



RIDGEWOOD
SCHOOL

Recruitment Policy

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Revision History

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Contents

1.	Introduction	4
2.	Purpose and scope.....	4
3.	Preliminary review prior to recruitment	4
4.	Planning process.....	5
5.	Selection panel	5
6.	Job description.....	6
7.	Person specification.....	7
8.	Advertisement	7
9.	Application form	9
10.	Applicant pack	10
11.	Demographic monitoring.....	10
12.	Shortlisting.....	11
13.	References	12
14.	Invitation to interview	14
15.	Final selection process.....	14
16.	Interview.....	15
17.	Record keeping	16
18.	Conditional offer of appointment.....	16
19.	Pre-employment checks	17
20.	Additional (DBS, prohibition from teaching, and Section 128) recruitment checks and risk assessments	18
21.	Disqualification checks	19
22.	Right to work checks.....	19
24.	Contract of appointment.....	20
25.	Feedback to unsuccessful candidates.....	21
26.	Induction.....	21
27.	Documentation.....	22
28.	Other policies and procedures	22
29.	Appendix 1: The recruitment process	23
30.	Appendix 2: Job description	24
31.	Appendix 3: Person specification	26
32.	Appendix 4: Example reference proforma	27
33.	Pre-interview reference form	28

34.	Appendix 5: Checks in relation to the right to work in the UK	31
35.	Conducting a manual right to work check	34
36.	Acceptable Documents.....	35
37.	Checking validity of documents	35
38.	Retaining evidence/conducting online work check.....	36
39.	Summary of online right to work	37
40.	Biometrics Residence Permits/Transfer of undertakings/right to work checks for EEA and Swiss nationals	38
41.	EEA National – Acceptable Documents / Checked after the EU-Exit grace period	39
42.	Conducting a right to work check during Covid	40
43.	Appendix 6: Pre-employment issues	41
44.	Appendix 7: Vetting checks on volunteers	43
45.	Appendix 8: Safeguarding declarations	44
46.	Declaration A	45
47.	Declaration B	46
48.	Appendix 9: Shortlisting Matrix	47
49.	Appendix 10: Model Interview Grid	48
50.	Appendix 11: Recruitment Summary Sheet	49

1. Introduction

- 1.1 The policy is based on the premise that the governors will ensure that fair, consistent and objective processes exist for matters relating to recruitment and selection of staff and volunteers.
- 1.2 Regardless of the size or nature of an organisation, appropriate processes to ensure absolute propriety in all elements of staff recruitment require not only to be individually robust but also to be applied in a consistent manner throughout. Accordingly, this policy is designed to develop and maintain an underlying culture of safeguarding awareness by observing best practice in relation to risk assessment and strategic management throughout.
- 1.3 The policy is designed to ensure that the best possible staff are recruited on the basis of their individual merits, abilities and suitability for the available advertised position, and to ensure that all individuals are given equal opportunity to apply for positions with the academy with all applications being considered equitably and consistently.
- 1.4 Such practice will ensure that the academy thus embraces fully the principles of the Equality Act 2010 whilst also acting in accordance with relevant sections of data protection legislation, principally the Data Protection Act 2018 and the General Data Protection Regulation (GDPR), by clarifying its justification to obtain and retain (or process) certain categories of identifiable data.

2. Purpose and scope

- 2.1 This document underlies the principles enshrined in 'Inspecting safeguarding in early years, education and skills settings' (guidance for inspectors undertaking inspection under the common inspection framework – last updated September 2019) and in 'Working together to safeguard children' (statutory guidance on inter-agency working to safeguard and promote the welfare of children – last updated July 2018) as well as the documents entitled 'School Staffing (England) (Amendment) Regulations 2012' and 'Keeping Children Safe in Education' 2020.
- 2.2 The purpose is to ensure that a fair and consistent procedure is applied to all employees, having regard to the nature of their employment.
- 2.3 The purpose is also to ensure that safer recruitment procedures are followed in line with best practice to identify people who may be unsuitable to work with children, and additionally to ensure that those who come into regular contact with pupils are assessed as to their suitability (this will include individuals such as volunteers and supply staff, and may also extend to contractors and their employees).
- 2.4 It is important that all staff have appropriate training, induction and appraisal so that they understand their roles and responsibilities and are confident about carrying them out.
- 2.5 These procedures apply to all employees (and potential employees) of the academy. Nothing in these procedures is intended to contravene the statutory rights, duties and obligations of those individuals.

3. Preliminary review prior to recruitment

- 3.1 Any vacancy presents an opportunity to consider restructuring or to reassess the requirements of the post within the context of the academy's development plan and budgetary constraints.

- 3.2 Valid considerations include any change in the functions of the post, any alterations to the post in relation to new technologies or any new work patterns etc. Addressing these issues will help to clarify the precise requirements of the post and how it fits into the overall staffing structure of the organisation.
- 3.3 The departure of a member of staff represents an opportunity to gain useful information about their role which, over time, may have evolved beyond the parameters of the existing job description.
- 3.4 Such information may help to clarify requirements before a decision is taken as to whether the role should be advertised in an identical or amended format (or indeed may further inform debate as to the need for a direct replacement)
- 3.5 Accordingly, it is considered good practice to conduct exit interviews (or hold equivalent discussions) with the departing postholder as this will provide useful information about the role
- 3.4 If an exit interview cannot be arranged prior to the employee leaving, an appropriate questionnaire can be emailed (or posted to their home address) to allow them an opportunity to respond.
- 3.5 In exceptional cases the employee may wish the exit interview to be conducted by someone other than their line manager and such requests should, where possible be accommodated (for instance an HR Advisor could undertake that task).

4. Planning process

- 4.1 It is important that sufficient time is allowed to plan for recruitment (for an example of timescales see Appendix 1).
- 4.2 Relevant elements of planning include:
- drawing up the job description and person specification
 - deciding on the appropriate media for advertising
 - drafting the advertisement
 - preparing recruitment pack information; and
 - ensuring that all staff involved in the recruitment process are fully aware of their responsibilities.
- 4.3 For some posts there may be (in addition to face to face interview) in-tray exercises and other activities which will require to be factored into the timeline for the final assessment process.

5. Selection panel

- 5.1 In accordance with safeguarding requirements it is recommended that **at least** one member of every recruitment panel has undergone appropriate training in safer recruitment, and **it is a specific requirement for maintained schools**, in accordance with School Staffing (England) Regulations 2009, to ensure that this is the case.
- 5.2 Such training courses are not accredited at a national level, however training providers must cover, as a minimum, the content of the latest version of the document 'Keeping Children Safe in Education'.

- 5.3 The selection panel should normally consist of at least two managers (or senior postholders) who have the authority to make appointment decisions. It is not considered good practice for members of the governing body to involve themselves in recruitment decisions below the level of leadership posts.
- 5.4 For appointments to leadership posts there should be at least three panel members and governor representation would normally be anticipated for such appointments.
- 5.5 For appointments to the post of headteacher there should be at least three governors on the panel **in addition** to any external appointees or representatives.
- 5.6 The panel members must:
- agree the job specification before carrying out the shortlisting process
 - agree the questions to be asked at interview (and any assessment activities that are part of the recruitment process)
 - agree to appoint a chair whose role is to co-ordinate
 - ensure that the interview process is conducted fairly and without discrimination.

6. Job description

- 6.1 The job description should detail the underlying purpose and principal tasks of the role.
- 6.2 The job description should be reviewed regularly to ensure that the duties as detailed continue to reflect, in an accurate manner, the practical nature of the role.
- 6.3 The job description should also be reviewed to ensure fitness for purpose whenever a post becomes vacant.
- 6.4 All job descriptions should be free of bias such as age, gender and disability. They should specify:
- the main purpose of the role
 - the main tasks of the role
 - the scope of the role – expanding on the main tasks and importance of the job, including the number of people to supervise and (in relation to support staff roles only) should also clarify
 - the grade of role
- 6.5 An accurate job description is essential for all jobs. It should include a statement of responsibility and requirements for safeguarding and can act as a guide to induction and training in addition to enabling prospective applicants to assess their suitability for the role.
- 6.6 The job description also provides the basis for drawing up a person specification, which is effectively a profile of the skills and aptitudes considered essential (or in some cases merely desirable) in the post holder.

7. Person specification

- 7.1 The person specification is a description of the qualifications, skills, experience, knowledge and other attributes (selection criteria) which a candidate must possess to perform the duties of the role in a satisfactory manner (see proforma job description and person specification Appendices 2 and 3).
- 7.2 Drawing up the person specification allows the organisation to profile the ideal person to fill the job. It is very important that the criteria cited in the person specification are related precisely to the needs of the job. If these are inflated beyond what is necessary for effective job performance, there is a risk that an individual may be employed on the basis of false hopes and aspirations, in which event both employer and employee may end up disappointed in each other.
- 7.3 Another good reason not to set unnecessary requirements is to avoid any possibility of discrimination against an identifiable group of potential applicants. The very process of drafting a job description and person specification should help the employer to develop and implement a policy of equal opportunity in the recruitment and selection of employees.
- 7.4 Factors to consider when drawing up the person specification include:
- the skills, knowledge and aptitudes directly related to the post
 - the type of experience necessary
 - the competencies necessary (including, where appropriate, any requirement for fluency in spoken English)
 - the required level of education and training (but only so far as is necessary for satisfactory job performance).
- 7.5 Any specified criteria relating to personal qualities or circumstances must be directly related to the requirements of the job. These criteria must be applied equally to all individuals and must not discriminate on grounds such as age, disability, race (or nationality), religion or belief, gender (including transgender), pregnancy (or maternity), sexual orientation, marital or civil partnership status, or whether the individual is or is not a member of a trade union. To act otherwise is potentially discriminatory.
- 7.6 The criteria must be categorised as either essential or desirable; essential being applicable to those criteria which the applicant must possess to perform the role adequately and desirable being applicable to those criteria which would enhance performance from the outset but which (if not initially possessed) could be developed over time with training.

8. Advertisement

- 8.1 Any job description and personal specification which appear in the advertisement will enable both the selection panel and the potential applicants to identify both the key functions of the role and the qualifications, skills, experience and attributes believed to be necessary in a successful candidate.
- 8.2 Any advertisement needs to be designed and presented effectively to ensure the right candidates are attracted. Advertisements must be tailored to the level of the target audience and should always be clearly worded and easily understood. All advertisements, whether for internal or external placement, should carry the same information.
- 8.3 Advertisements must be non-discriminatory and should avoid language which is culturally or gender specific. (As an example, to avoid accusations of age discrimination it is advisable not

to use such phrases as 'young and dynamic', 'would suit someone who has just qualified', 'minimum of ten years' experience' or similar, as these may lead to age bias)

8.4 In terms of a 'genuine occupational requirement' (GOR), it is possible to advertise for a person of a particular age, gender, race, religion etc. provided the employer can demonstrate there is a specific requirement and that the action is proportionate to the aim, in other words that this cannot reasonably be achieved by any other means. It is good practice that a statement to this effect is added to any advertisement that contains a GOR, specifying that said requirement is 'permitted under Schedule 9, part 1 of the Equality Act 2010, which is deemed relevant to the circumstances'.

8.5 An equal opportunities statement (which will confirm the organisation as one which will welcome applications from all sections of the community) should be included in the text and commitment to safeguarding emphasised. An example of appropriate wording would be:

Ridgewood Academy is committed to safeguarding and promoting the welfare of children and young people and expects staff and volunteers to share this commitment.

8.6 The job description and person specification will enable the selection panel to identify the key functions of the role to be advertised and the qualifications, skills, experience and attributes believed to be necessary in a successful candidate.

8.7 Factors to consider when drafting the advertisement include the following:

- keep the text short and simple while giving the main aspects of the job such as: pay, career prospects, location, contract length, suitability for job share, fixed term etc.
- make clear the form of reply and the closing date for applications*
- ensure an appropriate contact name and phone number for further information and enquiries
- confirm the requirement for a Disclosure and Barring Check (and/or other relevant declarations) appropriate to the post

**the closing date for applications should be at least two weeks after the advertisement has appeared*

8.8 It is good practice to advertise all vacancies externally to avoid any potential claim of discrimination – however, where there is a reduction in the workforce or developmental reasons, posts will be recruited from existing staff.

8.9 Internal recruitment can have the advantages of building on existing staff's skills and training and providing opportunities for development and promotion. It is a good way to retain valuable employees whose skills can be further enhanced. Other advantages include the opportunity for staff to extend their competencies and skills to the benefit of both the organisation and the individual, and the enhancement of individual motivation (such as in relation to succession planning).

8.10 Examples of places to advertise:

- commercial recruitment agencies - often specialise in particular types of work
- national newspapers - advertising in the national press is expensive, but likely to produce a good response for senior roles
- specialist and professional journals - less expensive than the national press, these journals can guarantee to reach the precise group of potential applicants for specialist and professional vacancies

- internet, microsites, school website
- local newspapers, radio - for less specialised jobs, or to target groups in a particular local area
- Jobcentre Plus (DWP) - will display employers' vacancies and refer potential recruits. They also administer some of the Government training programmes. (the Disability Service Team staff at Jobcentre Plus can help address the specific requirements of attracting disabled people).

9. Application form

- 9.1 A well-crafted application form (whether submitted as hard copy or in electronic format) can assist in the recruitment process by enabling necessary and relevant information to be provided by the applicant in relation to their experience and skills. The design of the application form needs to be realistic and should be tailored to the available position.
- 9.2 In accordance with data protection legislation (most pertinently GDPR) any requests for personal information must be confined to elements which can be justified as necessary for the process of recruitment, or (in relation to the successful candidate only) necessary for contractual purposes of employment. In this regard the application form may well wish to reference the academy's privacy notice, and signpost where this will be found.
- 9.3 The use of a well-designed application form has advantages in providing the required information in the format desired by the recruiter, thus providing the basis for the initial sift prior to shortlisting and interview. The application form should provide a record of experience and qualifications which is easy to follow if the form is completed accurately.
- 9.4 The academy will reference (within the applicant pack/application form) the requirement for Disclosure and Barring Service (DBS) checks for relevant roles and will draw the attention of candidates to the information contained in Appendix 6 which clarifies the academy's policy on employing people with a criminal record
- 9.5 A minimum of two references must be obtained, one of which should always be from the applicant's current (or last) employer, and this requirement should be outlined clearly within the applicant pack/application form. Any reference obtained from a school should generally be signed by either the headteacher or a senior manager.
- 9.6 Any information which has potential relevance to protected characteristics under the Equality Act 2010, such as title (revealing gender and, in some cases, marital status), name (possibly revealing ethnic origin) or date of birth (revealing age), but which may legitimately be requested for monitoring purposes (to evidence compliance with legal requirements guarding against discrimination) should be clearly shown to be for this purpose only. Accordingly, such data (See section 11 for further information on monitoring of demographics) should be recorded on a separate sheet or tear-off section.
- 9.7 If the applicant's response on the application form declares (or suggests) that they are disabled, the recruiting organisation should take note of this. In the case of disability, the Academy as the (potential) employer has a legal duty under the Equality Act 2010 to make reasonable adjustments, for example by holding the interview in an easily accessible room or allowing extra time for selection tests.
- 9.9 The academy may also be under an obligation to follow the 'disability confident' scheme (or an equivalent initiative) adopted by certain employers. One of the commitments of this scheme is that participating organisations will interview all disabled applicants who meet the minimum criteria for a job vacancy (see clause 12.5) and will consider them on their abilities.

10. Applicant pack

10.1 The principal aim of the applicant pack is to clarify the role in sufficient detail as to encourage applications from those individuals most suited to the role. The pack may contain:

- a covering letter explaining contents and further information
- a copy of the advertisement (which in turn should specify if fluency in spoken English is a necessary requirement of the post)
- an application form with equal opportunities monitoring form attached
- advice on how to complete the form
- job description and person specification
- organisation chart (reporting lines etc.)
- information about the academy/profile/prospectus/statistical information
- information about the local area
- outline terms and conditions of employment
- the employer's policy on DBS checks (further details given in Appendix 6)
- The employer's policy on employing people with a criminal record (further details given in Appendix 6)
- details of other pre-employment checks (including those related to disqualification as and when relevant – see Appendix 8).

10.2 The applicant pack should explain the application process and clarify both the closing date and, ideally, the date(s) on which interviews (and assessments, if applicable) will be held. It should also confirm that if the applicant has not heard from the academy within two/three/four weeks of the closing date, they should assume that their application has been unsuccessful.

10.3 Application forms received from candidates should be scrutinised on arrival by an administrator independent of the selection panel to ensure that they have been completed properly and that the information contained within them is consistent. Having ensured their acceptability on these points the administrator should then anonymise the application (see following section) by removing all identifiable information before the relevant sections are passed to the recruitment panel for shortlisting.

10.4 Incomplete applications should not be accepted. A decision should be made at the outset of the process as to whether any applications that are found to be incomplete are to be returned for completion or, alternatively, discarded without further reference to the applicant.

11. Demographic monitoring

11.1 The Equality Act 2010 makes it unlawful for employers to discriminate against job applicants (and existing workers) because of a 'protected characteristic'.

11.2 The protected characteristics under this act are (in alphabetical order): age; disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race (or nationality), religion or belief, sex and sexual orientation. (It is similarly illegal, albeit under different legislation, to discriminate on the basis of membership (or non-membership) of a trade union.)

11.3 To minimise the possibility of receiving a claim alleging discrimination, it is good practice to ensure that the initial stage of demographic monitoring is carried out (on initial receipt of the completed application forms) by an administrator **independent of the selection panel**.

- 11.4 The separate elements of each application form should be identified on the recruitment summary sheet using the number allocated to each form, and any personal identifiers, as well as any demographic information, detached from the application before the remaining element of the form (containing details of qualifications, training, current and previous employment plus the applicant's personal statement) is sent (in anonymised format) by the administrator to the appointment panel once the closing date has been reached.
- 11.5 The appointment panel should then proceed with shortlisting by reference to anonymised applications only.
- 11.6 The completed summary sheet (in anonymised format) should be kept within the recruitment file but all identifiable data relating to the unsuccessful candidates should be retained securely until disposed of in accordance with clause 17.
- 11.7 Demographic data, consisting of information (contained within the equal opportunities monitoring form – completion of which remains optional for the candidate) which constitutes a discrete and anonymised element within the application pack, can, however, be retained indefinitely (on the basis that it contains **no identifiable data**) for the purposes of monitoring the employer's performance in relation to equal opportunities and related concepts.

12. Shortlisting

- 12.1 The shortlist should be drawn up as soon as possible after the closing date and to ensure fairness the process of shortlisting should involve an absolute minimum of two members of the recruitment panel. Shortlisted candidates are chosen following a comparison of the information provided in their (anonymised) application forms with the person specification, which is in turn based upon the job description.
- 12.2 The shortlisting grid/matrix should only be completed after application forms have been numbered and have had their identifying information (including demographic data) removed (by someone not involved in the shortlisting process – see previous sections) thus ensuring a systematic and objective procedure is followed (an example of the format used in a model shortlisting matrix is provided in Appendix 9).
- 12.3 The chosen criteria for the post should be entered on the grid and each applicant's number should be inserted. The criteria should then be compared to the information supplied in the application form, inserting a tick or a cross to indicate whether or not these have been met. The columns should then be totalled.
- 12.4 A clear distinction should be maintained between essential and desirable criteria, and any candidate who does not meet the essential criteria should not be shortlisted for interview. Should the initial shortlist be longer than required in terms of practicality then desirable criteria can be used to further differentiate between those who have satisfied the essential criteria.
- 12.5 If, however, the (potential) employer is under an obligation to follow the 'disability confident' (or an equivalent) scheme (see above) then in the event of a candidate who has declared a disability on the application form satisfying all of the essential criteria, that candidate should be interviewed.
- 12.6 Should job applications be received from more than one applicant with a view to the role being undertaken on a job share basis then equal consideration must be given to such proposals, although in these circumstances each applicant is required to be assessed for the role on the merits of their **individual** application.

- 12.7 Once shortlisting is completed, the record on the summary sheet for candidates who have been excluded from further consideration at this juncture should be updated by an administrator with the principal reason(s) for their exclusion documented in the appropriate location (see summary sheet Appendix 11).
- 12.8 Following interviews (and/or additional assessments as and when appropriate), once a decision has been reached to offer the position to the chosen candidate, details of all unsuccessful candidates should be passed to administration for the summary sheet to be similarly updated with the principal reason(s) for their exclusion from further consideration.
- 12.9 If there is a poor field of applicants and only one applicant meets the essential criteria, that person may be appointed to the position. However, this should only be after face to face interview has been undertaken to satisfy the recruitment panel as to the individual's suitability for the role in question.

13. References

- 13.1 Any offer of employment must be conditional upon provision of satisfactory references (in addition to other pre-employment checks). The purpose of seeking references is to obtain information (which must in every case be accurate, factual and not misleading) to support appointment decisions.
- 13.2 The application form requests two references, one of which must be from the candidate's current (or most recent) employer. Character references may be acceptable in the absence of a suitable employment history but neither referee should be a relative or someone known to the applicant solely as a friend.
- 13.3 The form will also reserve the right of the prospective employer to approach any of the candidate's previous employers, and if the candidate has previously worked with children but their current (or most recent) employment does not (or did not) involve work with children, then one reference should be from the employer with whom the applicant most recently worked with children.
- 13.4 References should always be sought and obtained directly from the referee, and sufficient diligence should be undertaken to ensure not only that all referees are genuine but also that they are in a position of validity in relation to the provision of a reference. For example, any reference which is provided on school headed paper but has been signed by a person other than a senior leader should have been reviewed (before being issued) by a person in authority (given that it purports to emanate from the school) and it may be in order to confirm that this is indeed the case.
- 13.5 The reference request, which should be accompanied by a copy of the job description, should make clear that only objective (and verifiable) information is sought. It is vital that subjective opinion should not be encouraged (and for a model reference request see Appendix 4).
- 13.6 References will be sought for all shortlisted external candidates and should also be requested for shortlisted internal candidates if the new role involves a significant change of responsibilities (although in the case of the latter these should always be sourced from an individual manager who is not personally involved in the shortlisting/interview process).
- 13.7 When seeking references, the academy should make clear that, although these are regarded as confidential, they may be shared with other persons involved in the recruitment process and may also require to be shared with the candidate on request.

- 13.8 The consent of the applicant should always be obtained before seeking a reference, and although this may be implied (on the application form) it is appropriate to seek (and obtain) explicit consent from the applicant if any sensitive personal data (such as details of sickness absence or health) is to be requested from the referee (unless this is stated clearly on the application form). A referee may wish to request sight of such consent before responding.
- 13.9 References should (where possible, and with the candidate's permission) be obtained before interview. All references received should be compared to the information supplied in the candidate's application form to ensure consistency and compatibility throughout. Any apparent discrepancy should be taken up with the candidate.
- 13.10 The current employers of all short-listed candidates will, within the reference request, also be asked for details of any capability history in the previous two years. The reasons for this are as enshrined in the School Staffing Regulations (England) (Amendment) 2012 which states:
- "Governing bodies of maintained schools must confirm in writing whether or not a teacher at the school has been the subject of capability procedures within the last two years and, if so, provide details of the concerns which gave rise to this, the duration of the proceedings and their outcome, if asked to do so by the governing body of any maintained school or the proprietor of an Academy School to which that person has applied for a teaching post."*
- 13.11 In accordance with recommended practice the previous employer should be asked for details of:
- whether or not the applicant has been subject to any disciplinary procedures for which a disciplinary sanction is still current
 - and (where the applicant's previous employment has involved working with children or young people) details should also be sought of:
 - any disciplinary procedures involving issues related to the safety and welfare of children or young people to which the applicant has been subject, such details to include the outcome of those procedures (inclusive of details of any relevant disciplinary sanction which may have since expired)
 - any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or young people, or questionable behaviour towards children or young people, and the outcomes of those concerns (for example whether the allegation or concern was investigated, the conclusion reached and how the matter was resolved).
- 13.12 It is particularly important that the question relating to working with vulnerable groups (as detailed in the pro forma) is asked whenever a reference is requested.
- 13.13 In the event that a reference in respect of the preferred candidate has not been obtained prior to interview, the academy will ensure that a reference is received and scrutinised, and that any concerns are resolved to the academy's satisfaction, before an offer of appointment is confirmed. If the reference is vague or unspecific, the referee should be contacted and requested to provide further information (preferably in writing) as appropriate.
- 13.14 The academy will not accept 'to whom it may concern' testimonials or unsolicited correspondence supplied by the candidate.

14. Invitation to interview

- 14.1 Candidates for interview should be informed of their shortlisting in a letter that contains a detailed programme for the interview day(s) including:
- any preparation required by candidates (such as for a presentation or lesson)
 - an indication of the time the process is likely to take
 - a location map or instructions relating to the interview venue.
- 14.2 Disabled candidates should be contacted in writing (normally through the invitation letter) to ascertain what arrangements/reasonable adjustments may be required to enable them to participate fully in the interview/assessment process.
- 14.3 Where relevant, the invitation should advise candidates that any issues arising from references will be discussed at interview.
- 14.4 In order to comply with legal requirements in a way that avoids claims of discrimination, all prospective employees who are to be interviewed should be asked to prove both their identity and their eligibility to work in the UK. Photographic proof of identity (such as a passport) should be presented for verification at interview and a record should be kept specifying the means by which the individual's identity has (by comparison with photo id) been verified (and additionally stating when and by whom such verification was undertaken). Further information on eligibility to work in the UK is detailed in Appendix 5.
- 14.5 It is therefore important to include, within the invitation letter sent to candidates, advice about the appropriate original documents to be brought to interview as a means of establishing proof of identity and of the applicant's right to work in the UK. The relevant documents should be copied by the academy and kept on file for the successful candidate.
- 14.6 Candidates should also be asked to bring to the interview, for verification purposes, original documentation in relation to their qualifications. Once again copies should be made and kept on file for the successful candidate. If originals are not available a letter of confirmation from the awarding institution should be obtained from the candidate.

15. Final selection process

- 15.1 The aim of the selection process is to measure the skills, abilities (or competencies) and experience of the shortlisted candidates against the requirements identified in the person specification. An interview should take place with all candidates who have been shortlisted but it may be appropriate to use selection tests to complement the process.
- 15.2 The academy will consider (where relevant) the observation of trial lessons as part of an extended interview process (in line with the School Staffing (England) (Amendment) Regulations 2012).
- 15.3 The academy will ensure that tests for job applicants are not unlawfully discriminatory. For example, a written English test would discriminate against those whose first language may not be English – although this could be justified if an acceptable level of proficiency with written English was necessary for the job.
- 15.4 Examples of suitable tasks to be undertaken as part of an assessment might include the following: in-tray exercises; presentations; observed group discussion or lessons; group problem-solving activities; small panel interviews or practical skills demonstration.

- 15.5 It is good practice for candidates (particularly those who have been shortlisted) to have an opportunity (prior to interview) to see the academy and pupils at work. This may involve some pupils in showing interviewees around the premises in the company of a senior staff member.

16. Interview

- 16.1 The key purpose of a selection interview is to assess the skills, experience and general background of a particular individual in order to make a decision on whether that person is a suitable (or the most suitable) candidate for the role in question. Interviewing is the most frequently used method of assessing prospective employees and the selection process should always include a face-to-face interview unless this is logistically impractical.
- 16.2 The interview should also be a forum through which each candidate can obtain information about the organisation and the vacant job. The selection interview should thus be structured around a two-way communication process.
- 16.3 The format of the interview should be the same for each candidate to help ensure that all shortlisted individuals undergo a similar experience and receive the same information about the job. However, this does not mean identical questions must be asked of each candidate.
- 16.4 Managers involved in recruitment have a duty to conduct selection interviews fairly and without bias for or against any particular candidate. Reasonable adjustments must be made for disabled candidates who have requested special arrangements, to ensure that they are not placed at a disadvantage.
- 16.5 Questions asked at interview should be designed to obtain relevant information about the applicant's experience and skills. The interview also represents an opportunity to check facts, test achievement and assess aptitude and potential, and questions should in addition explore attitudes and motives in relation to working with children as well as probing any apparent gaps within a candidate's employment history as declared on their application.
- 16.6 Safeguarding guidance recommends that competency based questions should be used which ask the candidate to 'relate how (he or she) dealt with an actual situation' or questions that 'test a candidate's attitudes and understanding of issues'.
- 16.7 It is potentially discriminatory (on the grounds of disability) to ask a job applicant questions about his or her health or disability before making a job offer to that person, although there are some exceptions to this rule in that during an interview it is legitimate to:
- establish whether the applicant is able to carry out 'a function that is intrinsic to the work' and (less commonly) to:
 - make sure the candidate possesses any specific disability that may be deemed necessary as a general occupational requirement (GOR) for that role.
- 16.8 The use of an assessment grid to record conclusions is highly recommended to encourage a systematic and objective approach that can be readily justified in the event of subsequent challenge (see model interview grid Appendix 10).
- 16.9 The recruitment panel should be aware of any candidate being in receipt of an ill health pension and in such instances should confirm with the applicant whether they would be eligible to undertake paid work under their pension scheme rules.

- 16.10 All candidates attending for interview should be informed how and when decisions on recruitment will be communicated to them.

17. Record keeping

- 17.1 The academy must always be able to justify the decision to recruit a particular person in preference to other applicants. It is therefore necessary to document the process as much as possible, and at interview sufficient time should be allocated between each candidate for panel members to record appropriate information to evidence the eventual recruitment decision reached.
- 17.2 Such notes should be retained, along with assessment grids or matrices (as mentioned above) and application forms (along with demographic information) from all candidates, for as long as is required in order that objective evidence is at hand in the event of a recruitment decision being challenged (at a later date) by an unsuccessful candidate.
- 17.3 Relevant information relating to candidates who have **not** been appointed should therefore be kept on record in the short term (although this should always be in accordance with data protection legislation and the academy's relevant policies and procedures) to offer security (as outlined above) in the event of subsequent legal challenge.
- 17.4 Such information may also legitimately be retained and referred to in the event of the initial chosen candidate's appointment falling through, or a similar position within the academy becoming available in the near future, as it may be considered acceptable, within a matter of a few weeks or months, to offer such a position to a candidate who has narrowly missed out on being appointed.
- 17.5 Notwithstanding the above, in normal circumstances any identifiable data relating to unsuccessful candidates should be deleted after a period of no longer than six months, although information relating to a successful candidate will of course be retained within their individual personnel file, subject to appropriate justification under GDPR, for the duration of their employment.

18. Conditional offer of appointment

- 18.1 A **conditional offer** of appointment should always be made in the first instance, as official confirmation of employment is dependent on a number of conditions (outlined below) being satisfied. This requirement is designed to minimise the risk of appointing unsuitable staff.
- 18.2 Any job offer extended to a candidate must therefore always be conditional on relevant pre-employment checks being not only completed but also proving satisfactory. The academy will ensure that robust vetting procedures are in place to support this objective.
- 18.3 These conditions will include provision of (at least) two satisfactory references (if these have not already been received prior to interview), a satisfactory declaration of health, evidence of the employee's right to work in the UK and proof of the employee's stated qualifications.
- 18.4 It is also essential (before commencing employment) that the applicant's identity has been verified by comparison of their appearance to acceptable and appropriate photo ID (such as a passport or UK driving licence). This confirmation of identity (whether carried out at the time of interview or at a later opportunity) should always be formally documented, with a record being made to confirm how and when such verification has been undertaken.

- 18.5 The conditional offer letter (in addition to setting out the academy's requirement in terms of pre-employment checks) should also include the following information:
- post title and brief description
 - terms of employment (hours, pay, etc.)
 - start date
 - details of any probationary period.
- 18.6 The appointment should only be officially confirmed, by means of issuing a contract of employment which (see below) should either incorporate or be accompanied by a statement of particulars, once the conditions specified in the conditional offer letter have been met.
- 18.7 Providing false information to a prospective employer (whether in relation to the initial application or to any pre-employment check) is an offence that could result in the application being rejected, or in summary dismissal if the applicant has already been appointed.

19. Pre-employment checks

- 19.1 Whilst certain pre-employment checks (further explored below) are mandatory for specified roles care must be taken by schools to ensure that they do not employ an indiscriminate approach whereby all applicants (or indeed employees) are subject to enquiries of an excessively intrusive nature, regardless of circumstances.
- 19.2 Accordingly, schools must always ensure that there is an appropriate justification for seeking to acquire, and to hold, personal (special category) data, and must similarly be conscious that this justification may not be applicable to certain data previously placed (whether or not legitimately at the time) on record (and for this reason it is inappropriate to request certain sensitive information, for instance in relation to medical history or previous convictions, from applicants unless and until there is an intention to make a conditional offer of employment to the individual).
- 19.3 A pertinent example of this may be 'disqualification by association' which is no longer applicable to staff employed within an educational setting, although schools with nurseries and/or those establishments which provide pre-school or after-school provision of a non-educational nature (such as breakfast clubs etc.) for those under the age of eight, still need to be aware that certain staff members, namely those involved either directly, or in the management of, childcare activities (as opposed to educational provision) should not be employed in such roles if they are (**in their own right**) disqualified from involvement in such care (see Appendix 8 for further explanation).
- 19.4 Although there is no legal obligation for an appropriate declaration to be completed to document the eligibility of such members of staff many schools nonetheless find this to be the most expeditious method of ensuring that they are not employing staff inappropriately, and a form designed for this purpose appears as Declaration A in Appendix 8 (Declaration B being the parallel declaration for those members of staff who are not directly involved in childcare activities).
- 19.5 In the event that a pre-employment check (or personal declaration) reveals an unexpected disclosure of significance, the potential (or current) employer must be mindful that any decision reached on the basis of such information should always be proportionate to both the nature of the disclosure and the specific role proposed for (or undertaken by) the individual - in other words there must be no blanket policy of denying employment opportunities to persons identified in this manner without an objective analysis of the situation.

19.6 Additionally, all educational establishments should be aware of government guidance to the effect that schools should remind all staff (not just those working with children under the age of eight) that their 'relationships and associations' (including those online) may have an implication for the safeguarding of pupils, and that if there are concerns that such contacts may be of relevance then the school should be told.

19.7 Schools should ensure that staff understand their duty in this regard and should include guidance to this effect in relevant policies (to which purpose this wording is reinforced within the academy's Safeguarding Policy).

20. Additional (DBS, prohibition from teaching, and Section 128) recruitment checks and risk assessments

20.1 All staff employed by the academy in regulated activity (further guidance in relation to DBS checks for volunteers and external contractors is provided in Appendix 7) will undergo appropriate DBS (enhanced and barred list) checks

20.2 However, there is no requirement to obtain a further DBS certificate for newly appointed staff who have come from a similar post in another school or academy and who have had no more than three months' break in service, although these individuals **must** provide evidence of their most recent DBS certificate. Such individuals will be requested to provide sight of original documentation (or to allow the academy to use the 'updating service' if they have registered for this) in order to verify the authenticity of their DBS certificate, and for this to be documented on the academy's Single Central Record (SCR) before any appointment is confirmed.

20.3 The Single Central Record will document details of all relevant pre-employment checks for all members of staff, including directly employed teacher trainees, agency staff and, for independent schools (the definition of which includes academies) members and trustees of the academy trust.

20.4 Pre-employment check information recorded on the SCR must indicate when each check was carried out and should (as a minimum) include the following:

- an identity check
- an enhanced DBS check (in respect of which documentation will include the unique reference number, the date on which the certificate was issued, the identity of the individual who has scrutinised the document in question and the date when this was inspected);
- a barred list check (ditto) – this is not applicable to administration staff (but see clause 20.6)
- a section 128 check for governors of maintained schools and for management positions (including membership of the proprietorial body) in independent schools, including academies and free schools (as set out in paragraphs 144-147 of KCSIE 2020)
- a check of professional qualifications where applicable
- a check to establish the person's right to work in the United Kingdom
- further checks on people who have lived or worked outside the UK* (including recording checks for relevant teacher sanctions and restrictions).

**individuals who have lived or worked outside the UK must undergo similar checks to all other staff in schools or colleges. Detailed Home Office advice on this topic can be found at: www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants.*

- 20.5 The academy will not keep any photocopy or other image of the content of the DBS certificate (which remains the possession of the person to whom the information relates) or any equivalent (under the preceding clause) certification. However, all DBS checks undertaken (and equivalent checks for those who have lived or worked abroad) will be documented in the academy's Single Central Record (SCR).
- 20.6 In addition to prohibition checks for teachers the academy will undertake similar checks in respect of any person who provides unsupervised/undirected teaching work to ensure that they are not subject to prohibition order* (Although only individuals holding QTS can be subject to a prohibition order it is not unknown for such persons to subsequently gain employment in a support staff role, (which in certain establishments, can involve carrying out a teaching role and, accordingly, it is incumbent upon schools to ensure that no person who provides unsupervised/undirected teaching work (even if not employed specifically as a teacher) is currently subject to a prohibition order.)
- *A prohibition order is put in place by the Secretary of State for Education, most often following a determination made by the Teaching Regulation Agency (TRA), to prohibit a person from any involvement with teaching.*
- 20.7 The academy will also carry out (and document) a risk assessment in relation to any relevant volunteer roles, and this may, in certain circumstances, include provision to undertake further checks, although such decisions should always be proportionate to the role and the activities to be carried out by the individual concerned.
- 20.8 All temporary agency staff working in regulated activity will be DBS checked by their agency before they start work for the academy and those providing teaching services (which may, as outlined above, include certain members of support staff as well as those holding QTS) will also be prohibition order checked. The completion of such checks forms part of the agreement between the academy and the agency.
- 20.9 Written receipt of confirmation of an up to date and acceptable DBS check is required from the supply agency as is (where applicable) confirmation of the certified absence of any prohibition order. These confirmations will be documented on the academy's SCR as detailed above.
- 20.10 It is, however, vital to note that it remains the responsibility of the academy to ensure that the individual presenting himself or herself for agency teaching work at the academy is the same person on whom these checks have been carried out, and once again an additional record should be documented on the academy's SCR to confirm how, when and by whom such verification of identity has been undertaken.
- 20.11 In relation to a multi-academy trust (MAT), each individual establishment is not required to have its own separate SCR as long as all those (such as Ofsted) who may require sight of the (universal) SCR can accomplish this easily.

21. Disqualification checks

- 21.1 The academy will, for relevant posts, request prospective employees to complete a safeguarding declaration (examples of which are provided at Appendix 8) to confirm that they are neither on a relevant barred list nor disqualified from working with children etc., and, moreover, that they will immediately inform the headteacher in the event of any of the clauses in the relevant declaration subsequently becoming applicable.

22. Right to work checks

22.1 Permission to work in the UK is subject to legislation. It is a criminal offence to employ those who do not have permission to live or work in the UK. Under Section 35 of the Immigration Act 2016 these requirements are enforceable by a fine and potential imprisonment for up to 5 years where the employer “had reasonable cause to believe” that the individual was disqualified from being employed in the UK due to their immigration status.

22.2 The academy is subject to a legal duty to prevent illegal working. In addition to verification of their identity (as above) all prospective employees must be requested to provide the necessary documentation to demonstrate eligibility for work in the UK. Such documentation should be copied and stored securely for the duration of the person’s employment **and** for a further two years.

23. Health checks

23.1 Anyone appointed to a post involving regular contact with children or young people must be medically fit (Education (Health Standards) (England) Regulations 2003).

23.2 Schools are statutorily responsible for satisfying themselves that potential appointees have the appropriate level of physical and mental fitness, and accordingly a declaration of health should be completed by the prospective employee.

23.3 This declaration should be scrutinised by an appropriate individual or agency before an appointment offer is confirmed (and advice from Occupational Health (OH) may be indicated in the event of any doubt arising as to an individual’s fitness for the role in question).

24. Contract of appointment

24.1 The Employment Rights Act 1996 requires employers to provide most employees with a written statement of the main terms and conditions of employment.

24.2 All employers should be aware that under The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 and The Employment Rights (Miscellaneous Amendments) Regulations 2019, both of which become effective **from 6 April 2020, all workers** (The definition of worker is broader than that of employee) **are entitled to be provided with such contract documentation from day 1 of their employment.**

24.3 The contract, either incorporating or accompanied by a statement of particulars, should include the following elements:

- employer’s name
- employee’s name
- date employment commenced (and date continuous service commenced, if earlier)
- whether the contract is
 - i. Permanent
 - ii. Fixed term (to a specified date) or
 - iii. Temporary (to s specified circumstances, such as provision of maternity cover)
- Job title
- place of work
- remuneration, specifying scale or rate of pay (or the method of calculating this) and additionally specifying any additional benefits in kind.
- Method and frequency of payment
- hours (and days) of work (and whether these are likely to vary in the future)
- Details of any probationary period

- Terms and conditions (including holiday and sickness absence entitlement and pay)
- Details of any compulsory training (and whether this will be paid for by the employer)
- Details of notice periods (both to and from the employer), including, if applicable, any different notice period within the probationary period)
- Details of eligibility for statutory paid leave* (such as maternity/paternity etc.). *this can be provided by means of signposting to another document with detailed information (such as a policy statement).

24.4 Additional information, as detailed in the following clause, is required **either** to be included in the initial contract or statement of particulars supplied at commencement of employment **or** to be provided to the employee (or worker) no later than two months after the start of employment.

24.5 Such information, which can be provided either in a supplementary statement of particulars or by means of signposting to another document with detailed information (such as a policy statement) included details of:

- Pension arrangements
- Any collective agreements
- Any additional training which may be conditional on specified eligibility requirements
- Disciplinary process (which should include reference to an appeal mechanism)
- Grievance process (which should include reference to an appeal mechanism)

24.6 Either a contract itself, or an accompanying statement of particulars, should also make appropriate reference to the academy's privacy notice (detailing the relevant justification for processing of identifiable data relating to the employee) and should also clarify where this is to be found.

25. Feedback to unsuccessful candidates

25.1 There is no requirement to give unsolicited feedback to unsuccessful candidates. Providing constructive feedback can be a difficult and delicate task, and it should only be undertaken in response to a specific request.

25.2 In giving feedback it is appropriate to 'describe' rather than to 'evaluate', by making specific reference to what happened during the process of assessment (such as interview or task performance) that is the subject of the feedback. In a way attention can be drawn to the areas which made a specific impression (whether favourable or unfavourable) on the members of the interviewing panel.

25.3 Any feedback given should avoid making value judgments. Feedback should be specific and should avoid generalities. It is better to be positive (where possible) in preference to being overly critical, whilst reminding the candidate of the key criteria which the panel were looking for. This may be achieved by quoting examples of what the candidate may have said, or written, and how this affected the outcome.

25.4 It is good practice (and may be important for future reference) to record all feedback that has been provided.

26. Induction

26.1 The purpose of induction is to ensure the effective integration of staff into or across the organisation to the benefit of both parties. The induction programme must be designed to

provide all the information that new employees need, and are able to assimilate, without overwhelming them or diverting from the essential process of integration into a team.

- 26.2 The length and nature of the induction process will depend on the complexity of the job and the background of the (new) employee. However, induction training should, as a minimum, always include the organisation's safeguarding and child protection processes and procedures.
- 26.3 It is important to keep a checklist of the areas of induction training received, ideally countersigned by the individual. This helps to ensure all employees receive all the information they need. This checklist can be a vital source of reference later in employment – for example to check that an employee has been briefed on policies, or to produce evidence of training in the event of a health and safety inspection.

27. Documentation

27.1 For each recruitment vacancy a file should be created which will contain:

- job description
- person specification
- advertisement
- shortlisting matrix
- interview assessment sheet
- application forms received
- references obtained
- any other correspondence relating to the vacancy
- recruitment summary sheet.

27.2 Each vacancy should have its own set of records, which should be retained for a maximum of 6 months before being deleted in accordance with the academy's Data Protection policy.

27.3 Any documents relating to the successful applicant will routinely be transferred to the (new) employee's personnel file which should be created as soon as the appointment has been confirmed.

27.4 In relation to references received from third parties, ICO recommendation is that these should be deleted after a period of (at most) 12 months as these contain identifiable data and there is no justification for keeping them any longer than the maximum length of an employee's probationary period.

27.5 Notwithstanding the preceding clause, although the references themselves should be deleted, as suggested, a record should always be kept (for the duration of the individual's employment) to the effect that they have been received, found to be satisfactory, retained for the recommended period and then destroyed in accordance with data protection guidelines. This record should **not**, however, identify the individuals who provided the references.

28. Other policies and procedures

28.1 This policy is supported by the following policies and procedures:

- Equality Policy
- Data Protection Policy
- Safeguarding Policy

Appendix 1: The recruitment process

1. Review the vacant post	This may take longer for a new post
2. Plan selection process	
3. Book venue if necessary	Ensure this is booked as early as possible. Consider what / whom is involved in any administration / refreshment provision
4. Review / create job description	Ensure that a new / significantly amended job description goes through the job evaluation process (this may add significantly to the time required)
5. Review / create person specification	These may take longer for a new post and should be sent with job description where evaluation is required
6. Design advertisement	
7. Arrange for advertisement to be placed	
8. Advertisement of post	Leave a minimum of two weeks from date of advertisement to closing date
9. Decide content of applicant pack	Include all relevant information including safeguarding information and (where indicated) reference to DBS and criminal record checks etc. although these should only be requested once a conditional offer of employment has been made
10. Prepare and issue applicant packs	
11. Closing date	Two weeks minimum from date advertisement placed
12. Prepare application forms for selection panel	To include creation and copying of shortlisting grid
13. Shortlisting	Ensure adequate time allowed to arrange for panel to be available for this process
14. Request references	Where permission given, these ideally to be requested at least five days before they are required at interview.
15. Invite candidates to interview	Allow adequate time if invitation issued by post. Ensure any reasonable adjustments have been identified and are capable of being met prior to interview date
16. Receive references prior to interview date	Where the candidate withholds permission, references may only be requested once a conditional offer of employment has been made
17. Prepare all materials for interview / assessment process	Consider reasonable adjustments
18. Selection of successful candidate	Issue conditional offer of employment
19. Notify candidates of outcome	
20. Pre-recruitment checks	Request as soon as successful candidate accepts the conditional offer of employment
21. Feedback to candidates, where requested	A member of the selection panel needs to be available to provide feedback, as and when requested by candidates
22. Arrange induction	Notify other members of staff involved in the process and gather necessary paperwork.

Appendix 2: Job description

Job description template

The information given on this job description is intended to provide an understanding and appreciation of the workload of this particular job and its purpose within the organisation.

The job description outlines main duties and responsibilities under broad headings only, as it is not possible to specify every item in detail.

Post title:

Grade:

Prime objectives of the post (purpose of the job):.....

.....

.....

Responsible to (post title of manager/supervisor):.....

Responsible for (number, description and grades of staff directly supervised by post holder):

Job title	Grade	No. of jobholders

Main duties and responsibilities

Outline of main duties and responsibilities – no more than 10 duties should be itemised

Give a very brief summary/comment on the requirements re the following factors:

Knowledge

Level/nature of knowledge required – the technical, specialist, procedural organisational knowledge required for the job: this could for instance include literacy, numeracy, and knowledge of equipment, knowledge of concepts, ideas, cultures, theories, techniques, policies, procedures or practices. State any specific qualifications/skill levels that are essential for the post. Avoid specifying a requirement for a certain length of experience unless it can be objectively justified, in other words where it is a specific requirement in order to ensure that the job is carried out properly.

Skills

Level/nature of skills required – can include analytical, problem solving, judgmental skills; creative, developmental skills (re dealing with/handling people, design, policies, procedures); planning and

strategic skills, interpersonal and communication skills, advisory, persuasive or negotiating skills (oral and written); physical skills – co-ordination, dexterity and degree of speed and/or precision. State any personal contacts whom the post holder will be expected to communicate with during the course of their work.

Initiative

The degree of responsibility of the post holder for taking decisions during the course of exercising the duties of the post; Scope for use of initiative and/or independent actions; level/nature of supervision of the post holder, degree of direction given – by supervisors and/or by policies/procedures/guidelines.

Demands

Level of demand placed on the post holder – physical demand, mental effort and concentration, emotional demands arising from the nature of the work; the frequency and on-going nature of demands on the post holder.

People responsibilities

Responsibility for and/or impact on individuals or groups, public, clients, customers etc., but not staff managed or supervised by the post holder. Emphasis is on the direct impact of the post holder on the well-being of individuals/groups during the course of undertaking the duties of the post.

Resources

Direct responsibility for financial resources (budgets, income, cash – please give size of budget etc.) and/or physical resources (equipment, stocks, premises), including the levels of responsibility involved, for example frequency of responsibilities and whether contributory, shared, direct or sole responsibility.

Conditions

Is there any exposure to disagreeable, uncomfortable or hazardous working conditions arising from the working environment or from work with people?

Appendix 3: Person specification

Post title:.....

Post reference:

Attributes (headings)	Essential	Desirable	How identified/assessed
Knowledge & skills (including any relevant or required qualifications)			<i>Application form Certificates Interview References Selection test</i>
Personal development and additional learning			<i>Application form Certificates Interview</i>
Experience			<i>Application form Certificates Interview References</i>
Initiative			<i>Application form Interview Selection test</i>
Circumstances			<i>Application form Interview</i>

Appendix 4: Example reference proforma

School Headed Paper

Date

Dear XXXX

REFERENCE REQUEST FOR: XXX

Your name has been given as a referee and we would be grateful if you could complete the attached reference pro-forma and return by email to XX (named person and email address) as early as possible (or by XX date) to aid the recruitment process.

Please give your objective assessment candidate's suitability or otherwise for the post, details of which are attached.

Please feel free to mention any particular strengths and weaknesses you consider the candidate has (in relation to the post applied) as well as any other factors which you think may be of relevance.

The information provided should be accurate and factual to the best of your knowledge.

Though this reference is regarded as confidential, it will be shared with other recruiting managers and may be shared with the candidate on request.

Thank you in anticipation for your kind assistance in this matter.

Yours sincerely

Name

Headteacher/Principal

A reference must be a true, accurate and fair reflection of the job applicant. When opinions are provided, they should be based on facts, and it may be unwise to request (or place any reliance on) subjective assessments from a referee. Accordingly, school may wish to amend (or omit) the wording of the sentence which appears above in red.

Pre-interview reference form

For completion by employers or character referees

Please note that by completing this reference form you are giving consent for this information to be held on the candidate's/employee's personnel file, which, at any time whilst retained by the school, may be made available to the individual on application in accordance with legislation including the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

Applicant name:.....

Position applied for:

Interview date:

Referee to please complete the following:

Period in your employment:

Current Grade/ Salary when leaving you:

1. Job details

In what capacity (and for how long) have you know the person?

.....

What is the applicant's current/most recent position with you?

.....

Please summarise (briefly) main duties and key responsibilities of the applicant's current or previous post, if no longer in employment with you)

.....

2. Vacancy applied for

I should be grateful if you would comment (objectively) on how the candidate meets the criteria for the post in terms of relevant skills, knowledge and experience.

.....

.....

3 Timekeeping

Do you regard the applicant's time keeping as satisfactory? Please tick as appropriate:

Yes

No

5. Capability

Has the applicant been subject to formal capability procedures within the last two years?

Yes

No

If yes, please provide details of the concerns which gave rise to this, the duration of the proceedings and their outcome:

.....

.....

**If the previous employer is a maintained school, its governing body must respond in writing to confirm whether that person has been the subject of capability procedures within that period and if so the details of the concerns which gave rise to this, along with the duration of the proceedings and their outcome. These provisions do not apply to academies established prior to April 2013: however, it is a requirement that they are included in new funding agreements from April 2013 onwards. Academies can of course ask for relevant information about a teacher's capability as part of their appointment processes (extract from 'staffing and employment advice for schools' 2018)*

Discipline

Has the applicant been subject to any disciplinary procedures for which a disciplinary sanction is current?

Yes

No

If yes, please provide details of the sanction (e.g. first or final written warning) and the reason for this:.....

.....

.....

If the applicant has left your organisation was this a result of dismissal?

Yes

No

If yes, please give details:

.....

.....

6. Vulnerable Groups - children, young people, vulnerable adults

Do you know of any reason why the applicant should not work with any vulnerable groups?

Yes

No

If yes, please give specific details of your concerns:

.....

.....

The following question is to be completed only where the applicant's previous employment has involved working with children or young people.

Please provide full details of any allegations or concerns involving the applicant's previous employment that related to the safety and welfare of children, young people or vulnerable adults, or behaviour towards children or young people, and the outcome of those concerns (i.e. whether the allegation or concern was investigated, the conclusion reached, and how the matter was resolved):

.....

.....

.....

7. Additional commentary (optional)

If you wish to record any additional (objective) comments in relation to this candidate which would be useful to an employer, please use the space below:

Name of Referee:

Signature:

Organisation:

Date:

Thank you for taking the time to complete this reference

Please return by email before (date) to:

Appendix 5: Checks in relation to the right to work in the United Kingdom

The following advice is extracted from the Home Office document 'An Employer's Guide to Right to Work Checks', dated December 2020.

All employers in the UK have a responsibility to prevent illegal working. You do this by conducting simple right to work checks before you employ someone, to make sure the individual is not disqualified from carrying out the work in question by reason of their immigration status. This guidance provides information on how and when to conduct a right to work check. You should also refer to the Code of Practice.

If you conduct the checks as set out in the guide and the Code of Practice, you will have a statutory excuse against liability for a civil penalty in the event you are found to have employed someone who is prevented from carrying out the work in question by reason of their immigration status. This means that if we find that you have employed someone who does not have the right to do the work in question, but you have correctly conducted right to work checks as required, you will not receive a civil penalty for that illegal worker.

In addition to the Codes of Practice and this guidance, there are a range of tools available on gov.uk to support you in conducting rights to work checks.

The law on preventing illegal working is set out in Section 15-25 of the Immigration, Asylum and Nationality Act 2006 (the 2006 Act), section 24B of the Immigration Act 1971, and Schedule 6 of the Immigration Act 2016.

It is illegal to employ someone aged 16 or over who is subject to immigration control and who is not allowed to undertake the work in question (by reason of their immigration status). The civil penalty scheme is the sanction applied in most routine cases involving the employment of illegal workers.

You should not discriminate when conducting right to work checks. You should conduct right to work checks on all potential employees, including British citizens. **Do not simply check the status of those who appear to be migrants, otherwise you could be breaking the law.** You should not make assumptions about a person's right to work in the UK or their immigration status on the basis of their colour, nationality, ethnic or national origins, accent or the length of time they have been resident in the UK.

Who do you conduct checks on?

You should ask all prospective employees to demonstrate their right to work using either a physical document check as set out in the Code of Practice, or by using the Home Office right to work checking service. You cannot mandate how an individual proves their right to work. To ensure that you do not discriminate against anyone, you should provide every opportunity to enable an individual to prove their right to work. You may face a civil penalty if you do not carry out a check on someone you have assumed has the right to work for you but is found to be an illegal worker.

You need to recheck the right to work of those individuals who have time-limited permission to work in the UK. This should occur when their previous permission comes to an end. The follow-up check is designed to prevent people from overstaying their immigration leave where this is time-limited.

How do you conduct a right to work check?

You should conduct a right to work check before you employ a person to ensure they are legally allowed to do the work in question for you. If an individual's right to work is time limited, you should conduct a follow-up check shortly before it is due to come to an end. There are two types of right to

work checks: a manual check and an online check. Conducting either the manual check or the online check will provide you with a statutory excuse.



Conducting a manual right to work check

There are 3 basic steps to conducting a manual right to work check.

Step 1 - Obtain

You must obtain original documents from either **List A** or **List B** of acceptable documents

Step 2

You must check that the documents are genuine and that the person presenting them is the prospective employee, the rightful holder and allowed to do the type of work you are offering. You must check that:

- Photographs and dates of birth are consistent across documents, and with the person's appearance, in order to detect impersonation
- Expiry dates for permission to be in the UK have not passed
- Any work restrictions to determine if they are allowed to do the type of work on offer (for students who have limited permission to work during term times, you must also obtain (from them) details of their academic term and vacation times covering the duration of their period of study in the UK for which they will be employed
- The documents are genuine, have not been tampered with and belong to the holder; and
- The reasons for any different names across documents can be explained by providing evidence (e.g. original marriage certificate, divorce decree absolute, deed poll) these supporting documents should also be photocopied and copies retained.

Step 3

You must make a clear **copy** of each document in a format which cannot manually be altered, and retain the copy securely, electronically or in hard copy. You must also retain a secure record of the date on which you made the check was undertaken. If you write a date on the copy document, you must also record that this is the date on which you conducted the check.

You must copy and retain:

- **Passports:** any page with the document expiry date, the holder's nationality, date of birth, signature, leave expiry date, biometric details, photograph and any page containing information indicating the holder has an entitlement to enter or remain in the UK (visa or entry stamp) and undertake the work in question (the front cover no longer has to be copied).
- **All other documents:** the document in full, including both sides of a Biometric Residence Permit. Application Registration Card and a Residence Card (biometric format).

All copies of documents taken should be kept securely for the duration of the worker's employment and for two years afterwards. The copy must then be securely destroyed.

Acceptable documents

The documents you may accept from a person to demonstrate their right to work are set out in two lists – list A & B

List A contains the range of documents you may accept for a person who has a permanent right to work in the UK. If you conduct the right to work checks correctly before employment begins, you will establish a continuous statutory excuse for the duration of that person's employment with you. You do not have to conduct any further checks on this individual.

List B contains a range of documents you may accept for a person who has a temporary right to work in the UK. If you conduct the right to work checks correctly, you will establish a time-limited statutory excuse. You will be required to conduct a follow-up check in order to retain your statutory excuse. This should be undertaken in the same way as the original check.

List A – Acceptable documents to establish a continuous statutory excuse

- A passport showing that the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the United Kingdom.
- A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area (EEA) country or Switzerland.
- A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A permanent residence card issued by the Home Office to the family member of a national of an EEA country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or previous employer.
- A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government Agency or a previous employer.

List B

Group 1 - Documents where a time-limited statutory excuse lasts until the expiry date of leave

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the person named in it can stay in the UK and is allowed to do the work in question.
- A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-EEA national who is a family member of a national of an EEA country or Switzerland or who has a derivative right of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Group 2 – Documents where a time-limited statutory excuse lasts for 6 months

- A Certificate of Application issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (EEA) Regulations 2016 to a family member of a national of an EEA country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a Positive Verification Notice from the Home Office Employer Checking Service.
- An Application Registration Card (ARC) issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
- A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

More detailed information about all these acceptable documents, together with examples of what they look like can be found in the government's 'An Employer's Guide to Acceptable Rights to Work Documents'.

Checking the validity of documents

When you are checking the validity of the documents, you should ensure that you do this in the presence of the holder. This can be a physical presence in person or via a live video link. In both cases you must be in physical possession of the original documents. For example, an individual may choose to send their documents to you by post to enable you to conduct the check with them via a live video link. You may not rely on the inspection of the document via a live video link or by checking a faxed or scanned copy of the document.

The responsibility for checking the document is yours. Whilst it may be delegated to your members of staff, you will remain liable for the penalty in the event the individual is found to be working illegally and the prescribed check has not been correctly carried out. You may not delegate this responsibility to a third party. Whilst you may use a third party to provide support in terms of technical knowledge or specialised equipment to prevent the employment of illegal workers, the responsibility for

performing the check (in order to obtain a statutory excuse from a civil penalty) will remain with you as the employer.

If you are given a false document, you will only be liable for a civil penalty if it is reasonably apparent that it is false. This means that a person who is untrained in the identification of false documents, examining it carefully, but briefly, and without the use of technological aids could reasonably be expected to realise that the document in question is not genuine.

Retaining evidence

You must keep a record of every document you have checked. This can be a hardcopy or a scanned copy in a format which cannot be manually altered, such as a jpeg or pdf document. You should keep the copies securely for the duration of the person's employment and for a further two years after they stop working for you. You should also be able to produce these document copies quickly in the event that you are requested to show them to demonstrate that you have performed a right to work check and retain a statutory excuse.

You must also make a note of the date on which you conducted the check. This can be by either making a date declaration on the copy or by holding a separate record, securely, which can be shown to us upon request. This date may be written on the document copy as follows: 'the date on which this right to work check was made: (insert date)' or manual or digital record may be made at the time you conduct and copy the documents which includes this information. You must be able to show this evidence if requested to do so in order to demonstrate that you have established a statutory excuse. You must repeat this process in respect of any follow up checks. You may face a civil penalty if you do not record the date on which the check was performed.

Conducting an online right to work check

An online right to work check provides a statutory excuse against a civil penalty in the event of illegal working involving the subject of the check. A check can be carried out by using the online service, entitled 'View a job applicant's right to work details' on gov.uk.

It will not be possible to conduct an online right to work check in all circumstances, as not all individuals will have an immigration status that can be checked online. The online right to work checking service sets out what information you will need. In circumstances in which an online check is not possible, a manual check (see below) should be conducted.

Currently, the online checking service supports checks in respect of those who hold:

- a biometric residence permit;
- a biometric residence card; or
- status issued under the EU Settlement Scheme (alternatively, these individuals continue to be able to demonstrate their right to work by presenting their EU passport or ID card until the end of the EU-Exit grace period on 30 June 2021).

You should give employees every opportunity to demonstrate their right to work. You should not discriminate on the basis of whether or not an individual is able and/or willing to demonstrate their right to work using the online checking service. To do so may result in you breaching the law. While you may choose to encourage use of the online check and may support individuals in doing so (for instance by providing access to hardware and the internet), you are not permitted to mandate online checks. If an individual does not wish to demonstrate their right to work using the online service, even

if their immigration status or documentation is compatible with the service, you should conduct the manual check.

Summary of the online right to work check

- Step 1 Use the Home Office online right to work checking service on Gov.uk
- Step 2 Check that any photograph on the online right to work check is the individual presenting themselves for work
- Step 3 Retain a clear copy of the response provided by the online right to work check.

When to contact the Home Office to verify right to work

In most cases you will be able to conduct either a manual or online check, as set out above. In certain circumstances, you will need to contact the Home Office's Employer Checking Service (ECS) to establish a statutory excuse. These are when:

- you are presented with a Certificate of Application (which must be less than 6 months old and which indicates that work is permitted); or
- you are presented with an Application Registration Card stating the holder is permitted to undertake the work in question if the card contains an expiry date, this must not have expired. Any work will be restricted to employment in a shortage occupation); or
- you are satisfied that you have not been provided with any acceptable documents because the person in question has an outstanding application with us which was made before their previous permission expired or has an appeal or administrative review pending against our decision and therefore cannot provide evidence of their right to work, or
- you consider that you have not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK who arrived in the UK before 1988

In the above circumstances, you will establish a statutory excuse only if you are issued with a Positive Verification Notice confirming that the named person is allowed to carry the type of work in question.

Certificate of application

You must check the original certificate of Application which is not more than 6 months old in the usual way. You must make a copy of this document and retain this copy, together with the Positive Verification Notice. In so doing, you will have a statutory excuse for 6 months from the date stated in the Positive Verification Notice. A positive Verification Notice will not provide statutory excuse if you know that the employment is not permitted. In such circumstances, you will also be committing a criminal offence.

Application Registration Card and asylum seekers

Since July 2018, new upgraded Application Registration Cards (ARC) have been issued to new asylum claimants through a gradual rollout. The ARC is a card used by asylum claimants to demonstrate they have made an asylum claim. The new ARC closely resembles the Biometric Residence Permit. It includes extra security features, a biometric facial image and an expiry date. Whilst the earlier version of the ARC is no longer being issued, the cards already in circulation will continue to be acceptable until they expire.

Biometrics Residence Permits

The Home Office began rolling out Biometric Residence Permits (BRPs) in November 2008. Since July 2015, BRPs are the only evidence of lawful residence currently issued by the Home Office to most non-EEA nationals, and their dependants, granted permission to remain in the UK for more than 6 months.

BRPs provide evidence of the holder's immigration status in the UK. They contain the holder's unique biometric identifiers (fingerprints, digital photo) within the chip. They also display a photo and biographical information on the face of the document and details of entitlements, such as access to work and/or public funds.

The Home Office online right to work checking service supports right to work checks in respect of BRP holders. Employees or prospective employees who hold this document may choose to demonstrate their right to work using the online service.

Transfer of Undertakings

Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006 provide that right to work checks carried out by the transferor (the seller) are deemed to have been carried out by the transferee (the buyer). As such, the buyer will obtain the benefit of any statutory excuse established by the seller.

However, if the seller did not conduct the original checks correctly, the buyer would be liable for a penalty if any employee, who commenced work on or after 29th February 2008, is later found to be working illegally. Also, a check by the buyer may be the only way to determine when any follow-up check should be carried out in respect of employees with time-limited permission to work in the UK.

For these reasons, employers who acquire staff in cases of TUPE transfers are advised to undertake a fresh right to work check on those staff they have acquired. Employers are not required to have a statutory excuse in respect of employment which commenced before 29 February 2008, where the individual has been in continuous employment prior to that date. This includes where employment has continued as part of a TUPE transfer.

Rights to work checks for EEA and Swiss nationals during the EU Exit grace period (1 January – 30 June 2021)

Free movement is ending on 1 January 2021. This means EEA and Swiss nationals (and their families) will need to qualify for status under either the new points-based Immigration system or the EU Settlement Scheme.

For those EEA and Swiss Nationals (EEA nationals) who are lawfully resident in the UK by Virtue of free movement law prior to the end of the transition period (31 December 2020), and for the relevant family members, their existing residence rights in the UK are saved.

EEA nationals who have status under the EU Settlement Scheme, or status under the points based immigration system, can choose to evidence their right to work using the Home Office online service. Alternatively, they can continue to use their passport and national identity cards as evidence of their right to work until 30 June 2021. You cannot insist that they use the online service or discriminate against those who wish to use their passport or national identity card.

EEA nationals – acceptable documents

EEA nationals have a right to work in the UK. As part of the right to work check, they can demonstrate this using their passport or national ID card, as well as the documents set out below.

Registration Certificates: some EEA nationals may also have been issued with a registration certificate. This is a document issued by us to confirm that they are living here in compliance with the EEA Regulations; either by fulfilling the requirements for residence (also known as ‘exercising Treaty rights’) or by residing here as the family member of another EEA national who is exercising Treaty rights, or who has permanent residence.

Documents Certifying Permanent Residence: Some EEA nationals may be able to produce a document certifying that they have a right of permanent residence in the UK. Under EU law, an EEA national can acquire permanent residence after five years’ lawful and continuous residence in the UK.

Nationals of these EEA countries may work without restriction:

Austria	Finland	Latvia	Portugal
Belgium	France	Liechtenstein	Romania
Bulgaria	Germany	Lithuania	Slovakia
Croatia	Greece	Luxembourg	Slovenia
Cyprus	Hungary	Malta	Spain
Czech Republic	Iceland	Netherlands	Sweden
Denmark	Ireland	Norway	
Estonia	Italy	Poland	

Nationals of Switzerland are also permitted to work without restriction.

Checks after the EU-Exit grace period

There is not requirement for retrospective checks to be undertaken on EEA or Swiss nationals who were employed on or before 30 June 2021. You will maintain a continuous statutory excuse against a civil penalty if the initial right to work checks were undertaken in line with this guidance.

Should an EEA or Swiss national be unable to provide you with any acceptable documents because the personal has an outstanding application with us for status under the EU Settlement Scheme, or the new points based immigration system you will need to contact the Employer Checking Service to establish a statutory excuse. Irish nationals will continue to have the right to work and prove their right to work as they do now, for example using their passport.

(NB: although it may not appear clear in the context of the above extract from Home Office guidance, it is almost certainly the case that the above statements in relation to EEA nationals working in the UK without restriction will not be applicable after 30 June 2021, and although there will be retrospective rights for those who have commenced employment by then it needs to be borne in mind (as the currency of this document is likely to exceed that timespan) that there will no longer be an automatic right for EEA nationals to take up employment after that date.

Right to work checks have been temporarily adjusted due to coronavirus (COVID-19). This is to make it easier for employers to carry them out.

The following temporary changes have been made:

- Checks can now be carried out over video calls
- Job applicants and existing workers can send scanned documents or a photo of documents for checks using email or a mobile app, rather than sending originals
- Employers should use the [Employer Checking Service](#) if a prospective or existing employee cannot provide any of the accepted documents.

Checks continue to be necessary and you must continue to check the prescribed documents listed in [right to work checks: an employer's guide](#). It remains an offence to knowingly employ anyone who does not have the right to work in the UK.

Because of COVID-19, some individuals may be unable to evidence their right to work. During this period, you must take extra care to ensure no-one is discriminated against as a job applicant or employee because they are unable to show you their documents. For more information, please see the [code of practice for employers: avoiding unlawful discrimination while preventing illegal working](#).

Conducting a right to work check during the temporary COVID-19 measures

- Ask the worker to submit a scanned copy or a photo of their original documents via email or using a mobile app
- Arrange a video call with the worker – ask them to hold up the original documents to the camera and check them against the digital copy of the documents.
- Record the date you made the check and mark it as “adjusted check undertaken on (insert date) due to COVID-19”
- If the worker has a current Biometric Residence Permit or Biometric Residence Card or status under the EU Settlement Scheme you can use the [online right to work checking service](#) while doing a video call – the applicant must [give you permission to view their details](#).

If the job applicant or existing worker cannot show their documents

You must contact the [Home Office Employer Checking Service](#). If the person has a right to work, the Employer Checking Service will send you a ‘Positive Verification Notice’. This provides you with a statutory excuse for 6 months from the date in the notice.

Appendix 6: Pre-employment issues

Appendix 6a: Disclosure and Barring Service Checks

Those members of staff who undertake, or initiate, DBS and/or other pre-employment checks on their employees and potential employees will need to determine the type and extent of such checks, bearing in mind what can be justified in terms of the employee's position. For **all** new employees, schools are required to obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) unless a previous certificate is brought forward from employment in another school in England within the last three years. In many instances, this will depend on whether the employee will be engaging in regulated activity.

Regulated activity refers to certain roles carried out by applicants in relation to children and/or vulnerable adults. It covers various types of activities which, by their nature, would entitle an individual to an enhanced DBS check with applicable barred lists. (There are two barred lists which contain information of people barred from working with, respectively, children and vulnerable adults). Activity relating to children is regulated if it involves unsupervised activities: teaching, training, instruction, care for or supervision of children, or providing advice/guidance on well-being, or driving a vehicle only for children.

An enhanced DBS check is the highest level of criminal record check available and will detail both spent and unspent convictions, as well as any cautions, warnings or reprimands the applicant may have received.

Appendix 6b: Protocol on employing people with a criminal record

It is good practice to ensure that all job applicants who apply for a position within the school that requires a DBS check (Disclosure) and barred list check are provided, as part of the application process, with a copy of the school's protocol on employing people with a criminal record, and this can be most easily effected either by incorporating the text of the following protocol into the application form, or by including a copy as an appendix to that form.

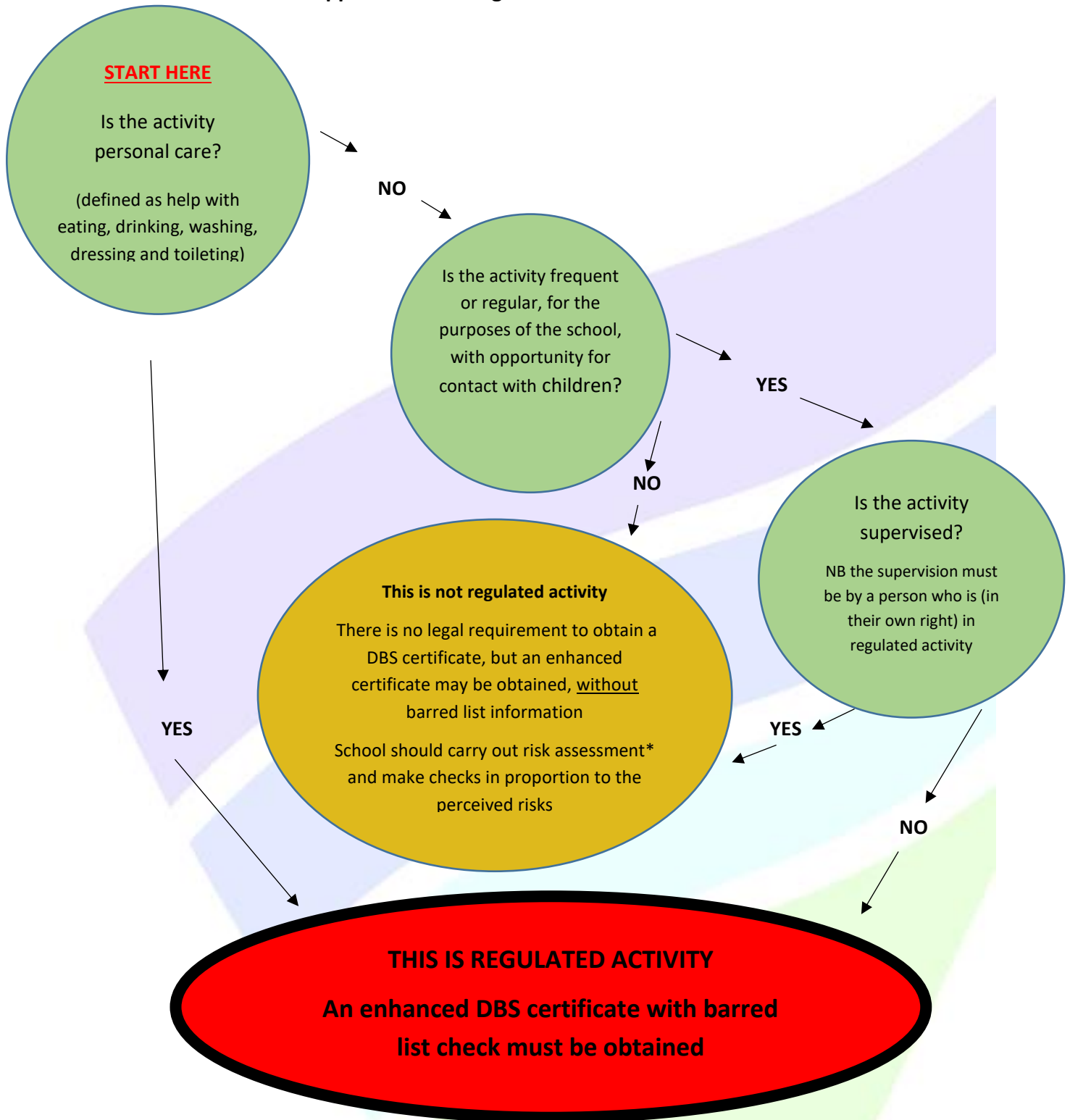
1. As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, the school complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions in a fair manner. The school undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
2. Criminal Records will be taken into account for recruitment purposes only when the conviction is relevant. Unless the nature of the work demands it, applicants for positions within the school will not be asked to disclose convictions which are "spent" under the Rehabilitation of Offenders Act 1974. Having an unspent conviction will not necessarily bar applicants from employment. This will depend on the circumstances and background to an applicant's offence.
3. The school selects candidates for interview based on their skills, qualifications and experience relevant to the position applied for. For those positions within the school where an Enhanced or Standard Disclosure and or Barred List is required, job adverts will contain a statement that the successful applicant will be subject to a criminal record check from the Disclosure and Barring Service before the appointment is confirmed.
4. The school will ensure that staff involved in the recruitment process are provided with information and guidance in relation to the employment and fair treatment of ex-offenders and the Rehabilitation of Offenders Act 1974 and will on request, provide a copy of the Disclosure and Barring Service Code of Practice to all applicants who apply for a position that requires a DBS check (Disclosure).
5. If the DBS check (*which will only be requested once a conditional offer of employment has been*

made) reveals a trace, the school will ensure that an open and measured discussion takes place on the subject of any previous history that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

6. Having a criminal record will not necessarily bar you from working with the school. This will depend on the nature of the position and the circumstances and background of your offences.



Appendix 7: Vetting checks on volunteers



*Risk assessment (which should **invariably** be documented on SCR) should take into consideration (apart from the precise nature of their engagement with, and activity carried out for, the school) whether the individual is already known to the school. A person who has no previous connection with the school **and** who cannot provide acceptable references from elsewhere is relatively high risk and although there is no **statutory** reason why such a person should be required to apply for an enhanced DBS certificate the school should nonetheless consider whether their background might be felt to constitute an unacceptable risk in the absence of further enquiry.

Appendix 8: Safeguarding declarations

Different categories of staff may be required to undergo specific pre-employment checks, or to make relevant declarations, in relation to their **precise role** within the school. It is **not** appropriate to ask all members of staff to complete declarations that are more extensive than required by the regulations, as possession of such identifiable data, without adequate justification, potentially represents a breach of data protection legislation.

Those members of staff who are covered by the **2018 update to the Childcare (Disqualification) Regulation 2009** (defined below) should be requested to complete **Declaration A** whereas all other members of staff who are deemed to be in **regulated activity** (this is effectively any person permanently employed by, and working on the premises of, a school) but who are not covered by the 2018 update to the Childcare (Disqualification) Regulation 2009 should be requested to complete **Declaration B**.

Staff who should complete Declaration A are those who are employed, and/or provide childcare, in either early years or later years (although this does not extend to the provision of **education** (as opposed to childcare) to children in later years)

- early years means from birth until 1st September following a child's fifth birthday (in other words up to and including reception age)
- later years means children under the age of 8.

Staff covered/not covered by the above regulation:

	<u>During school hours</u>	<u>Outside school hours</u>
Nursery/reception age or younger	Covered	Covered
Older than reception age up to age 8	Not Subject	Covered
8 years or older	Not Subject	Not Subject

Staff who are directly concerned in the **management** of early or later years provision are also subject to the legislation. This will necessarily include the headteacher: it may also include other members of the school's leadership team and any manager, supervisor, leader or volunteer responsible for day-to-day management of such provision.

Staff who are not subject to the above legislation include (but may not be limited to) caretakers, cleaners, transport escorts, catering and office staff. (Any workers who are not employed to directly provide childcare are not covered by the above legislation.)

Declaration A

(For staff subject to the 2018 update to the Childcare (Disqualification) Regulation 2009)

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

In order to help us process your application/confirm your appointment (delete as applicable) we require the following declaration to be completed.

I declare that I,

(Please print your full name)

- am not on a relevant barred list (a Department for Education list of people whose employment has been barred or restricted on grounds of misconduct or on medical grounds)
- am not disqualified from work with children
- am not subject to sanctions imposed by a regulatory body (for example the DfE)
- have no criminal convictions, cautions or bind overs, either at home or abroad
- have never had any of my own children taken into care, nor have they been the subject of a child protection order or court order
- have never had a registration cancelled in relation to childcare or children's homes and have never been disqualified from private fostering.

I also undertake to inform the headteacher/governing body immediately in the event of any change in circumstances which would render one or more of the above bullet points applicable at any point during the duration of my employment with the school/academy.

Signed: Dated:

NB If you are unable to complete the declaration by confirming all of the above points, we ask that you do not sign the declaration but that you provide written details, which will be discussed with you in absolute confidence before any decision is made in relation to your employment by the organisation.

Any information of this nature should be provided to (named person) in an envelope marked 'Strictly Private and Confidential'.

Declaration B

(For staff who are not subject to the 2018 update to the Childcare (Disqualification) Regulation 2009)

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

In order to help us process your application/confirm your appointment (delete as applicable) we require the following declaration to be completed.

I declare that I,
(please print your full name)

- am not on a relevant barred list (a Department for Education list of people whose employment has been barred or restricted on grounds of misconduct or on medical grounds)
- am not disqualified from work with children
- am not subject to sanctions imposed by a regulatory body (for example the DfE)
- have no criminal convictions, cautions or bind overs, either at home or abroad

I also undertake to inform the headteacher/governing body immediately in the event of any change in circumstances which would render one or more of the above bullet points applicable at any point during the duration of my employment with the school/academy.

Signed: Dated:

NB If you are unable to complete the declaration by confirming all of the above points, we ask that you do not sign the declaration but that you provide written details, which will be discussed with you in absolute confidence before any decision is made in relation to your employment by the organisation.

Any information of this nature should be provided to(named person) in an envelope marked 'Strictly Private and Confidential'.

Appendix 9: Shortlisting matrix

School name

Shortlisting Grid

The purpose of this grid is to ensure that all candidates have demonstrated their ability to fulfil the essential criteria identified in the Person Specification. It is also a means of recording the additional desirable qualities that the candidates will bring to the post.

Post title:								
Post reference:				Post grade:				
Applicant number	1	2	3	4	5	6	7	
Essential Criteria	Tick if the criteria listed in the person specification as 'Essential'							
Experience								
Qualifications								
Skills								
Specific knowledge								
Training								
Total								
Desirable Criteria	Tick if the criteria listed in the person specification as 'Desirable'							
Experience								
Qualifications/Skills								
Specific knowledge								
Training								
Total								
Shortlisted (Y) (N)								

Signed:

Date:

The criteria headings only are provided above and these should be replaced by the specific criteria for the post being reviewed.

Appendix 10: Model interview grid

The purpose of this grid is to make a systematic and objective record of the interview process. The questions listed have been agreed in advance and are designed to test the criteria listed in the Person Specification and the Job Description.

XX School Interview Grid	
Post title:	Post reference:
Candidate name:	Post grade:

<i>Test or Exercise, for example Presentation</i>			
<i>Elements</i>	Notes	Comments	Score
Clarity of presentation	Were the messages clear and understandable?		
Logical sequencing	Was the presentation in a logical order?		
Appropriateness of content	Was the material appropriate to the task set?		
Timing	The candidates were allocated (10) minutes – how close was this presentation?		
Other observations, e.g. quality of slides or handouts			
Section total			

Formal Interview			
Questions (based on person specification)	Notes	Comments	Score
Section total			

Interviewer's signature: Date:

Appendix 11: Recruitment summary sheet

XX School

Applications received – list below the applications for the advertised post and complete all the boxes in the grid:

Surname	First Name / Initial	Date application received	Monitoring form received	Shortlisted	Successful	Reason for non-selection

Reason for non-selection

1. Lack of appropriate experience
2. Lack of relevant qualifications
3. Inability to demonstrate professional or technical ability
4. Poor interview performance
5. Withdrawn application
6. Medical grounds
7. Unsatisfactory references
8. Any other reason