



## Thameside Primary School: Safer Recruitment Policy

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<b>Policy reviewed by:</b>	Sophie Greenaway
<b>Key Changes:</b>	<p>Incorporated changes listed in the KCSIE document published September 2023</p> <p>Main Changes- Sept 23: Page 12 has been updated, setting out that shortlisted candidates will be informed that the school may carry out online checks as part of the due diligence process. This is to reflect paragraph 221 of KCSIE 2023.</p> <p><b><i>Policy based on RBC Model Policy 'Recruitment and Selection Guidance for Recruiting Managers' Sept 22 &amp; KCSIE Part Three: Safer Recruitment</i></b></p>



## 1. Introduction

This policy sets out the approach that Thameside will take in relation to recruitment and selection of staff employed by the school.

This guide follows the statutory guidance issued by the Department for Education called **Keeping children safe in education - Statutory guidance for schools and colleges** published in **September 2023**.

Schools in England **must** have regard to it when carrying out their duties to safeguard and promote the welfare of children. For the purposes of this guidance children includes everyone under the age of 18.

## 2. Part three: Safer recruitment (KCSIE 2023)

**Part 3 of the Keeping Children Safe in Education guidance specifically sets out requirements under the heading Safer Recruitment. The DfE updates this guidance annually and changes are reflected in the school's Safer Recruitment Policy and in the school's Child Protection and Safeguarding Policy, which also applies to safer recruitment.**

Part 3 of the Safer recruitment has four sections providing schools with the legal requirements of what they must do and what is considered best practice:

- i. the recruitment and selection process;
- ii. pre-appointment and vetting checks, regulated activity and recording of information;
- iii. other checks that may be necessary for staff, volunteers and others, including the responsibilities on schools and colleges for children in other settings;
- iv. how to ensure the ongoing safeguarding of children and the legal reporting duties on employers

The Safer Recruitment policy lays out the model recruitment and selection process that the school will follow in all cases of recruiting and selecting staff to work in the school. This includes all staff regardless of status, contractors, and visitors.

The model procedure outlined covers all recruitment in schools, other than for Headteachers.

## 3. Governing Body commitment to safer recruitment in schools

It is vital that governing bodies and proprietors create a culture that safeguards and promotes the welfare of children in their school. As part of this culture, it is important that they adopt robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying for or securing employment, or volunteering opportunities in schools and colleges.

Governing bodies and proprietors should ensure that those involved with the recruitment and employment of staff to work with children have received appropriate safer recruitment training. The LA confirmed that

The School Staffing (England) Regulations 2009 require governing bodies of maintained schools to ensure that at least one of the persons who conducts an interview has completed safer recruitment training.



Governing bodies of maintained schools may choose appropriate training and may take advice from the LA on suitable training.

#### **4. Role of the Local Authority in recruitment process**

The LA is ultimately the employer of staff in Community Schools and has overall responsibility for the welfare of staff and pupils. The LA needs to satisfy itself that each new recruit is suitable to work with children, and this applies equally to paid staff and workers, and volunteers. This manifests itself through a number of pre-employment/background checks on new staff, including receipt of two satisfactory employment references, qualifications and the DBS check.

In response to these points, the Local Authority has produced their own model Procedure to ensure recruitment and selection practices in schools are legally compliant, safe, fair, consistent and objective. The school's Safer Recruitment policy is an adaptation of this policy which includes updated information from the KCSIE published document.

It should be noted that Ofsted inspections look at safeguarding which includes a school's recruitment and selection procedures and the school have an up to date Single Central Record.

The LA can refuse to appoint a member of staff selected by a community school on the grounds that they are either not suitably qualified, or that they are not deemed to be in appropriate health, or to have the necessary mental or physical capacity.

The LA can also refuse to appoint on the grounds that the person appears on the list of people barred from working with children or has a criminal record that would make them unsuitable for the post.

The school recognise the following steps that should be followed in the recruitment process to satisfy LA requirements:

- Schools must supply HR with a full set of appointment paperwork including completed pre-employment checks, offer letter and right to work documentation.
- No offer shall be made to a candidate 'subject to references'. Candidates shall be told they are the preferred candidate subject to satisfactory references.
- New or changed non-teaching job descriptions must be evaluated by HR, unless it fits into a pre-agreed framework, e.g. Teaching Assistants/Teacher.
- The LA, through HR, can only be satisfied that a candidate be approved to work once all documentation is received, the self-declaration form has been "cleared" by the LA, a correctly completed DBS disclosure application form has been received, a check under the Childcare (Disqualification) Regulations 2009 has been carried out, and medical clearance has been given.
- Schools will issue DBS Disclosure application forms, Childcare (Disqualification) Regulations forms, and Medical Pre-employment Questionnaires, and will be responsible for new recruits completing them.
- In some circumstances a new recruit can start work before full DBS clearance has been received by undergoing a risk assessment, provided other conditions are met.
- A statement of main terms and conditions cannot be issued until medical and DBS clearances are complete.
- Start dates for new recruits will be a period of time after the recruitment process is complete, as dictated by the DBS process.



- The clearance of staff who declare a caution or conviction, or who have a disclosure on their DBS certificate, remains the responsibility of the Headteacher, who will discuss each case with the applicant. If there is disagreement the matter will be referred to the Director of Children, Education, and Early Help Services.
- DBS clearances are not transferable from one LA or employer to another, unless the DBS Update Service has been used. Otherwise, RBC requires a new check for each new recruit.
- As part of the DBS check, applicants are required to provide a continuous address history covering the five years leading up to the present date.
- The DBS check cannot cover addresses and police records held in parts of Scotland and Ireland, or any overseas country. In these cases the DBS check itself may not be worthwhile or will only provide limited information. This will need to be supplemented by other checks, including asking for certificates of good conduct from the police force in the applicant's original country, or seeking references from those forces.

Advice on the recruitment and selection procedure can be sought from the Payroll and Employment Services Team in Human Resources.

## **5. Model recruitment and selection process – Procedure**

### **5.1 Job Description and Person Specification**

Regardless of how the post is to be filled, the Job Description and Personal Specification documents should be reviewed ahead of any recruitment process to ensure they are fit for purpose and follow the appropriate template. The Job Description provides key information regarding the role and should include;

- List of main duties; these will be the duties most often carried out and those of most importance. It is not necessary to list minor duties or use the phrase “and any other duties” as the job description is intended as a list of the main duties.
- Use of plain language, simple, clear, and no jargon which could be confusing for applicants and new recruits
- No potentially discriminatory language that could discourage certain groups from applying (e.g., disability, gender, race etc.)
- Concise information
- Information that supports the selection process, as well as facilitates performance reviews and the assessment of training needs for the appointed candidate
- References to specific responsibilities the holder has for ensuring equality of opportunity, health and safety, and commitment to customers. Level of DBS required, whether post is politically restricted.
- Information regarding reporting lines and the team responsibilities

An effective Person Specification is central to scoring applicants fairly during the recruitment process, but also for supporting future performance reviews and training needs analyses. It provides the key information regarding the post holder and should include;

- The skills, knowledge and experience needed to fulfil the duties listed in the Job Description; ensuring the standard required is clear and that they can be measured as part of the selection process.
- Only essential criteria; desirable criteria can produce inaccurate weightings and lead to discrimination in a selection process.
- Reference to your minimum criteria; the basic skills/competencies required for the role. This is especially relevant to observing RBC's commitments to the Disability Confident Scheme.
- Information regarding the level or standard of competence required



- No potentially discriminatory language that could discourage certain groups from applying (e.g. disability, gender, race etc.). If there are genuine requirements for the post that could place certain individuals or groups at a disadvantage, please contact HR to discuss.
- Details of required qualification - but only where it can be justified to avoid discriminating against certain groups, such as women returners or disabled people.
- If the role is public facing, identify the level of spoken English required.
- Criteria related to the knowledge, experience and understanding needed for the post holder to be effective, and to contribute to the school's overall aims to improve equality of opportunity and provide excellent services to its customers.
- Any other specific requirements for the role, i.e. professional registrations, appropriate level of Health & Safety, Food Hygiene training etc.

Where a job description and person specification are being created from scratch, or where the existing one is adjusted significantly, it will need to be evaluated by HR and the appropriate grade determined before the vacancy can be advertised.

## 5.2 Methods of filling a vacancy and adverts

It is important to consider the appropriate method for filling a vacancy. Alternative options may include;

- An internal only advert for staff at risk or seeking redeployment
- Progression for existing staff under a career grade structure or pathway
- Internal secondment opportunity
- Temporary acting up within the current team
- Short-term agency/interim cover
- Apprenticeship

The advert should be designed and listed in the relevant place(s) with the aim of reaching all potentially suitable applicants and giving them sufficient opportunity to apply. The content of the advert should flow from the Job Description & Person Specification and, as a minimum, contain details of;

- Job title
- Salary and contract information
- Key duties and functions
- Minimum criteria
- Closing date and how to apply
- *A statement outlining the school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken (see statement below)*

The adverts will be clear about what the job entails, concise but not to the point of including too little information, will show details of salary including any pro rata arrangements, and the hours of the post including any flexibility such as job share or flexibility over days worked.

The advert will also contain reference to the fact that a DBS check will be required, and the level of check required. The closing date will be clearly stated, and where possible the shortlist and interview dates will be included.

The advert will contain the following statement: **"This school is committed to safeguarding and promoting the welfare of children and young people, and expects all staff and volunteers to share this commitment"**, and the level of DBS check required.

The advert (and Job Description and Person Specification) will not include any text or images that could



directly or indirectly discriminate against someone with a Protected Characteristic as set out in the Equality Act 2010. However there are circumstances where it is appropriate to be specific about the person needed for the job, if this is the case the school will take advice from HR.

In summary the advert will include:

- The school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken;
- The safeguarding responsibilities of the post as per the job description and personal specification; and
- Whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means that when applying for certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the DBS filtering guide.

### **5.3 Advert Approval**

If the school is using the Council's appointed advertising agency, via HR staff, to place adverts, HR will send the advert to the advertising agency who will book the space with the identified publications, and set the advert into its final copy. This will be sent back to HR, who will send it on to the Headteacher via e-mail, for approval. The cost of the advert will be provided at the same time.

Please note that HR cannot approve adverts on behalf of Headteachers. When the advert proof is received the text, contact details, salary details, artwork, colours, etc. must be checked. If there are any errors these must be fed back straight away to be rectified. Once you are happy with the advert you must e-mail your approval back to HR. Without approval the advert cannot be placed.

The agency will then place the advert, and the school will handle the rest of the administrative process, unless the advert is for a Headteacher.

Where the school is not working via HR to place adverts with the agency, the procedure for advert approval will be as agreed between the school and the agency or publication



#### **5.4 Timescales**

Consideration will need to be given to when and where the advert should appear. Guidance on the best places to advertise can be obtained from HR, in liaison with the advertising agency. All adverts placed via the agency will automatically be placed in the Job News bulletin and on the website, unless it is specified that this should not happen.

It is advisable to advertise substantive Headteacher and Deputy Headteacher posts nationally. It is good practice to advertise any permanent posts externally unless there are specific reasons to ring fence vacancies to existing staff.

The closing date by which applications should be returned should, if possible, be at least two weeks after the first appearance of the advert to allow enough time for potential candidates to complete and return the forms.

The names of at least two panel members must be agreed early on. Please note that both the shortlist and interview panels must have the same membership. It is advised that all members of the panel attend RBC's Recruitment and Selection training course, or have been assessed as having suitable previous knowledge and experience in recruitment and selection. As a minimum the Chair of the panel must have attended. This assessment is available via HR.

At least one panel member will have attended/undertaken safer recruitment training.

The panel will meet in advance of shortlisting to agree the criteria to be used for shortlisting, including the minimum criteria, and to determine the standards required. The panel should also meet before the interviews to finalise the questions to be asked and who will be asking them, and to confirm the standards being sought during the interview.

The shortlisting date will be at least two working days after the closing date to allow time for shortlisting packs to be prepared for the panel by a member of school staff.

#### **5.5 Application Pack**

The application pack should be informative and act as a first impression of the job and school. The pack must contain the job description, person specification, application form, and guidance on completing the application form, and the convictions and cautions declaration form.

In addition the pack should contain a copy of the school's Equal Opportunities policy and the Child Protection Policy, or refer to a link on the school website.



Where a role involves engaging in regulated activity relevant to children, schools should include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

The covering letter to the applicant must state that the criteria in the person specification will be tested during the interview process, and that relevant issues raised in references will also be discussed at interview. The letter should also make it clear whether or not those applicants not shortlisted will receive communication telling them they have been unsuccessful.

The standard RBC application form will always be used to give consistency in the type of information being collected from each applicant. CVs are not acceptable. However, the school may need to vary the approach if a disabled person wishes to apply for a post.

Additional information can be added to the pack about the school and post available in order to appeal to the intended audience. Links to the school website and to RBC led on-line material are also valuable.

### **5.6 Record Keeping**

As application packs are sent out the name and address of the caller should be logged by the school, along with the date the pack was sent, and the publication in which it was seen. As application forms are returned they should be logged back in and details of gender, ethnicity and disability kept against each person's name. This allows a profile to be built up of how many packs are sent out against how many are returned, and gives a profile of the applicants being attracted. Further logs should be kept of those candidates selected for interview, and the candidate finally selected for the job.

It is helpful to keep a note on the same logging sheet of where the advert was placed and how much it cost in each publication. When set against information provided by applicants on where they saw the advert, and against the calibre of applicants, a picture can be built up of where the most effective recruitment is taking place.

These logging sheets must be sent to HR on request.

No panel member can be involved in sending out or receiving application forms, or in the preparation of forms for shortlisting or interviewing.

When application forms are returned they should be checked to ensure the declaration form regarding convictions and cautions has been included and completed, if applicable. If not, this must be chased with the applicant.

If an applicant has made a declaration, this should be raised with HR for information immediately, but not yet notified to the panel.



## 5.7 Shortlisting

The shortlisting stage allows the recruiting manager(s) to review the applications received against a set of job-related criteria and select applicants to interview. It helps ensure the most suitable candidates progress to the next stage of the recruitment process and provides an objective method for reducing the pool of applications to a manageable level.

It is helpful to decide who will form the panel for shortlisting applications as early as possible to make suitable arrangements for shortlisting and interviewing. A panel consisting of three members is ideal for ensuring fairness and objectivity, and the panel members should be familiar with the role being interviewed for so questioning of candidates is meaningful. Please note the shortlisting and interview panels should have the same membership, and participants on the panel should have completed appropriate training, including that outlined above in accordance with KCSIE.

The Lead Officer will be responsible for working with the panel to set the criteria from the person specification which is to be used for shortlisting. They must also ensure the panel is agreed on the information applicants must provide to demonstrate they have met the criteria (the “indicators”) and the minimum requirements for the post (please see points below regarding applications from redeployees and candidates with a disability).

### **The Shortlisting Pack**

The shortlisting pack provided to panel member should contain the following –

- The Job Description/Person Specification;
- Individual shortlist scoring grids;
- Consensus shortlist scoring grid(s);
- An interview pro-forma template;
- A copy of all applications received for this post with the application number placed in the header (personal details have been removed to avoid potential bias, although date of birth will be included for posts requiring a DBS check).

### **Disabled Applicants**

In accordance with the school’s commitment as a Disability Confident employer, disabled candidates need to be shortlisted if they meet the minimum criteria for the role – please see the Applicants with a Disability section later in this policy for more detailed guidance. The candidates who have disclosed a disability will be indicated in the shortlist pack email.

### **Scoring**

Applications should be scored against chosen criteria from the person specification. Use shortlist scoring grids to record scores using a Met/Part Met/Not Met system (i.e. 2 points for criteria met, 1 point for criteria part met, 0 points for criteria not met). It may be decided that some criteria cannot be evidenced at shortlisting stage (e.g. typing speed), and as such will not be assessed until the interview stage (e.g. via a practical test or specific questioning). It may be possible to introduce a weighting to chosen criteria which relate to the most frequent duties, or those that have most impact on job performance. The panel should be careful to ensure such criteria are applied consistently across applicants.

Once each panel member has completed shortlisting the panel must decide which applicant(s) should be taken forward to interview. Any disagreement between panel members should be reviewed collectively to reach a consensus, and any assumptions not based on fact should be challenged and considered objectively. It



is helpful to record the reasons for not shortlisting a candidate, should an unsuccessful candidate request feedback or later challenge the decision.

### 5.8 Safer Recruitment Checks

The shortlisting and interview panel have a key role to play in ensuring safer recruitment practices are applied robustly. The panel should review application forms thoroughly to highlight any gap(s) in education or employment history. Gaps can appear at any stage in the chronology although points where gaps may occur are between finishing school and starting further/higher education, between further/higher education and starting the first job, and during employment.

Any such gaps need to be accounted for and, where they are not explained, explored at interview. This approach supports the need to form as full a picture of the applicant as possible and sits alongside the other key elements – the answers to the interview questions themselves, the results of any practical assessments, the declaration of convictions completed within the application form, references, and later the DBS disclosure.

To assist panels with this process, the date of birth of the applicant must be visible on the application form at shortlist stage. Panel members should be aware that the date of birth is provided only for the purpose of ensuring that no gaps on the application form remain unexplained. Assessments based on the age of the applicant should always be avoided as this could be discriminatory under the provisions of the Equality Act 2010.

In Keeping Children Safe in Education (KCSIE) 2023, guidance has been updated on pre-recruitment checks which indicate that schools can carry out online searches for prospective employees.

The guidance states (at section 221): -

*'In addition, as part of the shortlisting process schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview. Schools and colleges should inform shortlisted candidates that online searches may be done as part of due diligence checks.'*

**To do these checks appropriately, without breaching data protection laws, the school will:**

- Ensure that whatever we search is necessary for the purpose and not excessive - for example if the candidate has different political opinions to the interviewer, this may not be relevant to their job role.
- Ensure that we remember that there is a difference between private life and professional life. The school will only use information they find out which might be relevant to the job role. For example, if there is a news article about a road traffic incident and a potential candidate was mentioned in this, it may not necessarily be relevant to their potential job role.
- Carry out online searches as part of your pre-employment checks, as opposed to the interview stage. Although KCSIE suggests carrying out the online searches prior to interview, Judicium (our Data Protection Officer) would recommend that this is done at the stage when the school offers the candidate a job. This is to minimise the number of individuals searched, limit suggestions of bias and strengthen the rationale to carry out the search as we have agreed for them to take the post.
- Treat all candidates equally and will search all candidates offered posts, not just some.
- State that we search online content in our privacy notice for job applicants.
- Be transparent with candidates before searching - seek permission from candidates at the point of job offer to carry out online searches using this wording, as suggested by Judicium (our Data Protection Officer):-



### Online search

As part of our continuing safeguarding obligations, we will also carry out online searches on you as part of due diligence. In doing this, we will only be looking at information which might potentially impact your ability to carry out the role, and we recognise that there is a difference between your public and private life. We would like to make you aware that searching an individual's name will often bring up their social media channels.

We will carry out this search only at the point of job offer.

If you have any objections to us carrying out online searches, including social media channels, please do denote this below leaving comments below as to your reasons for doing so. We can then consider this as part of the process: -

I do not wish for you to carry out an online search on me as part of the application process.

Please provide details:

We use the template matrix form (Appendix 2), where the parameters of what they're searching for are recorded, to ensure there is consistency in the range of what is searched for with each candidate. Should a School have any queries regarding this process they should contact HR.

**Teacher prohibition** and interim prohibition orders prevent a person from carrying out teaching work as defined in the Teachers' Disciplinary (England) Regulations 2012 in schools. All schools **must** ensure that an applicant to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State. Schools can use the Teaching Regulation Agency (TRA's) Employer Access service to make prohibition, direction, restriction, and children's barred list checks. The service is free to use and is available via the [Teaching Regulation Agency \(education.gov.uk\)](https://www.teachingregulationagency.gov.uk).

**Childcare disqualification** is an additional requirement to the general child safeguarding arrangements provided under the Disclosure and Barring Service (DBS) regime, which apply to all children. The childcare disqualification arrangements apply to staff working with young children in childcare settings, including primary schools and nurseries. The arrangements predominantly apply to individuals working with children aged 5 and under, including reception classes, but also apply to those working in wraparound care for children up to the age of 8, such as breakfast clubs and after school care.

For staff who work in childcare provision, or who are directly concerned with the management of such provision, employers need to ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the [Childcare Disqualification Regulations 2018](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/684812/Childcare_Disqualification_Regulations_2018.pdf). Further information on the staff to whom these Regulations apply, the checks that should be carried out, and the recording of those checks can be found in statutory guidance [Disqualification under the Childcare Act 2006](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/684812/Disqualification_under_the_Childcare_Act_2006.pdf).

## **5.9 Inviting for Interview**

The letter (or e-mail) inviting a candidate for interview must provide the date, time, and venue of the interview, and a map should be provided if necessary. Any test details such as presentations must also be included.

The letter must also ask that if the candidate has any special requirements for the interview day, such as access requirements, that these be made known to the school in advance.

The letter must state that the interview will be used to explore the candidate's suitability to work with children, should outline the need for a DBS check as appropriate, and must give details of the ID documentation and qualification certificates the candidate is required to bring with them. ID



documentation is also required for all new recruits to comply with the Asylum and Immigration Act 1996.

### 5.10 References

Reference requests must be sent out at the same time as the invite for interview letters to ensure all references are returned in time for the interviews. References must be chased if timely responses are not received. The candidate can be asked to chase their referees if necessary.

The only exception is where the candidate has indicated on their application form that their referee cannot be approached. In these cases the panel should explain that if they are successful at interview references will still need to be sought and may need to be discussed prior to any offer of employment.

Please note that an offer of employment can only be made when there are two satisfactory references available for the preferred candidate.

The school will always send a copy of the job description and person specification with the reference request as this gives the referee a better opportunity to provide an accurate reference. Ask the referee for feedback on specific areas of work you are interested in, and try to elicit objective comment through the way you word your request.

The school will not accept verbal and open references/testimonials, as these are far less reliable than those you request yourself. The school will write to the individual/organisation in order to verify the information.

One reference should be from the most recent employer where the candidate worked with children, and from one other source so that you have two references. References are not acceptable from partners/spouses, family or friends.

The references should address the candidate's suitability to work with children. The most recent / current referee must be asked to comment on any disciplinary offences (not unproven allegations) relating to children, and any child protection concerns including the outcomes of any enquiries and disciplinary proceedings. The referee must be informed that the reference they provide may be discussed with the candidate at interview.

The references must be made available to the Chair of the panel prior to interview as any relevant issues raised in the references must be shared with the interview panel and explored with the candidate during the interview. Legitimate areas of concern are related to the agreed Person Specification for the post. The panel should also cross check the references with the application form to satisfy themselves they have the appropriate referees' responses, and that there is no miss-match of information.

Any other queries arising from the references should be followed up with the referees.

If references are obtained after the interview because the candidate did not wish for them to be taken up beforehand, or if they had not been received before interview, any issues raised in the references must still be pursued with the candidate and/or referee as necessary.

Additional references can be requested with the candidate's permission if, for example, the references do not cover a reasonable period of employment, or there is a relevant period of employment that has not been covered.



## 5.11 Interviewing

Interviews should take place far enough after shortlisting to allow time for references to be requested and received. The interview pack should be ready two to three days before the interview date to allow the panel to read through the applications. At this stage the front page is re-attached to the application form, but the equal opportunities monitoring form is still not included.

If any candidate has a disability, the panel must be made aware of the nature of this, in advance, so that any reasonable adjustments can be made to the room, access, practical assessments, etc.

If any candidate is a redeployee the panel will be made aware of this, and will need to consider the redeployee against the minimum criteria for the post, with a view to giving the redeployee prior consideration for the post.

If a declaration has been made by any candidate that reveals they have any convictions or cautions then the candidate's declaration should be included with the application form in the interview pack. This will allow for discussion around this declaration at interview.

Copies of original identity documents (as listed in DBS guidance) must be taken by the school at the start or end of the interview for the DBS check, and the originals should be examined to check they are genuine. The ID must also cover the required check under the Immigration, Asylum and Nationality Act 2006. The copies of the ID must be good, clear copies to ensure that photo ID, in particular, can stand up to scrutiny and the likeness to the employee can be clearly seen. The copies will need to be submitted to HR along with the DBS Application Form.

Candidates should be told what the checking process entails, the likely timescales involved, as well as the fact that clearances are needed before the LA can approve any appointment.

Copies of any relevant qualifications certificates, as stated on the Person Specification, should also be taken having checked they appear genuine.

The shortlisting and interview panels should have the same membership, and participants on the panel must have undergone appropriate training, including that outlined above in accordance with KCSIE.

The interview questions and any practical assessments must be designed to test whether the applicant is suitable for the role, and this will include their motivations, and suitability to work with children.

It is important to ensure fairness and consistency through the interview process, and each candidate should be asked the same core questions to explore the skills and abilities needed for the role. In designing the questions, consider;

- the criteria being tested from the person specification (ensuring the minimum criteria are sufficiently covered)
- the answers, or indicators, you are hoping to elicit
- using an open style of questioning (e.g. what, where, how...?)



- avoiding leading questions, or questions that could discriminate against certain individuals or groups
- avoiding questions that are too long, complicated or include multiple questions
- asking questions that allow the candidate to refer to examples of their previous experience/behaviours, as these provide the best indicators of future behaviours
- targeted questions that will make the best use of the time available
- trialling the questions on colleagues beforehand – do they understand them? Do they evoke the expected response?
- the skills or experience of the panel members involved, and which member will ask each question
- who will be taking notes (ideally the person asking the question will concentrate on the conversation with the candidate, whilst the other panel members take notes)
- finding out what attracted the candidate to the post being applied for and their motivation for working with children
- exploring their skills and asking for examples of experience of working with children which are relevant to the role, and,
- probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.

The interview should be used to explore potential areas of concern and to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:

- implication that adults and children are equal
- lack of recognition and/or understanding of the vulnerability of children
- inappropriate idealisation of children
  - inadequate understanding of appropriate boundaries between adults and children, and,
  - indicators of negative safeguarding behaviours.
- exploring any online recruitment check disclosures

Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case.

Each core question could be followed up by appropriate probing questions to help draw answers out of the candidates or explore a vague response. It is acceptable to vary these questions depending on the candidate's answers or to refer to specific points from their application.

Pupils/students should be involved in the recruitment process in a meaningful way. Observing short listed candidates and appropriately supervised interaction with pupils/students is common and recognised as good practice. All information considered in decision making should be clearly recorded along with decisions made.

Any apparent gaps in employment history, education, qualifications, etc. should be identified by the Chair of the panel and explored with the candidate at interview, as should any anomalies in the information provided on the application form. Frequent or sudden job changes should be questioned.

The content of references should be explored, particularly if there are any causes for concern in the references. If references are not available, the candidate must be asked if there is anything likely to come up in their reference that they feel should be discussed.

If the declaration for the preferred candidate contains information about convictions or cautions the matter must be discussed with HR and referred to the appropriate Head of Service for schools, using a standard form held by HR. The Head of Service will discuss the case with the Headteacher and decide



whether or not the person is suitable to appoint. All interview packs and grids should be returned to the person handling the recruitment process in the school.

If a reference is unsatisfactory, it may be necessary to follow this up with the referee before making a decision.

In some cases it may not be possible to appoint the preferred candidate due to unsatisfactory references or declaration. In such cases it may be possible to appoint the second placed candidate, subject to the same reference and disclosure checks already outlined. If the second placed candidate is not suitable a re-advertisement may be required.

### **5.12 Practical Assessments**

Using practical assessments or other practical activities as part of the selection process can provide a valuable method of assessing skills or aptitude. Examples could include typing or data exercises, case study activities or delivering a presentation to the panel. It is important that any practical activity is relevant to criteria from the person specification and is an objective and valid form of assessment. Furthermore, the activity should not unfairly disadvantage certain groups or individuals, and it may be that suitable reasonable adjustments are needed if a candidate has a disability. School should contact the Resourcing Team if they require any advice regarding the use of practical assessments in the selection process.

### **5.13 Preferred Candidate – Good References and Declaration**

If the references and convictions declaration for the preferred candidate are satisfactory, all interview packs should be returned to the school's recruitment administrator, with interview and consensus grids fully completed by all three panel members, signed, and clearly indicating the preferred candidate, along with the ID document copies (if copied by the panel), and appointment details, e.g. salary, hours. The preferred candidate can be contacted to tell them they are the preferred candidate, but no offer can be made at this stage.

### **5.14 Preferred Candidate(s) - Poor References or Declaration**

If one or both references for the preferred candidate are unsatisfactory, refer back to HR for advice. In most cases further investigation is required before a candidate can be accepted or rejected. All interview packs and grids should be returned to the person handling the recruitment process.

If the declaration for the preferred candidate contains information about convictions or cautions the matter must be discussed with HR and referred to the appropriate Head of Service for schools, using a standard form held by HR. The Head of Service will discuss the case with the Headteacher and decide whether or not the person is suitable to appoint. All interview packs and grids should be returned to the person handling the recruitment process in the school.

If a reference is unsatisfactory, it may be necessary to follow this up with the referee before making a decision.

In some cases it may not be possible to appoint the preferred candidate due to unsatisfactory references or declaration. In such cases it may be possible to appoint the second placed candidate, subject to the same reference and disclosure checks already outlined. If the second placed candidate is not suitable a readvertisement may be required.



### **5.15 Unsuccessful Candidates**

Candidates who have been unsuccessful at interview should be notified of this as soon as possible, either by the Chair of the panel, the Headteacher, or the person handling the recruitment administration in the school. Candidates should be offered the opportunity for feedback from either the Chair or a member of the panel.

All papers relating to the recruitment exercise should be kept confidentially and securely for six months, in case of query, and then confidentially destroyed. This includes the ID papers and qualification certificates copied from candidates at interview.

If a migrant worker has been appointed, the recruitment paperwork for all applicants must be kept for the duration of the appointee's employment plus two years to satisfy Home Office requirements.

The recruitment statistics being kept for equal opportunities monitoring should be updated to ensure it can be tracked from advert to appointment.

In some cases there may be a preferred candidate plus a candidate in a close second place. It may then be prudent that the second placed candidate isn't immediately rejected in case the preferred candidate cannot be appointed for some reason, or rejects the offer. The second placed candidate may then become the preferred candidate, at which point references and the declaration must be checked.

### **5.16 Appointment Process**

Once a preferred candidate has been selected, the school must issue them with the online DBS disclosure application form and notes booklet if applicable, with the Childcare (Disqualification) Regulations declaration form and information, and with the medical questionnaire and envelope. The candidate must complete these and provide copies (if not already done so at interview stage) to the school for verifying. The school will verify ID and complete the information required on the DBS online application and submit online to the DBS. The school will ensure all pre-employment checks are completed in line with the guidance below:



## Pre-appointment vetting checks, regulated activity and recording information

This section provides the legal requirements that schools need to understand (and which **must** be carried out) when appointing individuals to engage in regulated activity (see below for 'Regulated Activity' definition) relating to children.

### Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced [Factual note on regulated activity in relation to children: scope.](#)

Regulated activity includes:

- a. Teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;
- b. Work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly.<sup>1</sup> Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- c. Relevant personal care, or health care provided by or provided under the supervision of a health care professional:

Personal care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability; health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Regulated activity will not be:

- Paid work in specified places which is occasional and temporary and does not involve teaching, training; and
- Supervised activity which is paid in non-specified settings such as youth clubs, sports clubs etc.

The following pre-employment checks are required to help identify whether a person may be unsuitable to work with children (and in some cases is legally prohibited from working with children and/or working as a teacher). They should be seen as the part of a wider safeguarding regime which will carry on following appointment. This section also explains what information schools **must** record on the single central record.

All offers of appointment should be conditional until satisfactory completion of the mandatory pre-employment checks. All Schools and colleges **must**:

- Verify a candidate's identity, it is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available.
- Obtain (via the applicant) an enhanced DBS check (including children's barred list information, for those who will be engaging in regulated activity with children). Note that when using the DBS update service you still need to obtain the original physical certificate.
- Verify professional qualifications, as appropriate. The Teaching Regulation Agency's (TRA) Employer Access Service should be used to verify any award of Teacher qualification, induction and probation.
- All individuals appointed to Senior Leadership or financial roles should be subject to a section 128 check via the Teaching Regulation Agency's Employer Access service.
- Obtain a separate children's barred list check if an individual will start work in regulated activity with children before the DBS certificate is available.
- All schools **must** ensure that an applicant to be employed to carry out teaching work is not subject to a prohibition or restriction imposed (that remains current) by the GTCE before its abolition in March 2012.

### **TRA Employer Access Service**

Schools can use the DfE TRA's Employer Access service to make prohibition, direction, restriction, and children's barred list checks. It can be accessed to provide 'teacher status checks' including verification of qualified teacher status (QTS) and the completion of teacher induction or teacher probation. The service is free to use and is available via the TRA's web page. The school has access to this site and checks are regularly performed in this way via this route. List 99 checks can be requested via the LA HR team also.

- Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health on a medical screening form in order to establish whether they have the physical and mental capacity for the specific role.



- All schools providing childcare must ensure that appropriate checks are carried out to ensure that individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, are not disqualified from working in these settings under the 2018 Childcare Disqualification Regulations. The school will issue a self-declaration form to all staff to request this information at interview stage. The Childcare Disqualification declaration form must be retained by the school and the outcome notified to RBC HR. If the applicant has declared something that may disqualify them from working please contact HR. If they are clear the information will need to be recorded on the SCR.
- Verify the person's right to work in the UK, including EU nationals e.g. see the original BRP Card. If there is uncertainty about whether an individual needs permission to work in the UK, then schools and colleges should follow advice on the [GOV.UK](https://www.gov.uk) website. You can also check legitimacy of working in the UK by accessing: <https://www.gov.uk/view-right-to-work> .
- If the person has lived or worked outside the UK, make any further checks the school consider appropriate and, individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Following the UK's exit from the EU, schools and colleges should apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world. These checks could include, where available:
  - a) Criminal records checks for overseas applicants - <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>
  - b) Obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Applicants can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body.

Where this information is not available, the school should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.



## **6. Applicants with a Disability**

To comply with the RBC Equal Opportunities Policy Statement, the Equality Act 2010, and their commitments under the “Disability Confident” scheme, it is necessary to follow some good practice principles when shortlisting and interviewing disabled applicants.

The information in this guide is designed as a brief reminder of the points to consider when an applicant has declared a disability and making reasonable adjustments.

### Shortlisting

The reference number of any applicants who have declared a disability will be stated in the shortlisting pack. As part of the school’s commitment to the ‘Disability Confident’ scheme, an applicant who has declared a disability will be assessed against the minimum criteria for the job and will be shortlisted for interview if those criteria are met.

The minimum requirements for the post should have been identified prior to advertising the post, and the panel should ensure each panel member is aware of them and understands them before you commence shortlisting. The nature of the disability is not relevant at this stage and therefore would not be provided to the panel during shortlisting. It is important that the panel make no assumptions about the impact a disability may have.

If a disabled applicant is not shortlisted, the panel will need to provide clear feedback on why they did not meet the minimum requirements for the post.

### Interviewing

If a candidate with a disability has been shortlisted for interview, it will be important to consider if any adjustments may be needed prior to the interview. In most cases the candidate will have provided some information about any needs when they made their application, and HR will be able to advise of these. In other cases, these needs may need to be explored further with the candidate and it will be for the recruiting manager and HR to have appropriate discussions with the candidates regarding the recruitment process.

There is a duty upon the panel to make reasonable adjustments to the conduct of the interview. This may include adjusting or allowing extra time for any test, arranging an interview slot at a certain time of day, or providing other appropriate assistance. All interviews should be held in suitably accessible venues.

On starting the interview, the Lead Officer should ensure the candidate is happy with the arrangements and make any further adjustments as necessary. This may be as simple as adjusting the blinds to remove direct sunlight, for example. The interview should otherwise proceed as it would for any other candidate, ensuring all the questions are covered. It is usually possible to design interview questions that explore the relevant competencies without reference to the specific impairment.

### Appointing a Preferred Candidate

All candidates are scored in the same way – according to their skills, abilities, knowledge, and experience.

Once an offer of employment is made, the legislation permits the employer to ask for more information regarding health. Steps should be taken to fully explore what adjustments may enable the candidate to be fully productive in the role, and care should be taken to assess whether such adjustments are reasonable to implement.



It is important to fully engage the candidate in exploring possible options and not make assumptions about what may be needed or is appropriate. Advice from Occupational Health or other specialist sources will also feed into this process. An employer is legally obliged to make reasonable adjustments and therefore any concerns over the feasibility of making adjustments should be discussed with HR.

## **7. Notifying the LA HR team of a new appointment**

The school must submit to HR copies of: the candidate's application form and any letter of application, the declaration of convictions and cautions form, both/all references, qualification certificates, the ID documents taken at interview, copies of any visas or work permits, DBS clearance, the graded job description and the person specification, a copy of the job advert, and a fully completed new starter PRS1 and ED form. This includes schools not using the RBC HR service as, although the school handles the recruitment, in Community schools the staff remain employees of the LA.

Once the DBS application has been processed by the DBS, the disclosure certificate is issued by the DBS to the employee. Confirmation that this is clear (or not) must be e-mailed to HR by the school. If there is a positive disclosure, please contact RBC HR with the details.

At this stage a **Risk Assessment** can be carried out if there is a need for the new recruit to start in post before the DBS disclosure has been received, and clearance given. The considerations are: How much is known about the individual? Have they declared any cautions or convictions and have these been explored with the individual? If allowed to work prior to clearance, can s/he be given full supervision during work time? HR will issue a form for this purpose to the school, a completed copy of which must be sent back to HR.

**For a risk assessment to be valid, the declaration of convictions form must have been reviewed, the employee not disqualified from childcare if applicable, both references received, the DBS form correctly completed and sent off to the DBS, and medical clearance given.**

Where an applicant declares a conviction, or where something is revealed on the disclosure certificate, HR will contact the appropriate Head of Service. S/he will liaise with HR and the school to come to a decision over whether the applicant is suitable to work with children.

Once medical and DBS disclosures have come back to HR and clearance is given and confirmation of the Childcare Disqualification check, the appointment will be confirmed to the Headteacher / Bursar, and the Statement of Main Terms and Conditions will be issued. The school must either arrange a start date with the employee and let HR know this for inclusion in the Main Terms and Conditions or, if the employee is already working under a risk assessment, confirm that they can now work unsupervised.

In the event that the person selected for appointment is not suitable on the grounds of health, mental or physical capacity, qualifications, childcare disqualification or an inappropriate criminal record, the school will be contacted by HR as soon as possible. Full advice will be given as to the most appropriate way forward, which may include re-advertising and termination of the recruit's contract.

On appointment it is the line manager's responsibility to ensure a first day induction is carried out (either by the Headteacher or the line manager), and that the probation process is established and followed if applicable. The probation period for Newly Qualified Teachers is statutory and spans one year, and for non-teaching staff it is the six month RBC probation scheme.



Induction should include general orientation early on, then policies and procedures, expectations in the area of conduct, and safeguarding practices in place within the school.

## 8. Recording information

### Single central record

Schools **must** maintain a single central record of pre-appointment checks, referred to in the Regulations as the register and more commonly known as the single central record.

The single central record **must** cover the following people:

- **For schools, all** staff, including teacher trainees on salaried routes, agency and third-party supply staff, even if they work for one day.

Below sets out the minimum information that **must** be recorded in respect of staff members. For agency and third party supply staff, schools and colleges **must** include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks. The single central record **must** indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained: an identity check, (identification checking guidelines can be found on the [GOV.UK](https://www.gov.uk) website); a barred list check;

- An enhanced DBS check requested/certificate provided;
- A prohibition from teaching check;
- Further checks on people who have lived or worked outside the UK;
- A check of professional qualifications, where required; and
- A check to establish the person's right to work in the United Kingdom.

The details of an individual should be removed from the single central record once they no longer work at the school or college.



## **9. Headteacher Recruitment**

The recruitment and selection process for a new Headteacher must follow the key stages laid out in this guidance. However there are two key additional requirements to consider.

It is the preference of Reading Borough Council that any new Headteacher being recruited to his/her first headship, or his/her first headship in a maintained school, must have achieved, or be working towards, the National Professional Qualification for Headship (NPQH).

The Director of Children, Education, and Early Help Services is entitled to take part in the recruitment and selection process for Headteachers, including taking part in shortlisting and interviewing. The Director can nominate another officer to undertake this on his/her behalf. It is important that the Director is informed of any recruitment exercises for Headteachers to ensure he/she has the opportunity to take part.

## **10. Confidentiality**

During the recruitment and selection process the school will find itself in possession of a great deal of personal information, both for the successful candidate and for the unsuccessful applicants. This information must be stored securely, released to only authorised persons, and confidentially destroyed at the appropriate time, in accordance with the Data Protection Act 1998.

## **11. Volunteers**

Whilst it is recognised that volunteers may not be recruited in the same way as staff on permanent or temporary contracts of employment, it remains important that safe engagement practices are followed. In particular a decision will need to be made about whether a DBS check is required for the individual who is volunteering. This decision will be based around whether the volunteer will have direct and unsupervised access to children, and how often they will be in school.

Where the volunteer is in school regularly it is advisable that a DBS check is made.

The school must maintain a list of the volunteers used in the school, and the checks that have been undertaken. This list must be supplied to HR on request. If an occasionally used volunteer starts to be used more regularly, or the nature of the work they are doing changes in such a way as to give them greater access to children, it may become necessary to conduct a DBS check where none had been needed before. Where this is the case the changed circumstances must be noted on the register.

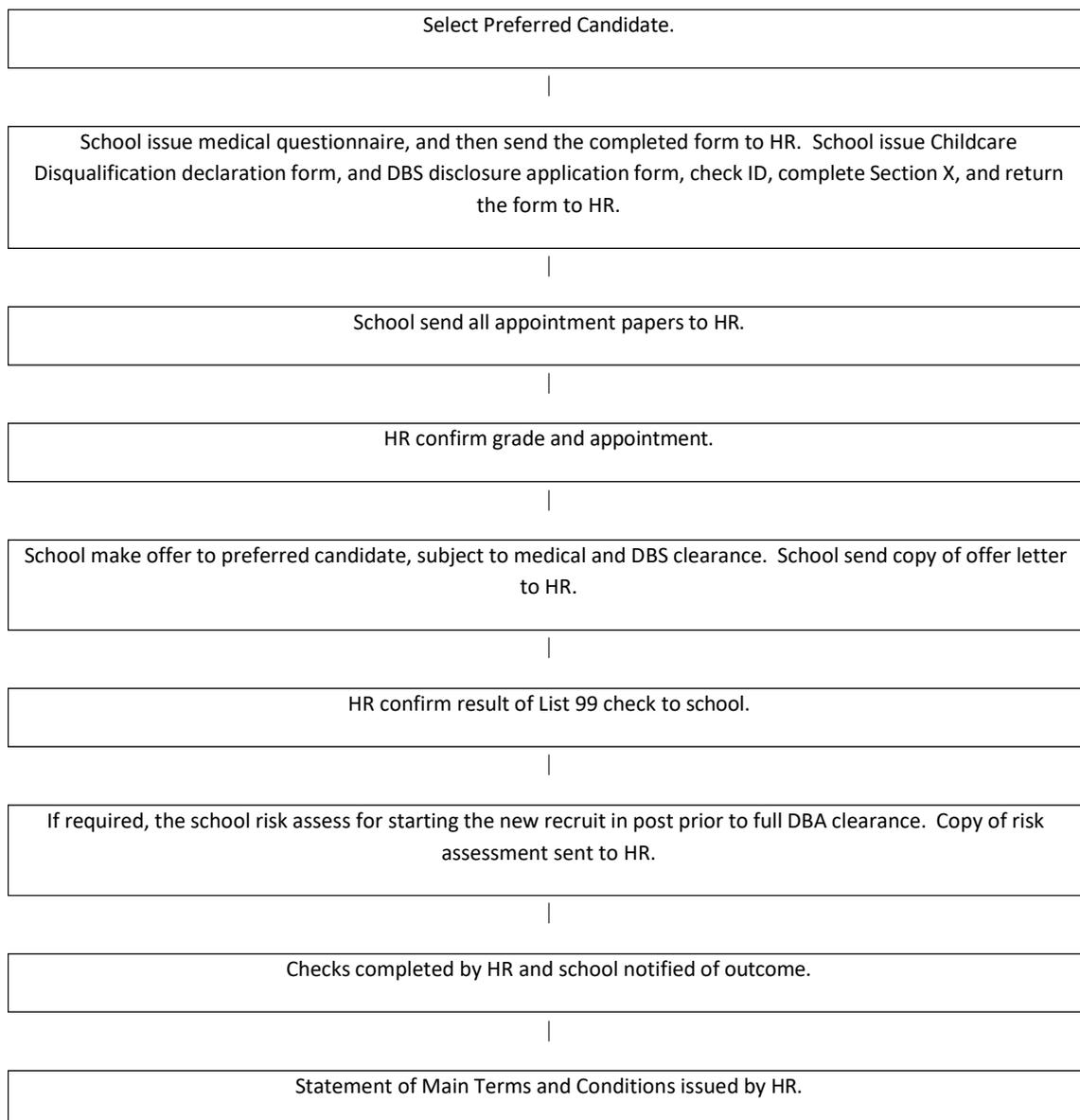


## APPENDIX

### Appendix 1

#### Appointment Process

#### Community and Voluntary Controlled Schools in RBC SLA



Note – the DBS disclosure certificate is issued to the employee only. The employee must present the certificate to the school who must send the certificate details to HR. Both the school and HR must record the details from the certificate – disclosure reference number, date of issue, level of check undertaken, and employment decision.

