



FRAYS

Academy Trust

Frays Academy Trust Safer Recruitment Policy

**Date ratified: January 2021
Review Date: January 2023**

| Version | Date | Policy Author | Changes Overview |
|---------|-----------|--|---|
| 1 | Sept 2015 | Schools HR Co-operative Strategic Administrator | Changes incorporated Schools HR Co-operative model policy. |
| 2 | July 2016 | Amendment | Governor request to incorporate process for 'acting' and 'permanent' positions. Schools HR Co-operative confirmed correct process and wording. Please refer to sections 7.6 & 7.7 for updates. All other sections of the policy remain unchanged. |
| 3 | Feb 2018 | Policy Review & Update | Changes incorporated as per Schools HR Co-operative model policy. |
| 4 | Feb 2019 | Schools HR Co-operative Clerk Business Support Co-ordinator | Section 1 – Introduction – Schools HR update – amended to reflect updates to statutory guidance. |
| | | | Section 3 – Purpose – Schools HR update – first sentence – 'economic' replaced with 'lawful'. |
| | | | Section 4 – Principles – Schools HR update – amendment to third bullet point to include 'application form' |
| | | | Section 4 Principles – Frays amendment to state that for the position of Head of the School 'The Directors shall, in consultation with the Federated Governing Body, appoint the Head of School. The selection panel shall consist of a minimum of three people. This will include the Chief Executive Officer, one Director and the Chair of the Federated Governing Body.' |
| | | | Section 5 – Safer Recruitment Training – Schools HR contact for information on safer recruitment training has been changed |
| | | | Section 5 – Safer Recruitment Training – Schools HR insertion – added to remind schools that the content of their safer recruitment training should cover, as a minimum, the content of 'Keeping Children Safe in Education' (KCSIE) 2018 guidance. |
| | | | Section 6 – Local authority's entitlement to offer advice – section deleted by Frays, not relevant to academies. |
| | | | New Section 6 – Appointment of Chief Executive Officer – Frays amendment – new section added to state that the CEO will be appointed in accordance with the Trust's Articles of Association. |
| | | | Section 7 – Appointment of Head of schools – Frays amendment to state that 'The Directors shall, in consultation with the Federated Governing Body, appoint the Head of School. The selection panel shall consist of a minimum of three people. This will include the Chief Executive Officer, one Director and the Chair of the Federated Governing Body.' |
| | | | Section 8.3 – Application form – Schools HR insertion – new section on use of application forms as opposed to CVs added to reflect safer recruitment practice set in 2007 guidance. Frays insertion – 'Where CVs are sought in the initial stages of recruitment an application form must also be completed before a formal job offer is made.' |

| | | | |
|--|--|--|--|
| | | | Section 8.5 – Advertising the vacancy – Schools HR deletion from second paragraph - ‘The main aim of this stage is to attract suitable applicants in the most cost effective way.’ |
| | | | Section 8.8 – Decision to make the Acting role a permanent role within the School – Frays amendment to heading to refer to the Trust; added Chief Executive Officer to those making decision to make an acting role permanent. |
| | | | Section 9.1 – Shortlisting applicants – Frays amendment to delete ‘Federated Governing Body’ and add ‘Chief Executive Officer’ to the sentence on determining the size of the selection panel or posts other than the Head of School. |
| | | | Section 9.1 – Shortlisting applicants – Frays amendment – delete reference to Deputy Head of School. |
| | | | Section 9.1 – Shortlisting applicants – Frays amendment – change ‘advisable’ to ‘a requirement’ to have a minimum of two people on the panel. |
| | | | Section 9.3 – Interviews – Frays amendment to add reference to the chair of the panel giving an outline of the Trust for roles in the central team. Frays deletion of sentence ‘Weighting is used to acknowledge the importance of certain questions’ in final paragraph on scoring. |
| | | | Section 10 – Conditional offer of employment (pre-employment checks) – Schools HR changes as follows to reflect ‘Keeping Children Safe in Education’ (KCSIE) statutory guidance: Second paragraph changed to: ‘Any offer of employment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the following pre-employment checks; <ul style="list-style-type: none"> Bullet point relating to verifying identification updated to include link to the Gov.UK website for further information; Bullet point relating to medical fitness amended to read ‘Verification of the candidate’s mental and physical fitness to carry out their work responsibilities’; Bullet point relating to DBS Check and Barred List check updated to read ‘A satisfactory Enhanced DBS (with a Barred List check for those who will be engaging in regulated activity)’; Bullet point added to read ‘A separate Barred List check if an individual will start work in regulated activity before the DBS certificate is available’; Bullet point relating to overseas checks amended to read ‘Make any further checks the school considers appropriate if the person has lived or worked outside of the UK. This would include a check for information about any teacher sanction or restriction that a European Economic Area (EEA) professional regulating authority has imposed.’ Bullet point relating to prohibition from teaching check amended to read ‘For posts required to undertake teaching work, check to establish that the candidate is not subject to a prohibition order or interim prohibition order issued by the Secretary of State.’; Bullet point relating to Section 128 direction check amended to |

| | | | |
|--|--|--|--|
| | | | read 'Independent schools, including academies and free schools, must check that the candidate, taking up a management position, is not subject to a Section 128 direction made by the Secretary of State.' Further Frays amendment to delete reference to independent schools and free schools; Bullet point relating to Childcare Disqualification amended to read 'Check that the candidate is not disqualified from working with children who have not attained the age of 8, under Childcare Act 2006 and The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.' |
| | | | Section 10 – Conditional offer of employment (pre-employment checks) – Frays deletion of reference to independent schools and free schools in list of checks. |
| | | | Section 11 – Single Central Record of pre-employment checks – Schools HR update to reflect KCSIE 2018 – second bullet point has been amended to read 'For independent schools, all members of the proprietor body. In the case of academies and free schools, this means the members and trustees of the academy trust'. Further Frays amendment to delete reference to independent schools and free schools. |
| | | | Section 11 – Single Central Record of pre-employment checks – Schools HR update to reflect KCSIE 2018 – Information has been added to inform schools that: The list of checks in this section set out the minimum information that must be recorded on the SCR. Schools can choose to add other information to the SCR if they so wish, 'for example, checks for childcare disqualification, volunteers, and safeguarding and safer recruitment training dates.' Schools may also wish to record the name of the person who carried out each check. The Single Central Record can be kept in paper or electronic form. This sentence deleted by Frays and a new sentence inserted: 'Schools will keep the Single Central Record in electronic form.' There is no requirement for multi-academy trusts (MATs) to have separate single central records for each school within the trust, but schools should ensure the record is securely stored and easily accessible to those who need to see it, including Ofsted inspectors. The previous provision 'Where checks are carried out on volunteers, schools should record this on the Single Central Record' has been removed. |
| | | | Section 11 – Single Central Record of pre-employment checks – Frays amendment to insert sentence: 'The Trust central team will hold a Single Central Record for all staff employed centrally and the Trust's Members and Directors.' |
| | | | Section 12 – Keeping records – Schools HR update to reflect KCSIE 2018 – paragraph reading 'Schools do not have to keep copies of DBS Certificates to fulfil the duty of maintaining the |

| | | | |
|---|--------------|-------------------------------|---|
| | | | single central record. To help schools comply with the requirements of GDPR and Data Protection Act 2018, when a school chooses to retain a copy, it should not be retained for longer than six months.' has been added. Paragraph reading 'Schools must not make copies of DBS certificates.....' has been removed. |
| 5 | January 2021 | Schools HR Co-operative | Revised dates of regulations updated throughout. |
| | | Business Support Co-ordinator | 'Head of School' updated to 'Headteacher' to reflect title across the Trust. 'Federated Governing Body' amended to 'Local Governing Body' to reflect the governance structure across the Trust. |
| | | Business Support Co-ordinator | Section 11 – Single Central Record of pre-employment checks – fourth paragraph slightly amended to make it clear that checks for supply staff apply to agency and third party support staff. Appendix 6 (Pre-employment checks) – checks on Agency and third-party staff – additional text added to clarify that schools and colleges must obtain written confirmation from any agency, or third-party organisation they use that the organisation has carried out the checks and where a barred list check is required, that this be obtained by the agency or third-party prior to appointing that individual. |

Approval

| | |
|-------------------------------------|---------------------|
| Signed by Chair of Directors | |
| Date of Approval/Adoption | January 2021 |
| Date of Review | January 2023 |

Notes on Document

This document is the property of the Frays Academy Trust ('Frays') and its contents are confidential. It must not be re-produced, loaned or passed to a third party without prior permission from the Chief Executive Officer.

It is controlled within the Frays Academy Trust admin server where the electronic master is held and can be accessed on a read only basis, subject to security permissions.

Paper or electronic copies may be taken for remote working etc. However, all paper copies not held within the admin server are uncontrolled. Hence the footer 'DOCUMENT UNCONTROLLED WHEN PRINTED' which must not be changed.

Once issued, as a minimum this document shall be reviewed every three years or as necessary by the originating team/committee.

To enable continuous improvement, all readers are encouraged to notify the author of errors, omissions and any other form of feedback.

Contents Page

| | | |
|----|---|----|
| 1 | Introduction | 9 |
| 2 | Scope | 9 |
| 3 | Purpose | 9 |
| 4 | Principles..... | 10 |
| 5 | Safer Recruitment Training..... | 10 |
| 6 | Appointment of Chief Executive Officer..... | 10 |
| 7 | Appointment of Headteachers | 11 |
| 8 | Recruitment Process..... | 11 |
| | 8.1 Defining the need to recruit | 11 |
| | 8.2 Job Description and Person Specification | 11 |
| | 8.3 Application form | 12 |
| | 8.4 Other documents..... | 12 |
| | 8.5 Advertising the vacancy | 12 |
| | 8.6 Information pack for candidates..... | 13 |
| | 8.7 Appointment to an Acting Role | 13 |
| | 8.8 Decision to make the Acting role a permanent role within the School/Trust..... | 13 |
| 9 | The Selection Process | 14 |
| | 9.1 Shortlisting applicants..... | 14 |
| | 9.2 Pre-interview visits..... | 14 |
| | 9.3 Interviews..... | 15 |
| | 9.4 Notifying unsuccessful candidates/giving feedback | 17 |
| 10 | Conditional offer of employment (pre-employment checks) | 17 |
| 11 | Single Central Record of pre-employment checks | 18 |
| 12 | Keeping Records | 19 |
| 13 | Post-appointment induction | 19 |
| 14 | Maintaining a Safer Culture..... | 20 |
| | Appendix 1 – Guidance on placing an advert..... | 21 |
| | Appendix 2 – Job Description & Person Specification Templates..... | 22 |
| | Appendix 3 – Type of questions recommended at interview | 24 |
| | Appendix 4 – Additional guidance on managing interviews in the context of safeguarding..... | 25 |
| | Appendix 5 – Selection tools in addition to the interview | 27 |
| | Appendix 6 – Pre-employment checks..... | 28 |
| | Appendix 7 – Safer recruitment – Risk assessment and checking processes..... | 34 |
| | Appendix 8 – Reference Request Form..... | 35 |
| | Appendix 9 – Reference Request Letter..... | 37 |
| | Appendix 10 – Invitation to interview letter | 38 |

| | |
|--|----|
| Appendix 11 – Letter to unsuccessful candidates | 39 |
| Appendix 12 – Shortlisting Grid..... | 38 |
| Appendix 13 – INTERVIEW GRID..... | 39 |
| Appendix 14 – Failure to provide a DBS Certificate | 40 |
| Appendix 15 – Individual Interview Record..... | 41 |

1 Introduction

This policy and procedure has been produced in line with the 'Safeguarding Children and Safer Recruitment in Education' document which came into force on 1st January 2007 and should be read in conjunction with the guidance given in the document. The policy aims to ensure that safe and fair recruitment and selection is conducted at all times. Making safeguarding and promoting the welfare of children an integral factor in recruitment and selection is an essential part of creating safe environments for children.

References in this policy to a child, children, or children and young people, are references to persons who are under 18 years of age.

The policy further reflects subsequent updates in legislation and regulations as below:

- Part 3 of the Keeping Children Safe in Education – Keeping Children Safe in Education – Statutory Guidance for Schools and Colleges (September 2020).
- Requirements of General Data Protection Regulations (GDPR) which came into force on 25th May 2018, and the Data Protection Act 2018.
- Disqualification under the Childcare Act 2006 – 31st August 2018.
- Requirements of General Data Protection Regulations (GDPR) which came into force on 25th May 2018, and Data Protection Act 2018.
- Disqualification under the Childcare Act 2006 – 31st August 2018.
- Changes to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended in 2013 under which certain specified old and minor convictions and cautions can be filtered.
- Changes introduced by the Disclosure and Barring Service (DBS) in respect of DBS checks from June 2013.
- Requirements of the Equality Act 2010, aspects of which came into force from 1st October 2010.

2 Scope

The policy applies to the recruitment and selection of teaching staff including Executive Headteacher, Headteacher, Deputy and Assistant Headteacher, and support staff in the Frays Academy Trust.

The policy also covers checks the Trust should undertake when using agency staff and volunteers.

This policy has been drawn up following consultation with the recognised trades unions.

3 Purpose

The purpose of the policy is to ensure the recruitment of both permanent and temporary (including volunteers) staff is conducted in a fair, effective and lawful manner.

To achieve this purpose, those that are responsible for each stage of the recruitment process will demonstrate a professional approach by dealing honestly, efficiently and fairly with all internal and external applicants.

In line with Department for Education (DfE) guidance the paragraph below should be included in all advertisements, recruitment websites, candidate information packs, person specifications, job descriptions, competency frameworks, induction training materials: - ***'The Frays Academy Trust is committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share in this commitment. The successful applicant will be required to undertake an Enhanced DBS Check with a check of the DBS Barred List.'***

4 Principles

The following principles are encompassed in this policy:

- To ensure that the safeguarding and welfare of children and young people occurs at each stage of the recruitment process.
- All applicants receive fair treatment and a high-quality service.
- The application form, job description and person specification are essential tools which will be used throughout the recruitment process.
- Applicants will be recruited on the knowledge, experience and skills needed for the job.
- Selection will be carried out by an interview panel of at least two members, except for the selection of Headteacher/Deputy Headteacher. The Directors shall, in consultation with the Local Governing Body, appoint the Headteacher. The interview panel shall consist of a minimum of three people. This will include the Chief Executive Officer, one Director and the Chair of the Local Governing Body.
- It is a statutory requirement that at least one member of the interview panel must have undertaken safer recruitment training. Selection should be based on a minimum of a completed application form, shortlisting and interview.
- Regular monitoring and evaluation of the recruitment process should be carried out to assess its effectiveness and the impact on recruitment and retention, equality and diversity.

5 Safer Recruitment Training

Safer Recruitment training provides valuable information on a safer school culture, and advice and guidance to strengthen safeguards against employing unsuitable people in schools. The training will help schools demonstrate that they have effective recruitment and selection processes in place.

It is a statutory requirement that at least one member of the interview panel has completed this training prior to the start of the recruitment process.

Safer Recruitment Training was commissioned by the DfE in response to recommendation 16 of the Bichard Inquiry report (published in June 2004).

From 1st September 2014, Safer Recruitment training no longer needs to be approved by the Secretary of State and the DfE will, therefore, no longer co-ordinate arrangements for accredited training or online training. However, the requirement for at least one member of a recruitment panel to be appropriately trained in line with safeguarding guidance remains.

From October 2014, the on-line Safer Recruitment training will be available through the NSPCC. Schools wishing to access the on-line training can do on the [NSPCC website](#).

Schools HR Co-operative regularly run one-day Safer Recruitment Workshops delivered by appropriately accredited trainers from within the team. To find out more, schools can contact Liz Barseghian.

Alternatively, Schools can contact the [Lucy Faithfull Foundation](#) at to find out what courses are being offered by the Foundation.

Where the school decides to source their training from alternative training providers, they must ensure that the training should cover, as a minimum, the contents of Keeping Children Safe in Education (September 2020) guidance.

6 Appointment of Chief Executive Officer

The Chief Executive Officer will be appointed in accordance with the Articles of Association.

7 Appointment of Headteachers

The 2002 Education Act requires every school to have a Headteacher and limits the number of Headteacher at a school to one, although the post may be job shared. There is no legal obligation for a school to have a deputy or assistant Headteacher, or any limit on the number of deputy/assistant Headteacher a school may have.

The Directors shall, in consultation with the Local Governing Body, appoint the Headteacher. The selection panel shall consist of a minimum of three people. This will include the Chief Executive Officer, one Director and the Chair of the Local Governing Body. The role of the selection panel is to select and appoint to the post of Headteacher. Schools HR can provide advice on recruitment process and procedure.

8 Recruitment Process

Adopting a structured recruitment process will:

- Minimise the risk of appointing someone unsuitable;
- Ensure the capabilities and conduct of new staff;
- Enable the school to 'track' the process and ensure all relevant steps are taken;
- Ensure written records of procedures are available for future reference if required.

8.1 Defining the need to recruit

When an employee leaves it is important to spend some time to review the post and consider whether there is really a need for a replacement for 'like for like' or whether other alternatives could be available. Therefore, when a vacancy occurs consideration should be given to the following key questions:

- What is the purpose of the post?
- Is the post still required?
- Has the job remained the same or have changing work patterns, organisation or technology resulted in changes to the role?
- Could the tasks be carried out differently e.g., could any additional duties, responsibilities or hours be advertised internally to offer advancement or increased hours to existing staff?
- Is job-sharing appropriate?
- Will any review of the role affect the salary?
- Is sufficient funding available?
- Does the Federated Governing Body need to agree any changes or that the post can be advertised?
- Should the new post be permanent or temporary?

8.2 Job Description and Person Specification

If, having considered the factors in 8.1, the decision is to recruit, the next step is to write a job description and person specification if it is a new role, or review the existing job description and person specification if it is an existing role to ensure that they accurately reflect the requirements of the job.

Job Description

The job description is a list of the responsibilities and tasks to be undertaken by the post holder. It is an effective way of communicating expectations about standards to employees and to school management to help ensure effective performance in the job. The document also assists in writing the person specification by identifying the key attributes required to do the job.

Job descriptions for support staff should be evaluated in accordance with the school's adopted job evaluation scheme. This provides protection against any future claims of unequal pay and ensures

fairness and consistency within the workforce. If changes are made to an existing job description it is recommended that the revised job description should be re-evaluated to ensure that the grade reflects the responsibilities of the post.

For teachers, Part 7 of the School Teachers' Pay and Conditions Document 2017 (Contractual Framework for Teachers) defines the professional responsibilities of teachers including Headteachers, deputy and assistant Headteachers and must be considered when deciding on job descriptions for teachers.

For safeguarding purposes, in addition to the list of the responsibilities and tasks to be undertaken, the job description should include the post holder's responsibility for promoting and safeguarding the welfare of children and young persons they will be responsible for or come into contact with. For an example job description template see Appendix 2.

Person Specification

The person specification is essential to the recruitment process as it defines the type of person being sought. It describes the essential and desirable skills, knowledge, qualifications, specific conditions and competences required to undertake the duties of the job description and should state how these will be tested and assessed during the selection process. It must also refer to the person's responsibility for the safeguarding and welfare of children.

A badly defined person specification risks the recruitment of someone unsuitable for the post which can be expensive in terms of management time and money and may not meet the commitment to safeguarding children and young people.

The person specification will be used to:

- inform the advertisement;
- assess applications to shortlist for interview;
- plan interview questions and selection tests;
- assess applicants and make the final selection.

For an example person specification template please see Appendix 2.

8.3 Application form

All applicants should be required to complete an application form. The use of an application form will help to obtain a common set of core data from all applicants in a consistent format. This will assist through the process of shortlisting and interview. It is not good practice to accept CVs drawn up by the applicants in place of an application form because they will contain the information the applicant wishes to present and may omit relevant details. Where CVs are sought in the initial stages of recruitment an application form must also be completed before a formal job offer is made.

8.4 Other documents

It is also good practice to make sure at the outset that all other information/guidance for applicants that will form part of the recruitment pack sent to prospective applicants is up to date, and clearly sets out the responsibility for the safeguarding and welfare of children.

8.5 Advertising the vacancy

All advertisements will contain the statement on the safeguarding and welfare of children (Section 3) and that the successful applicant will need to undertake an Enhanced DBS check (including a Barred List check).

To help decide on the most effective recruitment method, consideration will need to be given to the nature of the post, the circumstances of the school at the time, the type of person required, and budgetary implications.

A succinct summary should be used for an advertisement. The advertisement should reflect the vision of the school and the kind of applicant Frays wishes to attract to their school. Appendix 1 gives details of what should be included in an advertisement. Advertising near the school holidays should be avoided because it may ultimately affect the response received because people will be away on holiday and may not see the advert and this may result in the school losing a potentially suitable applicant.

Whenever possible the appointment panel will agree dates for short listing and interviews before advertising the post; and the date for interviews should be incorporated into the advertisement and information packs to be sent to applicants to ensure that all applicants have notice to make themselves available.

Consideration should also be given at this stage to whether applicants can visit the school and whether this is to be offered to applicants prior to making their application or to shortlisted candidates only (see Section 9.2). If applicants can visit the school prior to making an application this should be mentioned in the advert together with details of how applicants can arrange a visit.

8.6 Information pack for candidates

A comprehensive information pack will be circulated to all candidates.

8.7 Appointment to an Acting Role

- Decide whether the role could be covered by staff with School or made available to staff within the Trust.
- Determine the period of time the acting role will be for and the salary.
- Prepare advert (if appropriate), job description and person specification.
- Inform staff of acting role to be covered and provide advert, job description and person specification.
- Request expressions of interest, informing staff how to apply and when to apply.
- Interview interested candidates.
- Confirm appointment.

8.8 Decision to make the Acting role a permanent role within the School/Trust

At this stage, the Chief Executive Officer, the Headteacher and Governors can make the decision not to go through this process and offer the permanent post to the member of staff who is acting up. However, this could set a precedent and one that the school may not always necessarily want to follow.

- Prepare advert (if appropriate) job description and person specification, review salary;
- Inform member of staff, followed by all staff that a decision has been made to establish the acting role as a permanent post, provide advert, job description and person specification;
- Request expressions of interest, informing staff of how to apply and when to apply by;
- Interview interested candidates;
- Confirm appointment.

9 The Selection Process

9.1 Shortlisting applicants

All applications will be treated confidentially and only circulated to those individuals involved in the recruitment process, for example the appointment panel. Other than for the post of Headteacher, the size of the appointment panel is at the discretion of the Headteacher/Chief Executive officer. It is a requirement to have a minimum of two people on the panel and, depending on the seniority of the post, it would be reasonable to possibly extend this to three people.

The appointment panel should meet to go through the applications which have been received in response to the advertisement and select candidates who most closely meet the selection criteria set out in the person specification and invite them to the interview stage of the selection process. Only information provided on the application form and any supporting statement should be used for selecting applicants. Prior knowledge of applicants should not be a factor in the selection process.

Where a candidate is known personally to a member of the selection panel it should be declared before shortlisting takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunities principles are adhered to.

During the shortlisting process, the appointment panel will check to ensure that the application forms are fully completed, the information provided is consistent and does not contain any discrepancies and to identify any gaps in employment. Incomplete applications should not be accepted and, time permitting, should be returned for completion. Any anomalies, discrepancies or gaps in employment should be noted so that they can be taken up at the interview stage if the applicant is shortlisted. In addition, the reasons for a history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to supply teaching or temporary work, should also be explored and verified.

Where there is disagreement on the suitability of a candidate, this should be openly discussed, and consensus reached if possible. If not, there may have to be a vote by the appointment panel members. A representative from Schools HR can be asked to be present to give advice subject to prior agreement.

A shortlisting form should be used to score the applications and record decisions (Appendix 12). Applicants should be compared with consistency against the person specification criteria which can be evidenced from their application. Reasons for not shortlisting an applicant should be recorded and retained for six months to demonstrate how criteria was not met and that discrimination did not take place. Whenever possible, one consolidated and agreed record of the panel's reasons for selecting or rejecting applicants should be kept on file.

In cases where there is an overwhelming response to the advertisement the closing date for applications should not be brought forward.

9.2 Pre-interview visits

It is recommended as good practice for the candidates selected for interview to be given an opportunity to tour the school. This needs to be arranged with the co-operation of school staff. Ideally all candidates should visit the school at the same time although it is appreciated that this is not always possible. This is not part of the selection process but will help candidates in assessing whether they would wish to take up the post, if offered.

If potential applicants wish to view the school prior to making an application, it is necessary to decide

a policy that either all requests to visit are met or that no one will be allowed. It is important that all candidates are afforded the same opportunities.

If the post holder will be required to live in tied accommodation, candidates and their partners should be invited to view the accommodation.

9.3 Interviews

The candidates shortlisted for interview should be sent confirmation in writing (Appendix 10) giving adequate notice of the date of interview. It is recommended that at least 7 calendar days' notice is given. The letter should include:

- Date, time and place of the interview – including a map to show the location together with details of public transport and parking facilities;
- Format of the interview and whether any tests/presentations will be involved and what equipment will be made available for the tests/presentations;
- Documents the candidates should bring with them for example, proof of qualifications, identification.

The appointment panel will meet prior to the interview to agree:

- Who will chair the interview;
- What questions will be asked, in what order and by whom. Questions should clearly relate to criteria in the person specification.

The panel should avoid asking any questions about the applicant's health prior to making a job offer as the Equality Act 2010 prohibits this unless it is necessary to:

- find out whether an applicant can participate in an assessment to test their suitability for the role;
- establish whether there is a duty to make reasonable adjustments to enable an applicant to take part in the recruitment process;
- establish whether the applicant will be able to carry out function(s) that is intrinsic to the job concerned;
- establish if a person has a disability where this is an occupational requirement.

The explanatory notes to the Equality Act give the example of 'an applicant who applies for a job in a warehouse that requires manual lifting and handling of heavy items. As manual handling is a function which is intrinsic to the job, the employer may ask the applicant questions about their health to establish whether they are able to do the job (with reasonable adjustments for a disabled applicant, if required).'

The employer would not be permitted to ask the applicant other health questions until they were offered the job.

It will also be possible to ask whether an applicant has a disability that would require reasonable adjustments to be made to the recruitment process. The example given in the explanatory notes to the Equality Act is of 'an applicant who discloses a speech impairment and asks for the adjustment of more time being allowed for the interview'.

- The panel should also agree the areas which need to be explored with each applicant based on the information provided in their application;
- Which other selection technique(s) will be used to assess experience and competencies identified for example presentation, test (See Appendix 5);

- The timeframe for making a decision;
- The arrangements for notifying the candidates of the outcome of the interview;
- Who will offer feedback if a candidate requests it and how it will be given (see 9.4).

On the day of the interview it is recommended that the appointment panel should meet well in advance of the first interview to finalise the arrangements for interviews; in addition to the above this may also include:

- Layout of the room;
- Arrangements for escorting applicants to and from the interview room;
- Ensuring arrangements are in place if the applicant is to undertake a presentation/test for example appropriate equipment is available and set-up appropriately;
- Ensuring arrangements are in place for any documents (Identification, qualifications and so on) to be checked and photocopied.

At the interview the chair of the panel will:

- Welcome the applicant and introduce the panel;
- Explain the format of the interview and its duration;
- Give a brief outline of the school (or Trust for central team roles) and the job role.

Following this the panel will put their questions to the applicant. It is advisable to start off with an open and easy question that will get the candidate to relax, for example to tell you in general about their career so far. See Appendix 3 for the type of questions recommended at interviews.

During the interview, in addition to assessing and evaluating the applicant's suitability for the post, the appointment panel should also explore:

- The candidate's attitude toward children and young people;
- The candidate's motivation to work with children and young people;
- The candidate's ability to form and maintain appropriate relationships and personal boundaries with children and young people;
- The candidate's emotional resilience in working with challenging behaviours and attitudes to the use of authority and maintaining discipline;
- The candidate's ability to support the school's agenda for safeguarding and promoting the welfare of children;
- Any gaps in the candidate's employment history with a view to gaining a complete picture of their past employment history;
- Any concerns or discrepancies arising from the information provided by the candidate;
- If they wish to declare anything considering the requirement for an enhanced DBS check (with a check of the Barred List) and Childcare Disqualification Requirement check.

See Appendix 4 for additional guidance on things to be aware of during the interview.

Panel members must take notes to assist in making evidenced judgements, assist with feedback and in case of challenge by an unsuccessful applicant. Under data protection provisions, applicants can request copies of the notes taken at the interview relating to their own application.

At the end of the interview the panel will:

- Give applicants the opportunity to ask any questions that they may have;
- Explain what will happen next including the timing of the decision or next stage if there is a second interview;
- Thank candidates for attending the interview.

When all applicants have been interviewed, the panel will discuss each applicant in relation to the person specification, the application form, and the interview performance and any selection test they may have undertaken. The panel will be as objective and fair as possible to select the best candidate for the job. It is vital to use a consistent scoring system to measure the standard of answers given against each question and any presentation or test that forms part of the selection process. See Appendix 13 for a recommended Interview Panel Decision template to score the answers.

9.4 Notifying unsuccessful candidates/giving feedback

It is important to advise applicants who have been unsuccessful as promptly and courteously as possible. Care should be taken with internal applicants.

It is good practice to provide feedback where requested. Constructive feedback informs candidates of their strengths and development needs and enables them to learn from their application. It should encourage skills/experience/technique gaps to be addressed and assist candidates with any future applications for employment with the school.

Feedback must be factual and objective and explain where the candidate did or did not meet the requirements in the person specification and the key points which influenced the final decision not to appoint them.

Feedback should be given by a member of the interview panel and can be given by telephone discussion, in writing or, for internal applicants, in a meeting.

10 Conditional offer of employment (pre-employment checks)

It is important to exercise care on any terms and conditions which may be negotiated and agreed upon when making the verbal offer as these will need to be realised and confirmed in the written offer. This may include pay, working pattern etc.

Any offer of employment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the following pre-employment checks.

- Receipt of at least two satisfactory professional references (see Appendix 6);
- Verification of the candidate's identity. Identification checking guidelines can be found on the Gov.UK website <https://www.gov.uk/government/publications/dbs-identity-checking-guidelines>;
- Verification of the candidate's mental and physical fitness to carry out their work responsibilities (See Appendix 6);
- Verification of any qualifications required for the post (if not verified at the interview);
- Verification of professional status where required e.g., Registration with the Teaching Agency, QTS status (unless properly exempted);
- A satisfactory Enhanced DBS (with a Barred List check for those who will be engaging in regulated activity) (see Appendix 6);
- A separate Barred List check if an individual will start work in regulated activity before the DBS certificate is available;
- For teaching posts verification of successful completion of statutory induction period (applies to those who obtained QTS after 7th May 1999);
- Verification of the candidate's right to work in the UK (see Appendix 6);
- Make any further checks the school consider appropriate if the person has lived or worked outside of the UK. This would include a check for information about any teacher sanction or restriction that an European Economic Area (EEA) professional regulating authority has imposed. (See Appendix 6);

- For posts required to undertake teaching work, check to establish that the candidate is not subject to a prohibition order or interim prohibition order issued by the Secretary of State. (See Appendix 6);
- Academies must check that the candidate, taking up a management position, is not subject to a Section 128 direction made by the Secretary of State (See Appendix 6);
- Check that the candidate is not disqualified from working with children who have not attained the age of 8, under Childcare Act 2006 and The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. (See Appendix 6).

All checks should be:

- Confirmed in writing;
- Documented and retained on the personnel file in an appropriate format;
- A record of the checks must also be held centrally in the form of a Single Central Record of checks as required by the Keeping Children Safe in Education 2018 guidance (see Section 11); and,
- Followed up where they are unsatisfactory or there are discrepancies in the information provided.

11 Single Central Record of pre-employment checks

The School Staffing (England) Regulations 2009 require that schools must maintain a single central record of the pre-employment checks which have been undertaken.

The Single Central Record must cover the following people:

- All staff (including teacher trainees on salaried routes), agency and third party supply staff, who work at the school; and
- For academies, this means the Members and Trustees (known as Directors within Frays) of the academy trust.

The checks set out below is the minimum information that must be recorded on the Single Central Record in respect of staff members (including teacher trainees on salaried routes). The record must indicate 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 (independent schools including academies and free schools);
- further checks on people who have lived or worked outside the UK; this would include recording checks for the European Economic Area (EEA) teacher sanctions and restrictions;
- a check of qualifications required for the job; and
- a check to establish the person's right to work in the UK.

For agency and third party supply staff, schools should also include whether written confirmation has been received 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 of staff.

Whilst there is no statutory duty to include on the single central record details of any other checks, schools are free to record any other information they deem relevant. For example, checks for childcare

disqualification, volunteers, and safeguarding and safer recruitment training dates. Schools may also wish to record the name of the person who carried out each check.

Schools will keep the Single Central Record in electronic form. An example of the Single Central Record is available on the Schools HR Safeguarding web pages. Please note that this reflects the minimum information which must be recorded.

There is no requirement for multi-academy trusts (MATs) to have separate single central records for each school within the trust, but schools should ensure the record is securely stored and easily accessible to those who need to see it, including Ofsted inspectors. The Trust central team will hold a Single Central Record for all staff employed centrally and the Trust's Members and Directors.

12 Keeping Records

Copies of all job applications and notes relating to shortlisting and interview decisions must be retained for at least 12 months. In the event of a legal challenge from an unsuccessful applicant, these documents must not be destroyed until the case is resolved.

A copy of the documents used to verify the successful candidate's identity, right to work in the UK and required qualifications should be kept for the personnel file and in accordance with the Data Protection guidelines.

Schools do not have to keep copies of DBS Certificates to fulfil the duty of maintaining the single central record. To help schools comply with the requirements of GDPR and Data Protection Act 2018, when a school chooses to retain a copy, it should not be retained for longer than six months.

13 Post-appointment induction

An induction programme should be in place for new employees and tailored to their needs. The purpose of induction is to:

- Provide training and information about the school's policies and procedures;
- Support individuals in a way that is appropriate for the role for which they have been engaged;
- Confirm the conduct expected of staff within the school;
- Provide opportunities for the new member of staff to discuss any issues or concerns about their role and responsibilities;
- Enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately. For support staff, these issues can be identified and hopefully addressed during the probationary period.

The content and nature of the induction process will vary according to the role and previous experience of the new member of staff, but as far as safeguarding and promoting the welfare of children is concerned, the induction programme should include information about:

- Policies and procedures in relation to safeguarding and promoting the welfare of children for example child protection, anti-bullying, anti-racism, physical intervention or restraint, personal care, internet safety and any local child protection and safeguarding procedures including Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings (2015).
- Safe practice and the standards of conduct and behaviour expected of staff and pupils in the establishment. All staff should have sight of Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings (2019). Schools are advised to consider asking staff to sign a declaration confirming that they have read and understood the

guidance.

- Other relevant personnel procedures for example code of conduct, disciplinary, grievance, capability, sickness absence/attendance, whistle-blowing, dealing with allegations of abuse against teachers and other staff and so on.

The programme should also include attendance at child protection training appropriate to the person's role.

14 Maintaining a Safer Culture

The need for continued awareness of safeguarding issues is crucial. It is important that all staff in the school have appropriate training and induction so that they understand their roles and responsibilities and are confident about carrying them out. It is also important that staff, pupils and parents feel confident that they can raise issues/concerns about the safety and welfare of children, and that they will be listened to and taken seriously. This can be achieved by maintaining an ethos of safeguarding and promoting the welfare of children and young people and protecting staff which is supported by:

- A clear written statement of the standards of behaviour and the boundaries of appropriate behaviour expected of staff and pupils that is understood and endorsed by all;
- Appropriate induction and training;
- Regular briefing and discussion of relevant issues;
- Provision of relevant material from the framework for PSHE in the curriculum;
- A clear reporting system if a pupil, member of staff or other person has concerns about the safety of children.

Appendix 1 – Guidance on placing an advert

Information contained in this guidance aims to inform schools of the process to follow when they have a vacancy to advertise.

All vacancies in Schools should be advertised if you wish to make a permanent appointment. For temporary appointments, the school may wish to consider advertising the vacancy internally initially.

1. The Advert

The advert should include the following information:

- The name and address of the school;
- The job title;
- Whether the job is *Full Time* or *Part Time* (and if part time, the number of hours to be worked);
- If the role is *Term Time Only*, state the number of working weeks;
- The salary (this should be pro-rata to the hours and weeks to be worked);
- Whether the role is Permanent, Fixed Term, Temporary, or Casual;
- A short description of what the school is like to work for;
- Details of the job;
- How the applicants can request details about the post;
- Where the completed application forms are to be returned to if you use a paper application form;
- The closing date (this is usually two weeks from the date the advert appears);
- The interview date, if known.

2. Advertising with The Schools HR Co-operative

The Schools HR Co-operative jobs board is operated under the brand name [Crinkle Recruitment](#). In order to advertise a vacancy with Crinkle Recruitment please email recruitment@crinklejobs.com

Once you have sent over your advert, job description and person specification we will email your confirmation of receipt and action the advert request within 24 hours. For any queries we will contact you directly via email or telephone.

If you would like to discuss advertising with us in more detail, or would like to know how we can help you extend the reach of your advertisement through sites like eTeach or TES please feel free to contact The Recruitment Team on 01895 717 088.

Appendix 2 – Job Description & Person Specification Templates

Date Evaluated:

1. JOB TITLE:
2. POST NUMBER:
3. GRADE:
4. SCHOOL:
5. SECTION:
6. RESPONSIBLE TO:
7. RESPONSIBLE FOR:
Directly:
Indirectly:
8. CONTACTS
Internal:
External:

Job Description

9. JOB PURPOSE
(Brief summary of role)
10. MAIN DUTIES AND RESPONSIBILITIES
(List as required)

Person Specification

| Criterion | Essential | Desirable | Method of Assessment (application/interview/test) |
|------------------------------|-----------|-----------|--|
| 11. Education/qualifications | | | |
| 12. Experience | | | |

| | | | |
|---------------------------------------|--|--|--|
| 13.Skills/Abilities/Knowledge | | | |
| 14.Personal Qualities | | | |
| 15.Additional Contractual Obligations | | | |

Line Manager's signature:

Date:

Job Holder's Signature:

Date:

Appendix 3 – Type of questions recommended at interview

Warm Up questions - allows the candidate to relax and to feel confident before the more serious questions, e.g. did you have a good journey? Do not score these questions.

Open questions - allows the candidate to expand on experiences, e.g. tell us briefly about your career to date? Tell us about your experience and main achievements as a manager? Give us an example of when you have managed budgets? There needs to be clarity and consistency as to how these questions will be scored.

Probing questions - provide a follow up to an open question, to assess the candidate on the selection criteria, e.g. when, where, how, why, what? “Why do you think that happened?” or “What do you think caused that?”

Summarising & reflecting questions - confirm your understanding of the candidate's responses where appropriate. Summaries on progress will help to ensure that both parties cover the points they wish to and understand what has so far been covered. It also helps to keep the discussion relevant and to the point.

Neutral questions – for equalities purposes neutral questions about ability to fulfil job requirements. For example, “The job requires you to work a rota of two evenings off two evenings on. Are you able to fulfil this requirement?” Rather than “I see you have two children, who will look after them?” It should be noted that to ask questions about childcare arrangements to both men and women could still be seen as potentially discriminatory to female candidates.

Questions to be avoided

Closed Questions - These only allow for a “yes” or “no”. e.g. “Do you enjoy your present job?” but should be expanded upon with probing questions.

Leading Questions - These suggest the answer that you want to hear e.g. “I am sure you agree that managing staff can be frustrating and difficult at times?” but can at times be useful to open up topics you are keen to explore.

Multiple Questions - These tend to confuse and complicate issues that are probably best kept separate. For example, “Do you think that we are making progress, if so where do you think we are succeeding, and if not what do you think we should be doing about it?”

Also avoid asking questions about the following:

- marital status / occupation of spouse;
- financial status;
- number of children, family intentions or childcare arrangements;
- ethnic or national background (except where a specific requirement of the post);
- trade union activities (not to be confused with a candidate joining a Union);
- political beliefs;
- religious beliefs;
- health related questions unless it is to establish whether the applicant will be able to carry out a function that is intrinsic to the job (see Section 9.3).

Appendix 4 – Additional guidance on managing interviews in the context of safeguarding

1. Introduction

Effective interviewing is a skill that needs to be developed through training. It is a requirement that at least one member of the recruiting panel has attended the Safer Recruitment training.

Your aim should be to ensure the interview is fair and to reach an agreed view on the candidate. No personal feelings or assumptions should inform the interview or any decisions that are made afterwards.

2. Things to avoid at interviews

The success of a safer recruitment process is dependent on the school's recognition and consequent rejection of potentially unsuitable applicants before or at the interview.

Any approach that undermines this process (either by failing to focus on behaviour and attitudes or by failing to reject applicants who are unsuitable) is potentially supporting abuse. With this in mind, the recruitment process should guard against the most common errors. These include:

- Focusing solely on academic qualifications/practical skills. This approach will fail to identify unsuitable behaviours.
- Appointing the 'best of a bad lot' (though this may be difficult to avoid when the field of applicants is poor) – remember that you do not have to appoint if you consider that none of the candidates are suitable.
- Appointing 'because there is no one else'.
- Talking rather than listening – talking too much about the job and the school and not questioning the candidate could result in recruiting someone who does not fit the role.
- Using instinct – liking the candidate immediately and not questioning and listening effectively, this could prove costly if the interviewer's instinct is wrong.
- Failing to study the application form and job description and person specification; this may result in an under or over qualified employee. One may create performance problems and the other may leave within a short time.
- Keeping a closed mind; having an image of exactly the qualities required and not considering any other qualities may result in missing someone special who might enhance the team.
- Missing vital information; staying so rigidly to the questions and failing to probe or even notice any passing comment the candidate may make could result in failing to find what the candidate is really like.
- Not allowing the candidate to ask questions; the type of questions a candidate asks indicate the criteria they want from the job.
- Not putting all the information relating to the candidate together; comparing the assessment forms, interview answers, test results, etc. This is more reliable than using only part of the information available.
- Accepting a short and un-detailed answer and moving on; probe and ask further questions if required.
- Avoid asking questions about a candidate's health as The Equality Act forbids employers from asking job applicants health related questions, unless it is for the specified reasons stated under the Act (See Section 9.3).

3. Identifying concerns at interview

Interviewing panels ought to be concerned where the candidate demonstrates:

- Attitudes which attribute adult experience and knowledge to children, especially sexual knowledge or behaviour.

- Disproportionate amount of extra-curricular time spent in activities involving children.
- Personal life/work imbalance, including lack of adult relationships/leisure pursuits.
- Attitudes which appear to underestimate the incidence and impact of sexual abuse.
- An inability to recognise or respect boundaries around physical contact.
- An inability to appreciate or describe the appropriate boundaries of a professional relationship with children or to distinguish between appropriate and inappropriate behaviour.

Some of these features may have entirely satisfactory explanations. Others, or combinations of these features may raise concerns. However, not everyone whose responses arouse concern will be a potential abuser. Poorly articulated, hesitant or contradictory responses at interview may cause concern, but such responses may be signs of embarrassment, caution or interview nerves. For example, someone who has never worked with children might find it difficult to think of examples of appropriate and inappropriate behaviour or have the vocabulary to discuss the matter freely. To explore and assess an interviewee's stance on these sensitive issues in the time available during an interview is a challenge and it is important that the subject is dealt with carefully.

Appendix 5 – Selection tools in addition to the interview

1. Presentation

Candidates are asked to make a brief presentation on a given topic within a time limit. Details clearly need to be given to candidates in advance. It is helpful to choose a topic which has direct relevance to a particular school situation or a management issue pertinent to the job in question. It is customary to make an overhead projector, flipcharts and pens available to candidates, if required.

It is usual to follow up the candidates' presentations with questions from all or some members of the appointment panel. These questions are usually formulated whilst listening to the content of the candidates' presentation. Candidates should not be asked the same questions since the content of their presentation will differ.

2. Carousel

A way of involving more governors and staff (both teaching and support) in the process is to set up short, timed mini-interview panels on particular topics such as:

- Management/staffing issues;
- Community involvement including parents;
- Curriculum management.

Candidates move from one panel to the next. When the round is complete, the panels meet to discuss their findings.

The questions relating to the particular topics are drawn up and agreed by the appointment panel prior to the interview day. Each candidate is asked the same question.

3. Candidate Observation

Candidates are given a task to perform which involves team work with other candidates. The panel observes their proceedings and ask questions afterwards. The observers need to be skilled practitioners and in practice this system is rarely used.

4. Psychometric Testing

Few schools use this system as it requires expert help from trainer practitioners. There is concern at the accuracy or risk of potential discrimination in such tests.

5. Exercises or Tests

These could include:

- A timed word processing/typing exercise to test for speed and accuracy;
- An in-tray exercise to test for the allocation of priorities and how those priorities were justified;
- A finance exercise to check skills required.

All these techniques are time consuming and require planning and organisation. It is important to ensure that all candidates are treated equally. Areas under focus should relate to the selection criteria. The panel should prepare questions in advance and have some idea of the points they would expect the candidate to cover in their replies.

6. Involving Pupils

Involving pupils in the recruitment and selection process in some way, or observing short listed candidates' interaction with pupils is common, and recognised as good practice. There are different ways of doing this. For example, candidates for teaching posts might be asked to teach a lesson; short listed candidates might be shown round the school by pupils and a governor or senior member of staff, and/or meet with pupils and staff.

Appendix 6 – Pre-employment checks

Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks.

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) Order 2013 also referred to as the Exceptions Order 1975 (2013)

Under The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 applicants applying to work with vulnerable groups were required to declare all spent and unspent convictions.

The amendments to this legislation now provide that certain spent convictions and cautions are ‘protected’ and are not subject to disclosure to employers, and will therefore not appear on a DBS Certificate, and cannot be considered when making decisions about a person’s employment.

An **adult** (over 18 at the time of the offence); **conviction** will be removed from a DBS Certificate if:

- 11 years have elapsed since the date of conviction; and
- it is the person’s only offence, and
- it did not result in a custodial sentence

Even then, it will only be removed if it does not appear on the [list of offences](#) which will never be removed from a Certificate. If a person has more than one offence, then details of all their convictions will always be included.

An **adult caution** will be removed after 6 years have elapsed since the date of the caution – and if it does not appear on the list of offences relevant to safeguarding.

For those under 18 at the time of the offence:

The same rules apply as for **adult convictions**, except that the elapsed time period is 5.5 years. The same rules apply as for **adult cautions**, except that the elapsed time period is 2 years.

Employers can only ask applicants to provide details of convictions and cautions that the employer is legally entitled to know. If an employer takes into account a conviction or caution that is not disclosed on the DBS Certificate they will be acting unlawfully under the legislation.

DBS encourage employers to include the paragraph below in their standard application forms:

The Amendment to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are ‘protected’ and are not subject to disclosure to employers, and cannot be taken into account.

Guidance on criteria on the filtering of these cautions and convictions can be found on the [Disclosure and Barring Service website](#).

DBS advise that the Ministry of Justice suggest that employers when asking applicants about previous criminal offences should use the following question on their application forms:

‘Do you have any convictions, cautions, reprimands or final warnings that are not “protected” as defined by the [Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(as amended in 2013\)](#)’

1. Disclosure and Barring Service (DBS) Check and Regulated Activity

For persons employed to work in ‘regulated activity’ an enhanced DBS check, which includes a Barred List check, will be required.

A person will be engaging in regulated activity if, because of their work, they:

- will be responsible on a regular* basis in a school for teaching, training instructing, caring for or supervising children; or

- will carry out paid, or unsupervised unpaid, work regularly* in a school where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

*Regular means once a week or more often, or on 4 or more days in a 30-day period.

In schools, for most appointments an Enhanced DBS check, which includes a check of the Barred List, will be required as most staff will be engaging in regulated activity.

For all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an Enhanced DBS check, which does not include a barred list check, will be appropriate.

With effect from 17th June 2013 the DBS stopped issuing a copy of the DBS Certificate to registered bodies. As a result, registered bodies are unable to notify the school of the results of a DBS check. Instead schools need to ask the applicant for sight of their DBS Certificate. It is advisable that the applicant is made aware of this at the time when they are asked to complete a DBS application.

Schools can track progress of the DBS application and will therefore know when the status is complete. If the applicant fails to provide their DBS Certificate to the school within 7 days of the completion date, they should be reminded to bring their DBS Certificate to the school and informed about the implications of failing to do this. A model letter is provided at Appendix 14 that can be given to the employee where they have failed to produce a DBS Certificate, without an acceptable reason, following the reminders. Schools should seek advice from Schools HR where the person fails to provide their DBS Certificate.

Schools need to be aware that applicants can now dispute the information which may appear on their DBS Certificate before it is seen by their current or prospective employers, where this may be the case there may be a delay in the applicant providing the school with their DBS Certificate.

Further information about the DBS is available on the gov.uk website.

Where a school allows an individual to start work in regulated activity before the DBS certificate is available, then they should ensure that the individual is appropriately supervised and that all other checks, including a separate Barred List check, have been completed (See Appendix 7 for Risk Assessment).

The applicant's offer of employment will remain subject to a satisfactory DBS check until such time when the school has had sight of their DBS Certificate and it is satisfactory to the school.

If the DBS Certificate reveals information that a candidate has not disclosed during the selection process, advice should be sought from Schools HR. If any conviction information appearing on the DBS Certificate is different from the information supplied by the candidate they should be asked for an explanation. (It may be that the candidate may have forgotten or incorrectly remembered information on convictions they have because they occurred a long time ago or the applicant was young when the offences occurred). If a judgement is reached that the applicant deliberately falsified the information supplied on the job application, this can be taken into account when considering whether the job offer should be withdrawn.

2. Secretary of State teacher prohibition orders

Section 141B of the Education Act 2002 provides the Secretary of State with a power to investigate, where an allegation is referred to the Secretary of State, that a person may be guilty of unacceptable professional conduct or conduct which brings the profession into disrepute or has been convicted of a relevant criminal offence. Section 141B (2) of the Education Act 2002 provides that where the Secretary of State finds on investigation that there is a case to answer, the Secretary of State must decide whether to make a prohibition order in respect of that person.

The School Staffing (England) (Amendment) Regulations 2013 came into force on 1st September 2013. Changes to the Regulations require that with effect from 2nd September 2013 schools:

- must check that any person appointed to carry out teaching work is not a person who is subject to a prohibition order or interim prohibition order.
- must record in a register whether a check has been made that the person is not subject to a prohibition order or interim prohibition order.
- must get confirmation from any supply agency whether a check was made to establish that the person is not subject to a prohibition order or interim prohibition order.

Information on factors relating to decisions leading to the prohibition from the teaching profession is available on the gov.uk website.

Schools can check the list of persons who have been prohibited from teaching via the Department of Education's [Teacher Services' system](#). This is a free service available for schools. In the event that you do not have access to this service you can apply to use the service by emailing employer.access@education.gov.uk with your school name and address together with the school's DfE number and the Headteacher's name and email address.

3. Secretary of State section 128 direction

A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:

- a management position in an independent school, academy or free school as an employee;
- a trustee of an academy or free school trust, a governor or member of a proprietor body for an independent school; or
- a governor on any Federated Governing Body in an independent school, academy or free school
- that retains or has been delegated any management responsibilities.

Section 128 direction also prohibits a person from holding or continuing to hold office as a governor of a maintained school.

With effect from 1st September 2016 independent schools including academies and free schools should check that a person taking up a management position as described above is not subject to a section 128 direction made by the secretary of state. Individuals taking part in 'management' may include individuals who are members of proprietor bodies (including governors if the Federated Governing Body is the proprietor body for the school), and such staff positions as follows: Headteacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case.

With effect from 1st September 2018 maintained schools should check that a person to be appointed as governor to their Federated Governing Body is not subject to a section 128 direction made by the secretary of state.

A check for a section 128 direction can be carried out using the [Teacher Services' system](#). Where the person will be engaging in [regulated activity](#), a DBS barred list check will also identify any section 128 direction. It is important that when submitting applications for a DBS check with a check of the barred list, that you include on the DBS application form, within (box 61 – Position applied for) 'Child Workforce Management of Independent School'. This allows DBS to confirm if an s128 direction has been made.

Please refer to the [Keeping Children Safe in Education](#) for further information.

4. Disqualification under the Childcare Act 2006 and The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018

Schools are prohibited from employing a person who is disqualified under the regulations from working with

children who have not attained the age of 8.

Further information on the staff and settings covered by these regulations and how schools can prevent knowingly employing a person who is disqualified is available on the [DfE's updated August 2018 guidance on the Disqualification under the Childcare Act 2006](#).

Please also refer to the Trust's Childcare Disqualification Checks policy.

5. References

The offer of employment will be subject to receipt of at least two satisfactory references.

Schools should always ask for written information about previous employment history and check that the information is not contradictory or incomplete. References should always be obtained from the candidate's current employer. If a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained from the school, college or local authority at which they were employed.

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References should be scrutinised, and any concerns resolved satisfactorily, before the appointment is confirmed, including for any internal candidate. References should always be requested directly from the referee and preferably from a senior person with appropriate authority, not just a colleague.

Schools should not rely on open references, for example in the form of 'To Whom It May Concern' testimonials, nor should they only rely on information provided by the candidate as part of the application process without verifying that the information is correct.

All requests for references should seek objective verifiable information and not subjective opinion. The use of a reference pro forma (Appendix 8) can help achieve that. For an example of a model Reference Request letter see Appendix 9. A copy of the job description and person specification for the post must be included with all reference requests. Where electronic references are received, the school should ensure they originate from a legitimate source.

The Equality Act forbids employers from asking job applicants health related questions before an offer of employment is made unless it is for the specified reasons stated under the Act (See Section 9.4). To comply with requirements of the Equality Act 2010 and to avoid any claims from unsuccessful candidates for not being selected on health grounds, it is recommended that references are requested for the successful candidate only, and only **after** an offer of employment is made.

NB: The reference pro-forma at Appendix 8 must only be used to seek references post offer of employment.

If the school adopts a different practice and seeks references prior to interview, an Example Reference Pro-forma template is available on the Schools HR website that the school may use to request references. Schools must remain aware that using this pro-forma will not guarantee that the referee will not disclose information that may breach the requirements of the Equality Act in respect of the recruitment and selection process.

On receipt, references should be checked by the original recruitment panel to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague or if insufficient information is provided. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.

Any information about past disciplinary action or allegations should be considered carefully when assessing the applicant's suitability for the post (including information obtained from Teacher Services checking service referred to previously). If necessary advice should be sought from Schools HR.

6. Right to Work in the UK

Schools must ensure that any prospective employee is entitled to work in the UK. There are heavy penalties, up to £10,000 and possible criminal prosecution, for employers who employ illegal workers.

For advice and guidance on things to be aware of when carrying out this check including the type of documents that may be accepted for this check please see gov.uk

For information about Sponsor Licence and sponsoring migrant workers please refer to the gov.uk website.

7. Applicants who have lived or worked outside the UK

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools. In addition, schools must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These further checks should include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed (on or after 18th January 2016 and which have been notified to the Teaching Regulation Agency), using the [Teacher Services'](#) system. Although restrictions imposed by another EEA regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

The Home Office has published guidance on [criminal records checks for overseas applicants](#).

There is no requirement to carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked:

In a school in England in a post:

- which brought the person regularly into contact with children or young persons; or
- to which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young persons; or
- in an institution within the further education sector in England in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

8. Medical Health Checks

Anyone appointed to a post involving regular contact with children or young people must be mentally and physically fit. It is a statutory responsibility for employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness prior to confirming an offer of employment.

Assessing a person's ability to carry out the duties of a job can be an important selection tool. Pre-employment medical checks should be seen as a way of:

- Screening candidates in – not screening them out;
- Identifying any risks to the prospective employee, colleagues or clients;
- Identifying any support needed by the prospective employee to do the job effectively;
- Identifying any disability issues and the requirement for reasonable adjustments;
- Identifying any potential attendance problems;
- Providing a base-line of health for future reference.

Schools should ensure that their pre-employment health questionnaires are designed to capture specific features of the job e.g., driving for work, working at heights, manual handling, food handling etc. so that their occupational health service can take account of these factors in their assessment.

Where driving for work is a feature of the job, schools must also ensure that the applicant meets the DVLA requirements (e.g., holds a valid driving license for the correct category of vehicle, check for any restrictions that may be indicated. Categories of vehicles and restriction codes can be found on the gov.uk website. It is recommended that the person is not allowed to drive for work until they have been declared fit by occupational

health as part of their pre-employment health check.

9. Checks on Agency and third-party staff

Schools and colleges must obtain written confirmation from any agency, or third-party organisation they use that the organisation has carried out the checks (in respect of the enhanced DBS certificate, written notification that confirms the certificate has been obtained by either the employment business or another such business), on an individual who will be working at the school that the school would otherwise perform. Where the position requires a Barred List check, this must be obtained by the agency or third-party prior to appointing that individual. The school must also check that the person presenting themselves for work is the same person on whom the checks have been made.

10. Checks on Trainee/student teachers

Where applicants for initial teacher training are salaried by the school, the school must ensure that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) must be obtained.

Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks. Schools should obtain written confirmation from the provider that it has carried out all pre-appointment checks that the school would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children. There is no requirement for the school to record details of fee-funded trainees on the single central record.

11. Checks on Volunteers

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Volunteers, who on an unsupervised basis, teach or look after children regularly, or provide personal care on a one-off basis in schools will be in regulated activity. The school should obtain an enhanced DBS certificate (to include barred list information) for all volunteers who are new to working in regulated activity.

Schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity, but have the opportunity to come into contact with children on a regular basis e.g. supervised volunteers ([See Keeping Children Safe in Education](#)).

Appendix 7 – Safer recruitment – Risk assessment and checking processes

It is good, safe practice to only allow someone to start working with children and young people once a satisfactory enhanced DBS check and all other clearances have been received. However, it is acknowledged that in some situations this may not be possible. If a school decides to allow someone to begin working with children and young people before all satisfactory checks have been received, an assessment must be made of the risks and steps put in place to minimise the risks. This form is only for use in these exceptional cases and should be completed by the senior manager and be retained on the employee’s personal file indefinitely.

| Enter title of post to be filled here | Comment as necessary below |
|---|---|
| 1. Do the duties of the post involve unsupervised access to children and young people? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Are there duties that can meaningfully be performed that do not involve direct contact with children and young people? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Can additional supervision be put in place so that the person is not working alone with children and young people? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Have at least 2 satisfactory references been received including one from last employer? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. Have the references been checked with the referees and any issues clarified? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Is there one reference which is satisfactory, relates to a post involving work with children and young people, and covers 2 years? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 7. Has there been a break in employment since last employed? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Has this been satisfactorily explained by the candidate? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 9. Were there any concerns/issues explored at interview that have not been satisfactorily addressed? (e.g., frequent moves of employment, unexplained gaps, concerns about responses to questions). Please provide details. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 10. If cautions/convictions have been declared, have these been satisfactorily explained by the candidate? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 11. Has advice been sought if there are any concerns about the employee’s background? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 12. Other comments/risk management strategies | |

Taking into account the nature of the job (potential risk of harm to children) and the information available about the candidate, is the level of risk sufficiently low to support a decision to allow the employee to start work before a satisfactory enhanced DBS Check has been received?

Signed by Headteacher/Chair of Governors:

Dated:

Appendix 8 – Reference Request Form

NB: THIS TEMPLATE SHOULD ONLY BE USED FOR REQUESTING REFERENCES POST OFFER OF EMPLOYMENT. FOR FURTHER GUIDANCE PLEASE SEE (APPENDIX 6, SECTION 6, REFERENCES)

Your co-operation in completing this reference form would be appreciated. Please note that the information you provide is subject to the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

The School is committed to safeguarding and promoting the welfare of children and young people and expects all its staff and volunteers to share in this commitment.

| | | |
|--|-----------|-------------------|
| Candidate Name: | | |
| Application for the post of: | | |
| Date of Employment: From: To: | | |
| Current Job Title: | | |
| Current Salary/Grade: | | |
| Please state the main duties and responsibilities of the candidate’s current post: | | |
| Please comment on the suitability of the candidate to the position applied for. You should include the candidate’s current knowledge compared to that required for this post, personal attributes and potential to develop in this role. A job description and person specification for the post is attached to help you provide a comprehensive assessment. (Please continue on a separate sheet if required) | | |
| Why did this candidate leave your employment? | | |
| How long have you known this candidate and in what capacity? | How Long? | In what capacity? |
| | | |

Was there any disciplinary action taken against the candidate? Yes No

If **Yes**, please provide details. Please include:

- Details of any disciplinary procedures the candidate has been subject to in which the disciplinary sanction is current;
- Details of any disciplinary procedures the candidate has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired, and the outcome of those; and,
- Details of any allegations or concerns that have been raised about the candidate that relate to the safety and welfare of children or young people or behaviour towards children or young people, and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved.

Has the candidate been the subject of formal Capability proceedings within the last two years? Yes No

If **Yes**, please provide details of the concerns, duration of the proceedings and their outcome.

Do you know of **ANY** reason why this applicant may not be suitable to work with children or young people:
Yes No

If **Yes**, please provide details:

NB: Please ensure that the reference is accurate and does not contain any material misstatement or omission. The person appointing may contact you if clarification is required on any aspect of the reference. Relevant factual content of the reference may be discussed with the candidate.

| | | | |
|---------|--|-------------------|--|
| Signed: | | Position: | |
| Name: | | Telephone Number: | |

Please return the completed reference to:

<< Name and address >>

Appendix 9 – Reference Request Letter

Dear

Reference Request for (enter name of applicant)

The above named has been offered the post of (Job Title) with this school and has given us your name as a referee.

I would be grateful if you would complete the enclosed Reference Request Form and return it to me as soon as possible. The Reference Request Form has been designed to follow the DfE recommendations for staff required to work with children. I would be obliged if you could complete all sections of the form.

To assist you I enclose a copy of the Job Description and Person Specification for the post applied for which details the nature and demands of the job.

Information provided by you will only be used for the purposes of recruitment and selection and will be held in accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

Should you have any queries please do not hesitate to contact me.

Yours sincerely

Appendix 10 – Invitation to interview letter

Dear

Application for the post of (Job Title)

Following your application for the above post I am pleased to invite you to attend an interview on (date).

Your interview will take place at (time) and will be held at (address). Directions to the venue are enclosed for your information. On arrival please report to Reception and ask for (name)

The purpose of the interview is to assess your suitability for the above post and to give the panel and yourself an opportunity to gain further information before making a successful appointment. It is also an opportunity to seek clarification on the information which you have provided on the application form and accompanying information. The interview will also assess your suitability to work with children and will include questions relating to safeguarding and promoting the welfare of children.

Enter details of any other assessment which the candidate will be required to undertake i.e., presentation, test etc.

The Interview Panel will comprise of:

Panel Member 1: (Name and their post title) Panel Member 2: (Name and their post title) Panel Member 3: (Name and their post title)

The interview will take place as follows:

Enter details of the format of the interview e.g.

| | |
|---|------------|
| <Time> Presentation | 15 minutes |
| <Time> Questions from Panel on Presentation | 15 minutes |
| <Time> Panel Interview | 45 minutes |

The interview questions have been structured around the person specification and job description which have already been sent to you. I enclose a copy for your information.

Please bring with you the originals of (list the documents you require the applicant to bring with them to the interview) for inspection.

The post is subject to an Enhanced DBS Check and a check of the Barred List and it will be necessary to complete an application form for a Disclosure. Please bring documentary evidence of your identity suitable for such a check. A DBS application form and guidance booklet are enclosed. Please complete the form and bring it with you to the interview.

I would be grateful if you could contact (name on telephone number) to confirm your attendance at the interview and if you should have any questions/queries relating to the selection process he/she will be happy to help you. Please also inform him/her if you have a disability and would like for any reasonable adjustments to be made.

(enter details if you wish to the applicant to claim interview expenses)

I look forward to meeting you on (date)

Yours sincerely

Headteacher

Appendix 11 – Letter to unsuccessful candidates

Dear

Application for the post of (Job Title)

I thank you for attending the interview on (date) and regret to inform you that you have not been successful on this occasion.

(state briefly reasons for decision)

I would like to take this opportunity to thank you for your interest in the post at the school and to wish you every success in the future.

Yours sincerely

Headteacher

Appendix 12 – Shortlisting Grid

Job Title: _____ Interview Date(s): _____

Scoring: Does not meet criteria = 0: Partially (under 50%) meets criteria = 1 : Partially (Over 50%) meets criteria = 2 : Fully meets criteria = 3
 Names of Short Listing Panel: (1) _____ (2) _____ (3) _____

| Selection Criteria (from person specification) | Name | Name | Name | Name | Name | |
|--|-------|-------|-------|-------|-------|-------|
| | Score | Score | Score | Score | Score | Total |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Total Score: | - | - | - | - | | |

Chair of Panel: Name: _____

Signature: _____

Date: _____

Appendix 13 – INTERVIEW GRID

Job Title: _____ Interview Date(s): _____

Scoring: Does not meet criteria = 0 : Partially (under 50%) meets criteria = 1: Partially (over 50%) meets criteria = 2: Fully meets criteria = 3

Names of Interviewing Panel: (1) _____ (2) _____ (3) _____

| Question Number | Name | Name | Name | Name | Name | |
|-----------------|-------|-------|-------|-------|-------|-------|
| | Score | Score | Score | Score | Score | Total |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Presentation | | | | | | |
| Total Score: | - | - | - | - | | |

Name of Candidate Appointed: Grade

Chair of Panel: Name: _____

Signature: _____

Date: _____

Appendix 14 – Failure to provide a DBS Certificate

Dear

As you are aware your employment as (title of post) is conditional on your having a DBS Check and the outcome of such a DBS check being satisfactory to the school. This is a statutory requirement for those whose work involves regular unsupervised contact with children and without which employment cannot continue.

On checking the progress of your DBS application it is noted that this was completed on (date) and it is my understanding that you would have received your DBS Certificate within (number of days) of this date. You have since been reminded on (number) occasions to let the school have sight of your DBS Certificate but have not done so.

Under the circumstances I am writing to inform you that unless the school has sight of your DBS Certificate by (enter date) I will have no alternative but to commence proceedings to terminate your employment with the school.

Yours sincerely

Headteacher

Appendix 15 – Individual Interview Record

This form should be completed for each candidate interviewed and stored in line with the guidance in the Safer Recruitment and Selection Policy. The information recorded on this form can be used to provide feedback to candidates who have the right to request access to their interview notes under the Data Protection Act 1998.

| | | | |
|----------------------------|--|---------------------------|--|
| Post Title: | | Candidate’s name: | |
| Interviewing Panel: | | Date of Interview: | |

1. Introduce panel
2. Explain take your time, it is ok to ask for a question to be repeated- we want you to be at your best
3. We will be writing while you talk
4. We have a set of questions to ask candidates
5. We may have questions to pick up from your application form- e.g. checking any gaps
6. There is an opportunity at the end to ask us questions at the end
7. We will also check the documentation you were asked to bring
8. Explain when and how the candidate will be informed of the decision

Template for questions and answers. Use portrait or landscape and cut/paste one box per question

| Questions (based on the Person Specification) | Indicators | | Fully met | Partly met | Not met |
|---|------------|----------|-----------|------------|---------|
| | Positive | Negative | | | |
| | | | | | |
| Interview notes | | | | | |
| | | | | | |

Questions to follow up from application form

| Question | Response |
|----------|----------|
| | |
| | |

| |
|--|
| Note candidate questions and answers given |
|--|

| |
|-----------------------------------|
| Note which documents were checked |
|-----------------------------------|