.2 Either:

- Recommend a candidate to the full GB for appointment, **or**
- Make the appointment on behalf of the GB (if formally delegated and detailed as such in GB minutes)

(Delete as appropriate depending on the delegation model agreed by the GB.)

2.3 The GB retains overall accountability for the appointment.

3. Membership

3.1 The panel will consist of no fewer than three governors (excluding the current Headteacher and governors who are staff).

3.2 Membership will be agreed and minuted by the GB at a full GB meeting.

3.3 The panel will include the Chair of Governors (unless conflicted) and governors with appropriate skills and experience.

3.4 Consideration will be given to skills mix, availability for all stages, and avoidance of conflicts of interest.

4. Quorum

4.1 The quorum for the panel is **three governors** voting members.

5. Professional and External Support

5.1 The panel must be supported by the Local Authority's School Improvement Advisor who must be invited to attend and advise, HR advisory support [insert name of HR provider], and diocesan authority/faith body (if applicable).

5.2 The panel will take full account of professional advice and record how advice has been considered in decision-making.

6. Key Responsibilities

Drawing on specialist support and expert advice the panel will:

6.1 Agree the recruitment timeline. Determine the selection process and activities. Ensure compliance with safer recruitment requirements. Prepare all paperwork in relation to the advert, job description, and person specification.

6.2 Oversee advertisement of the post, ensuring that it considers how best to reach a diverse range of candidates, and manage the application process.

6.3 Undertake shortlisting against agreed criteria, ensuring equality and fairness in decision-making.

6.4 Undertake a robust selection process, which may include interviews, assessment activities and stakeholder engagement (e.g. staff/pupil panels).

6.5 Identify the preferred candidate and either recommend to the Governing Board* OR make a conditional offer (if delegated)* **delete as appropriate*

6.6 Ensure that adequate arrangements are in place to provide feedback to the unsuccessful candidates.

7. Safeguarding and Safer Recruitment

7.1 The panel will ensure that at least one panel member has up-to-date safer recruitment training, all recruitment activities comply with Keeping Children Safe in Education and ensure pre-employment checks are completed prior to confirmation of appointment.

8. Confidentiality

8.1 All matters relating to recruitment will remain strictly confidential. Panel members will not disclose candidate information, panel discussions, decisions outside formal reporting channels.

9. Conflicts of Interest

9.1 Any conflicts will be declared at the earliest opportunity and governors with a conflict will withdraw from the process if necessary.

10. Reporting

10.1 The panel will report to the full Governing Board the outcome of the process, a recommendation (if applicable) and a formal record of decisions will be maintained.

11. Timescale and Dissolution

11.1 The panel will operate until the appointment has been confirmed and will be dissolved at this point.

These Terms of Reference will be agreed by the GB prior to HT recruitment commencing and will be reviewed as necessary for future recruitment exercises.

Agreed by the Governing Board …….. (date)

Signed …….. (Chair of Governors)

Appendix B

Headteacher Handover Checklist - Birmingham Maintained Schools

This checklist has been created in order to support the handover process; however, it can also inform a new headteacher of what information they should seek to find out.

It is advisable that, when a headteacher leaves a school, there should be a formal handover of all the key information, financial assets and accounts of the school. This document is designed to facilitate a handover procedure. It is hoped that it will be reassuring for both the incoming and outgoing headteacher that all essential information and contacts are shared.

Recommended Procedures

1. This checklist can be used as the basis of discussion during a meeting at a mutually convenient time before the final handover date.

2. The incoming headteacher should use the prompts below to familiarise themselves with the location of documents, resources and importantly discussing the 'ways of working' of the school.

3 The outgoing headteacher will need to handover financial responsibilities before leaving the school.

4 It would be helpful if a copy of this checklist is retained in the school for reference.

5 It is advised that a completed copy should be shown to the Chair of Governors as evidence of good induction practice.

School Information

School name	
Address	
Telephone number	
Headteacher email address	
Admin email address	
DfE number	330/
Ofsted URN	
Senior Leadership Team	
SENDCO	
Designated Safeguarding Leads	
Administrator/Business Manager	
Nursery Manager	
Caretaker/Cleaner in Charge	Contact details

Chair of Governors	Contact details
Vice Chair of Governors	Contact details
Clerk to Governors	Contact details
School transport provider contacts	
Church contacts	
IT provider	Contact details
Headteacher Performance Management Adviser	
Handover of keys (by negotiation)	Date

School Improvement Documentation

Document	Where located and review date
Vision/mission/ethos statement or document	
School development plan	
Self-evaluation documentation	
Most recent heads report to governors	
LA rolling record	
IDSR & ASP	
Latest internal assessment data & analysis	
Pupil premium strategy	
PE and sport premium strategy	
Recovery premium strategy	
Last Ofsted report	
Denominational inspection report	
SEN information report	
Behaviour records (inc PEPs)	
Looked after children information	
Other school policies	

Governance Information

Document	Where located
Instrument of Government	
List of governors including key roles and terms of office	
Contact details for the GB's Clerk/Governance Professional	
Minutes of meetings	
Committee composition, quorate numbers, terms of reference	
Dates of forthcoming meetings	
Governor monitoring schedule/record of governor visits to school	

Safeguarding Information

Document	Where located
Single central record	
Safeguarding records	
Early Help records	
Training records	

Human Resources/Personnel Information

Document	Date of most recent version/revision	Where located
Staff responsibilities		
Job descriptions		
Establishment list		
Performance management / appraisal information		
Staff absence recording arrangements		
Staffing insurance cover including level of cover (eg acting up insurance)		

H&S and Premises Management Documentation

Document	Date of most recent version/revision	Details Do not record passwords on this document
Asbestos register		
Fire risk assessment		
Activity risk assessments		
Educational visits risk assessments		
First aiders & arrangements		
Keyholder list		
Emergency contacts		
H&S audit		
Emergency lighting/break glass point check arrangements		
Condition survey		
Business recovery/ Critical incident plan		
Asset management plan		

Finances

Document	Date of most recent version/revision	Details Do not record passwords on this document
Current school budget overview		
Most recent budget monitoring		
3-year budget projections		
School fund balances and commitments		
Finance audit date & recommendations		
Devolved formula capital funding (possibly included in overall budget overview)		
SLA purchased		
Ongoing subscriptions leases (eg photo copiers)		

Many of the following prompts will probably have been covered during the collation of materials above. However, new headteachers should ensure they familiarise themselves with:

Administration

Access to IT network

- File storage arrangements
- Access to computer system (admin and headteacher)

Calendar - Key events in the school year

- Term dates including PD days
- Assessment dates
- Reporting to parents
- New parent meetings & intake visits
- Key events

  e.g. Residentials, religious events & celebrations, school traditions, parents' evenings, stakeholder consultations, open evenings, performances, sports day, fete, concerts, leavers assembly etc.

How are messages communicated to staff including part time staff? Email, whiteboard, school diary, Teams ….

Passwords

- DfE Sign-in
- Perspective Lite
- Administrator password for school subscriptions
- School website administration
- School text/email service

Building & premises

- Door access, security systems and burglar alarm operation
- Boiler operation (including 'holiday' mode)
- Location of mains water stopcock
- Electrical distribution boards
- Heating oil tank and fuel level indicator (where fitted)

Finances

- Update the signatories on any bank accounts

Teaching and Learning
Curriculum structure and timetable Subject curriculum planning (including RSE, RE and any external providers ie Music service, sports coaching etc)
Day to day arrangements. For example, lunchtime arrangements & duties, assembly routines, start & end of day systems, registration, staff meetings
Discuss strengths and weaknesses of staff with the new headteacher. This should include any details of capability procedures or relevant personal circumstances that may affect employees' performance
Discuss any background details of pupils that the new headteacher should be aware of (including child protection, child in need & safeguarding issues).
Support for children SEND including use of external professionals
Internal assessment arrangements and external moderation at the end of each key stage, in early years and phonics
Arrangements for collective worship