

Safer Recruitment & Selection Policy and Procedure



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1. Introduction

This policy and procedure has been produced in line with the 'Safeguarding Children and Safer Recruitment in Education' document which came into force on 01 January 2007 and the 'Keeping Children Safe in Education – Statutory Guidance for Schools and Colleges' document.

This policy refers to and is designed to give effect to the relevant provisions of the following legislation, regulations and guidance (as updated and amended from time to time):

Legislation:

- [Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(Amendment\) Order 2013](#) and [2020](#)
- [Education Act 2002](#)
- [Childcare Act 2006](#)
- [Safeguarding Vulnerable Groups Act 2006](#)
- [Immigration Asylum & Nationality Act 2006](#)
- [Education & Skills Act 2008](#)
- [Equality Act 2010](#) (promoting equal opportunities and eliminating discrimination)
- [Data Protection Act 2018](#).

Regulations:

- [The School Staffing \(England\) Regulations 2009](#)
- [The Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018](#)
- UK General Data Protection Regulation ([UK GDPR](#)).

Guidance:

- [Disqualification under the Childcare Act 2006 \(2018\)](#) [or latest version]
- [DfE Staffing and Employment: Advice for Schools \(2021\)](#) [or latest version]
- Part 7 of the [School Teachers' Pay and Conditions Document](#) (Contractual Framework for Teachers) [prevailing version]
- Part 3 of [Keeping Children Safe in Education](#) - Statutory Guidance [prevailing version]
- [Safer Working Practice for those working with Children and Young People in Education Settings \(2022\)](#) [or latest version]
- [DBS Code of Practice](#).

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

References to the School, Headteacher, Governing Board and the Chair of Governors will, for Academies and Academy Trusts, be taken to mean a reference to the appropriate equivalent within those establishments.

2. Scope

This policy applies to the recruitment and selection of teaching staff (including Headteachers, Deputy and Assistant Headteachers) and support staff in schools and academies.

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

The recognised trade unions have been consulted.

3. Policy Purpose

The purpose of this policy is to ensure (i) equality of opportunity in employment and (ii) safeguarding and promotion of the welfare of all children and young people by creating a culture of safer recruitment. This is achieved by:

- implementing robust safer recruitment practices
- identifying and deterring or rejecting applicants who are unsuitable to work with children and young people
- responding to concerns about the suitability of applicants during the recruitment process
- responding to concerns about the suitability of staff and volunteers once they have commenced employment
- ensuring all new staff and volunteers participate in an induction programme which includes child protection
- ensuring the recruitment of all staff is conducted in a fair, consistent, effective and lawful manner and in compliance with relevant legislation.

Those responsible for each stage of the recruitment process must demonstrate a professional approach by offering all applicants (whether internal or external) a fair and open competition, by complying with equalities and employment legislation and by having in mind, at all times, the concept of safeguarding and promoting the welfare of children and young people.

In line with the Department for Education (DfE) guidance, the paragraph below should be included in all advertisements, recruitment websites, candidate information packs, job descriptions and person specifications:

‘The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share in this commitment. The successful applicant will be required to undertake an Enhanced DBS Check with a check of the DBS Barred List’

For competency frameworks and induction training materials, the following paragraph should be included:

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

See section 7, paragraph 7.6 below.

4. Safer Recruitment Training

Safer recruitment training was commissioned by the DfE in response to recommendation 16 of the Bichard Inquiry Report (published in June 2004).

Safer recruitment training provides valuable information on a safer school culture, and advice and guidance to strengthen safeguards against employing individuals in schools who are deemed to be a risk to children and young people. The training will help schools to ensure that they have effective recruitment and selection processes in place.

It is a statutory requirement for at least one member of a selection/interview panel to have completed the appropriate safer recruitment training prior to the start of the recruitment process. The training should cover,

as a minimum, the content of Keeping Children Safe in Education Guidance. Governing Boards of maintained schools may choose appropriate training and may take advice from the local safeguarding partners in doing so.

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

On-line safer recruitment training is available through the NSPCC. Schools wishing to access this on-line training can do so on the [NSPCC website](#).

The Schools HR Co-operative also regularly runs one day Safer Recruitment and Safer Culture Workshops delivered by the Safer Recruitment Consortium accredited trainers from within the organisation. To find out more, schools can [view our Course Booker](#) to book any available courses or send an email to office@schoolshr.net.

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

5. Local Authority's Entitlement to Offer Advice (Community, Voluntary Controlled, Community Special and Maintained Nursery Schools)

Under The School Staffing (England) Regulations 2009, for community, voluntary controlled, community special and maintained nursery schools, the Local Authority has a statutory right to send a representative to all proceedings relating to the selection of any teacher (including the Headteacher and Deputy Headteacher) and offer advice. If the Local Authority decides to send a representative, they must be allowed to attend.

The Governing Board must consider any advice offered by the representative.

6. Appointment of Headteachers and Deputy Headteachers

The Education Act 2002 requires every school to have a Headteacher and limits the number of Headteachers at a school to one, although the post may be job shared.

There is no legal obligation for a school to have a Deputy or Assistant Headteacher, or any limit on the number of Deputy or Assistant Headteachers a school may have.

The School Staffing (England) Regulations 2009 require that the Governing Board of maintained schools:

- Must notify the Local Authority in writing of any vacancy for the Headteacher and any post for a Deputy Headteacher which it had identified as one to be filled
- Must advertise any such vacancy or post in such manner as it considers appropriate unless it has good reason not to
- Must appoint a selection panel, consisting of at least three of its members (other than a Headteacher/Deputy Headteacher or a Staff Governor).

The role of the selection panel is to:

- Select applicants for interview
- Notify the Local Authority, in writing, of the names of the applicants selected for interview for the post of Headteacher

- Where appropriate, recommend to the Governing Board for appointment one of the applicants interviewed

When recruiting a senior leader, especially a Headteacher, the Governing Board may wish to seek advice and guidance from a professional such as the schools linked Improvement Adviser.

7. Recruitment Process

7.1 Structured recruitment process

Adopting a structured recruitment process will:

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

7.2 Defining the need to recruit

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

- What is the purpose of the post?
- Whether the post is still required?
- Whether the post has remained the same or have changing work patterns, organisation or technology resulted in changes to the role?
- Whether the tasks could be carried out differently e.g. could any additional duties, responsibilities or hours be advertised internally to offer advancement or increased hours to existing staff?
- Whether job-sharing is appropriate?
- Whether any review of the role affects the salary?
- Whether sufficient funding is available for the post?
- Whether agreement is required from the Governing Board to any changes or whether the post can be advertised?
- Whether the new post should be permanent or temporary?

7.3 Job Description and Person Specification

If, having considered the factors in paragraph 7.2 above, the decision is to recruit, the next step is to:

- write a job description and person specification if it is a new role, or
- review the existing job description and person specification if it is an existing role and ensure that they accurately reflect the requirements of the job.

Job Description

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

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

If changes are made to an existing job description, it is recommended that the revised job description be re-evaluated to ensure that the grade properly reflects the responsibilities of the post.

A job evaluation service is provided by the Schools HR Co-operative which implements the Greater London Provincial Council (GLPC) Job Evaluation Scheme. Their trained evaluators can evaluate support staff job descriptions if required. Further information about the scheme, including pre-evaluated job descriptions for common roles can be found on [The Schools HR Co-operative secure website](#).

When deciding on job descriptions for teachers, Part 7 of the School Teachers' Pay and Conditions Document (Contractual Framework for Teachers), which defines the professional responsibilities of teachers including Headteachers, Deputy and Assistant Headteachers, must be considered.

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

For an example of a job description template see **Appendix 2**.

Person Specification

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

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

The person specification will be used to:

- inform the advertisement
- assess applications to shortlist for interview
- plan interview questions and identify suitable selection tests

For an example of a person specification template see **Appendix 2**.

7.4 Application form

All applicants are required to complete an application form. Schools should not accept copies of CV's in place of an application form.

The use of an application form will help to obtain a common set of core data from all applicants in a consistent format. This will assist through the process of shortlisting and interviews.

All application forms should have a section on Equality and Diversity Monitoring. These monitoring forms, when completed and returned by the applicant, should not be included as part of the application form documentation and should never be seen by shortlisting panels. The completed monitoring form should be detached from the application form and forwarded to the person at the school who is responsible for processing such information, in an anonymised format.

Unless stated elsewhere within the information pack, the application form should include (where the role involves engaging in regulated activity) a statement that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

7.5 Other documents

All other information/guidance for applicants that will form part of the recruitment pack to be sent to prospective applicants should be up to date, and clearly set out the role's responsibility for the safeguarding and welfare of children and young people. This could include providing a copy of the school's Safeguarding/Child Protection Policy and practice on employing ex-offenders (or refer to a link on the school's website).

7.6 Advertising the vacancy

To help decide on the most effective recruitment method, consideration will need to be given to the nature of the post, the circumstances of the school at the time, the type of person required and budgetary implications. All vacancies in schools should be advertised if the school wishes to make a permanent appointment. For temporary appointments, the school may wish to consider advertising the vacancy internally initially.

The advert should include the following information:

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

All advertisements should contain the statement on the safeguarding and welfare of children (as set out in Section 3 of this Policy) and that the successful applicant will need to undertake an Enhanced DBS check (including a Barred List check) if the post has been identified as working in a "Regulated Activity" (see

Appendix 9 for a definition of Regulated Activity as set out in the Keeping Children Safe in Education Guidance). Where relevant, include the safeguarding responsibilities of the post.

The advert should also include details of whether the post is exempt from the Rehabilitation of Offenders Act 1924 Exceptions Order 1975 as amended in 2013, 2020.

The advertisement should reflect the vision of the school and the type of applicant the school is seeking to attract for the role; it should provide applicants with a succinct summary of the role, as well as information about the school as an employer.

Advertising campaigns should be pre-planned to ensure maximum effectiveness. This includes ensuring there is sufficient time allotted to shortlist applicants and conduct interviews. A good way to plan a recruitment campaign is to use a timeline, detailing all the key dates, such as the closing date and time, the shortlisting date, and the interview date(s). When advertising for teaching roles, schools may wish to consider Teacher and Headteacher resignation dates to ensure their advert reaches the right audience at the right time.

Advertising over school holidays can also be a good way to reach a wider audience, as many applicants are likely to have more time (particularly if they are currently employed in a school) to complete their applications. It is advisable however, that advertisements never close in the middle of a school break period. This is to ensure applicants are not left without a response to their submitted applications.

Consideration should also be given at this stage as to whether applicants can visit the school and whether this is to be offered to applicants prior to making their application or to shortlisted candidates only (see Section 8.2 of this Policy). If applicants can visit the school prior to making an application this should be mentioned in the job advert together with details of how applicants can arrange such a visit. If potential applicants wish to view the school prior to making an application, it is necessary to decide a policy that either all requests to visit are met or that no visits will be allowed. It is important that all applicants are afforded the same opportunities.

For further details on where Marish Academy advertises vacancies – see **Appendix 1**.

7.7 Information pack for applicants

Information packs to applicants should include the following:

- Covering Letter from the Headteacher or Governors
- Application Form or instructions on how to apply
- Equality and Diversity Monitoring Form
- Job Description and Person Specification
- A statement of the terms and conditions relating to the post
- The school's policy on equal opportunities or a link to where this can be accessed on the school website
- The school's child protection policy and overarching safeguarding policy or a link to where this can be accessed on the school website
- Information setting out the extent of the relationship/contact with children and the degree of responsibility for children that the post holder will have in the position to be filled
- Any other relevant material to attract applicants (e.g. school prospectus)
- Data Privacy Notice or a link to where this can be accessed on the school website
- Link to the school's website

8. The Selection Process

8.1 Shortlisting applicants

All applications will be treated confidentially and only circulated to those individuals involved in the recruitment process e.g. selection/interview panel. Other than for the post of Headteacher/Deputy Headteacher (covered in Section 6 of this Policy), the size of the selection/interview panel is at the discretion of the Headteacher/Governing Board.

It should be ensured that at least two people carry out the shortlisting. Ideally, to ensure consistency, the shortlisting panel should be the same as the interview panel. Therefore, it is important to ensure their availability when setting out the recruitment process timelines. At least one member of the panel must have completed the appropriate safer recruitment training which should, as a minimum, cover the content of Keeping Children Safe in Education Guidance. Consideration should also be given to ensure that panel members reflect the diverse nature of the school community and have a clear understanding of the school's commitment to equality and inclusion in the recruitment process.

The selection panel should meet to go through the applications received in response to the advertisement and select applicants who most closely meet the selection criteria set out in the person specification and invite them to the interview stage of the selection process. Only the information provided on the application form and any supporting statement should be used for selecting applicants.

Prior knowledge of applicants should not be a factor in the selection process. Where an applicant is known personally to a member of the selection panel, this should be declared before shortlisting takes place. It may then be necessary to change the panel to ensure there is no conflict of interest and that equal opportunities principles are adhered to.

The KCSIE Guidance 2022 Paragraph 221 introduced a new consideration when detailing the process around shortlisted candidates. Schools should now **consider** carrying out an online/internet search as part of their due diligence on the shortlisted candidates, see additional guidance at **Appendix 17**.

During the shortlisting process, the selection panel will check to ensure the application forms are fully completed and that the information provided is consistent and does not contain any discrepancies and to identify any gaps in employment. Incomplete applications should not be accepted and, time permitting, should be returned to the applicant for completion. Any anomalies, discrepancies or gaps in employment ideally should have been identified and addressed prior to the shortlisting stage. However, where this has not been possible and the candidate has been shortlisted then these should be noted and addressed at the interview stage. In addition, the reasons for a history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to supply teaching or temporary work, should be explored and verified prior to shortlisting but again, where this has not been possible, as above, it should be explored at the interview stage.

Self-Declaration Form for Shortlisted Candidates: Shortlisted candidates should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children (see **Appendix 3A**). This information should only be requested from candidates who have been shortlisted and not of all applicants. The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be openly discussed and considered at interview before the DBS certificate is received.

Where there is disagreement between the selection panel on the suitability of an applicant, this should be openly discussed, and consensus reached if possible. If not, the panel can take a vote as to whether to

shortlist the candidate for interview. A representative from The Schools HR Co-operative can be asked to be present to provide advice, subject to prior agreement.

A shortlisting form should be used to score the applications and record decisions (see template at **Appendix 3**). The panel should agree in advance the weighting to be attached to each selection criteria. Applicants should be compared with consistency against the person specification criteria which can be evidenced from their application. Reasons for not shortlisting an applicant should be recorded to demonstrate how criteria was not met and that discrimination has not taken place. A consolidated and agreed record of the panel's reasons for selecting or rejecting applicants must be kept on file.

8.2 Pre-interview visits

It is recommended, as good practice, for the candidates selected for interview to be given an opportunity to visit the school. This needs to be arranged by mutual agreement with the school. Ideally, candidates should be offered an individual tour of the school rather than being asked to visit as a group. The visit is not part of the selection process but will help candidates to assess whether they would wish to take up the post, if offered.

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

8.3 Interviews

The candidates shortlisted for interview should be sent confirmation in writing (see template at **Appendix 4**) giving adequate notice of the interview date. It is recommended that at least seven calendar days' notice is given. The invite letter should include:

- Date, time and place of the interview – including a map to show the location together with details of public transport and parking facilities
- Format and duration of the interview and whether any assessments will be involved and what equipment will be made available for the assessment
- Documents the candidates should bring with them e.g. proof of qualifications, identification, DBS certificates

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

- Layout of the room
- A suitable holding space before candidates are called for interview
- Arrangements for escorting candidates to and from the interview room
- Ensuring arrangements are in place for any documents (qualifications, identification etc.) to be verified
- Who will chair the interview
- What questions will be asked, in what order and by whom and weighting to be attached to each criteria. Questions should clearly relate to criteria in the person specification*
- The panel should agree areas which need to be explored with each candidate based on the information provided in their application
- Any other selection technique(s) to be used to assess experience and competencies identified e.g. presentation, tests etc (see **Appendix 7**) and how they will be weighted
- Ensuring arrangements are in place if the candidate is to undertake a presentation/test e.g. appropriate equipment is available and set-up appropriately
- The timeframe for making a decision
- The arrangements for notifying the candidates of the outcome of the interview

- Who will offer feedback if a candidate requests this and how will this be given (see paragraph 8.4 of this Policy)

*The panel should avoid asking any questions about the candidate's health prior to making a job offer as the Equality Act 2010 prohibits this unless such questions are necessary to:

- find out whether a candidate can participate in an assessment to test their suitability for the role
- establish whether there is a duty to make reasonable adjustments to enable a candidate to take part in the recruitment process
- establish whether the candidate will be able to carry out function(s) that is intrinsic to the job concerned
- establish if the candidate has a disability which may impact on their ability to carry out any aspect of the role where this is an occupational requirement

The explanatory notes to the Equality Act 2010 give the example of an applicant who discloses a speech impairment and asks for the adjustment of more time being allowed for the interview.

The explanatory notes also give the example of an applicant who applies for a job in a warehouse that requires manual lifting and handling of heavy items. As manual handling is a function which is intrinsic to the job, the employer may ask the applicant questions about their health to establish whether they are able to do the job (with reasonable adjustments for a disabled applicant, if required). The interview panel would not be permitted to ask the candidate other health questions until they are offered the job.

On the day of the interview, it is recommended that the panel meets well in advance of the first interview to confirm the necessary arrangements.

At the interview, the chair of the panel will:

- Welcome the candidate and introduce the panel
- Explain the format of the interview and its duration
- Give a brief outline of the school and the job role

Following this, the panel will put their questions to the candidate. It is advisable to start off with an open and easy question that will help the candidate to relax and feel at ease e.g. to tell you briefly about their career so far or why they have applied for this job and to your school. See **Appendix 5** for the type of questions recommended at interviews.

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

- The candidate's attitude toward children and young people
- The candidate's motivation to work with children and young people
- The candidate's ability to form and maintain professional boundaries and professional integrity
- The candidate's ability to establish and maintain appropriate relationships and personal boundaries with children and young people
- The candidate's ability to take action to protect children
- The candidate's emotional resilience in working with challenging behaviours and attitudes to the use of authority and maintaining discipline
- The candidate's ability to support the school's agenda for safeguarding and promoting the welfare of children and young people
- Any gaps in the candidate's employment history with a view to gaining a complete picture of their past employment history where this has not already been addressed prior to shortlisting

- Any concerns or discrepancies arising from the information provided by the candidate where this has not already been addressed prior to shortlisting
- Any disclosures made by the candidate or if the candidate wishes to disclose anything considering the requirement for an enhanced DBS check (with a check of the Barred List) and Childcare Disqualification Requirement check

See **Appendix 6** for additional guidance on matters to be aware of during the interview.

The panel members must take notes to assist in making evidenced judgements to support how they have scored each candidate, to assist with feedback should it be requested and in particular if there is a challenge by an unsuccessful candidate. Under the data protection provisions, candidates can request copies of notes taken at the interview relating to their own application. The notes for all the candidates may also be subject to disclosure (albeit in an anonymised format) if legal proceedings are commenced with respect to the recruitment process.

At the end of the interview, the panel will:

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

When all candidates have been interviewed, the panel will discuss each candidate in relation to the person specification, the application form, and the interview performance and any selection test they may have undertaken. The panel will ensure they are objective and fair in selecting the most suitable candidate for the job. This will be through the scoring and weighting of the assessments carried out on each candidate.

See **Appendix 8** for a recommended Interview Panel Decision template to score the answers.

8.4 Notifying unsuccessful candidates/providing feedback

It is important to advise candidates who have been unsuccessful as promptly and courteously as possible. Additional care should be taken with internal candidates (see template letter at **Appendix 11**).

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

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

Feedback should be given by a member of the interview panel and can be given by telephone discussion, in writing or (for internal candidates), in person at a meeting.

9. Conditional offer of employment (pre-employment checks)

It is important to exercise care on any terms and conditions which may be negotiated and agreed upon if making a verbal offer to a candidate as these will need to be realised and confirmed in the written offer. This may include pay, working pattern etc. A verbal conditional offer must be promptly followed by a written conditional offer (see template letter at **Appendix 10**).

Any offer of employment made to a successful candidate, including one who has lived or worked abroad, must be conditional upon satisfactory completion of the following pre-employment checks and references (see **Appendix 9** for further guidance on pre-employment checks):

- **Reference Checks:** Receipt of at least two satisfactory professional references
- **ID Checks:** Verification of the candidate's identity
- **Medical Health Checks:** Verification of the candidate's mental and physical fitness to carry out their work responsibilities
- **Qualification Checks:** Verification of any qualifications required for the post (if not verified at the interview)
- **Right to Work Checks:** Verification of the candidate's right to work in the UK
- **DBS Checks:** A satisfactory Enhanced DBS Check; with a Barred List check for those who will be engaging in regulated activity
- **Barred List Checks:** A separate Barred List check if the candidate will start work in regulated activity before the DBS certificate is available where all other checks have been completed
- **Professional Status Checks:** Verification of professional status where required e.g. Registration with the Teaching Agency, QTS status (unless properly exempted)
- **Statutory Induction Periods:** For teaching posts, verification of successful completion of statutory induction period (applies to those who obtained QTS after 7th May 1999)
- **(For Applicants who have lived or worked outside the UK, make any further checks the school considers appropriate). For teachers, Teacher Sanctions or Restrictions Checks:** This would include a check for information about any teacher sanction or restriction that a European Economic Area (EEA) professional regulating authority has imposed. Other checks can include **overseas criminal records checks** if applicable
- **Teacher Prohibition Order Checks:** For posts required to undertake "teaching work" (as defined in **Appendix 9**), check to establish that the candidate is not subject to a prohibition order or interim prohibition order issued by the Secretary of State, or any sanction or restriction imposed (that remains current) by the General Teaching Council for England before its abolition in March 2012
- **S128 Direction Checks:** Independent schools, including academies and free schools, must check that a candidate taking up a management position, is not subject to a Section 128 direction made by the Secretary of State
- **Disqualification Checks:** Check that the candidate is not disqualified from working with children who have not attained the age of 8, under the Childcare Act 2006 and The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. Further information is provided in the Schools HR Co-operative [Childcare Disqualification Checks](#) model policy.

All checks should be:

- Confirmed in writing
- Documented and retained on the personnel file in an appropriate format
- Recorded and must also be held centrally in the form of a Single Central Record of checks as required by the Keeping Children Safe in Education Guidance (see Section 10 of this Policy) and
- Followed up where they are unsatisfactory or where there are discrepancies in the information provided

10. Single Central Record of pre-employment checks

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

The Single Central Record must cover the following:

- All staff, including teacher trainees on salaried routes, agency and third-party supply staff, who work at the school; and
- For independent schools, all members of the proprietor body. In the case of academies and free schools, this means the members and trustees of the academy trust

The checks as set out below is the minimum information that must be recorded on the Single Central Record in respect of staff members (including teacher trainees on salaried routes). The record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- an identity check
- qualifications check
- right to work in the UK check
- an enhanced DBS check (with children's barred list check)
- barred list check
- further checks on candidates who have lived or worked outside the UK; this would include recording checks for the European Economic Area (EEA) teacher sanctions and restrictions
- Teacher Prohibition Order check
- Section 128 check for management positions including Governing Boards (independent schools including academies and free schools)

For supply staff, schools should also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff.

Whilst there is no statutory duty to include on the Single Central Record details of any other checks, schools are free to record any other information they deem relevant. For example, checks for childcare disqualification, volunteers, governors and safeguarding and safer recruitment training dates.

Schools may also wish to record the name of the person who carried out each check.

The Single Central Record can be kept in paper or electronic form and must be compliant with the data protection requirements. An example of the Single Central Record is available on the [Schools HR secure website](#). Please note that this reflects the minimum information which must be recorded.

Multi Academy Trusts (MATs) must maintain the Single Central Record detailing checks carried out in each academy trust within the MAT. Whilst there is no requirement for the MAT to maintain an individual record for each academy trust, the information should be recorded in such a way that allows for details for each academy trust to be provided separately, and without delay, to those entitled to inspect that information, including Ofsted inspectors.

A recommended system for maintaining Single Central Records in MATs can be found on the [Schools HR secure website](#).

11. Keeping Records

11.1 Data Protection:

Under the UK General Data Protection Regulation (UK GDPR) personal data may only be kept (in a form that permits identification of the individual) for no longer than is necessary for the purpose for which it was processed.

11.2 Unsuccessful applications:

Copies of all job applications and notes relating to shortlisting and interview decisions should be retained for six months to account for the possibility of a legal challenge from an unsuccessful candidate. These documents must not be destroyed until the case is resolved. They must be held in compliance with the UK GDPR.

11.3 Pre-employment checks:

Copies of the documents used to verify the successful candidate's identity, right to work in the UK and required qualifications should be kept on the personnel file and in compliance with the UK GDPR.

DBS Certificates are sent direct to the candidate. As part of the recruitment process, the school will require sight of the DBS certificate. The candidate must show the original DBS certificate to the school before they take up post or as soon as practicable thereafter. A copy of the certificate should not be made or retained by the school (unless there is a valid reason to do so). Certificate information (date of disclosure, type of disclosure, unique number issued by the DBS, name of subject, position in question and the recruitment decision taken) must be recorded. If the school chooses to retain a copy of the certificate, then the certificate should not be retained for longer than six months or for no longer than is necessary to demonstrate safer recruitment practice for the purposes of safeguarding audits and inspection regimes. Once the audit/inspection has been carried out, the certificate should be securely disposed of. When the information is destroyed, the school may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken if they choose to.

Schools are not required to keep copies of DBS Certificates to fulfil the duty of maintaining the Single Central Record. The certificate information will be sufficient to enter onto the Single Central Record.

During the period the certificate/certificate information is held by school, it must be held in compliance with the data protection principles; it must be kept securely in lockable, non-portable, storage containers with access strictly controlled and limited to only those who are entitled to see it as part of their normal duties.

12. Post Appointment Induction

12.1 Purpose of induction

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

- Provide training and information about the school's policies and procedures
- Support new members of staff in a way that is appropriate for the role for which they have been engaged
- Confirm the conduct expected of staff within the school
- Provide opportunities for the new members of staff to discuss any issues or concerns about their role and responsibilities

- Enable the new staff member's line manager or mentor to recognise any concerns or issues about their ability or suitability at the outset and address them immediately. For support staff, these issues should be identified and addressed during the probationary period.

12.2 What to include in an induction programme

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

- Policies and procedures in relation to safeguarding and promoting the welfare of children and young people e.g. child protection, anti-bullying, anti-racism, physical intervention or restraint, personal care, internet safety and acceptable use and any local child protection and safeguarding procedures including Guidance for Safer Working Practice for those working with Children and Young People in Education Settings. All staff should have sight of this guidance. Schools are advised to consider asking staff to sign a declaration confirming that they have read and understood the guidance.
- Safe practice and the standards of conduct and behaviour expected of staff and pupils in the establishment.
- Other relevant personnel procedures e.g. code of conduct, disciplinary, grievance, capability, sickness absence/attendance, whistleblowing, dealing with allegations or concerns raised against teachers and other staff etc.

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

13. Maintaining a Safer Culture

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

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

14. Monitoring of the recruitment process

Regular monitoring and evaluation of the recruitment process should be carried out to assess its effectiveness and the impact on recruitment and retention, equality and diversity and to allow for future recruitment practices to be better informed.

Appendices

Appendix 1: Advertising our vacancies

We use the following websites to advertise our vacancies:

[Marish Academy Trust Website](#): all of our vacancies are advertised on our Trust website

[TES](#): all leadership, teachers, classroom-based support staff and admin staff are advertised on TES

[Crinkle Recruitment](#): on occasion, mainly to advertise class-based vacancies, in particular teachers

[Gov.uk Teaching vacancies](#): used for teaching vacancies

Other vacancy websites are used as required

Appendix 2: Job Description and Person Specification Template

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

Job Description & Person Specification Template

Date Evaluated: _____

- 1. **JOB TITLE:**

- 2. **POST NUMBER:**

- 3. **GRADE:**

- 4. **SCHOOL:**

- 5. **SECTION:**

- 6. **RESPONSIBLE TO:**

- 7. **RESPONSIBLE FOR:** **Directly:**
 Indirectly:

- 8. **CONTACTS** **Internal:**
 External:

Job Description

- 9. **JOB PURPOSE**

(Brief summary of role)

- 10. **MAIN DUTIES AND RESPONSIBILITIES**

(List as required)

Person Specification

Criterion	Essential	Desirable	Method of Assessment (application/interview/test)
11. <u>Education/qualifications numbers</u>			
12. <u>Experience</u>			
13. <u>Skills/Abilities/Knowledge</u>			
14. <u>Personal Qualities</u>			
15. <u>Additional Contractual Obligations</u>			

Line Manager's signature: **Date:**

Job Holder's Signature: **Date:**

Appendix 3A: Self-Declaration Form

Self-Declaration Form

For shortlisted candidates only

Last updated: May 2022

Please be aware that this document has been designed for print only.

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.

Do you have any convictions or cautions (excluding youth cautions, reprimands, or warnings) that are not 'protected' as defined by the Ministry of Justice?

Yes No

If Yes, please provide details in a separate, sealed envelope

Disclosure of non-protected convictions will not necessarily be a bar to employment but failure to disclose this information could result in dismissal if subsequently discovered.

Candidates applying for roles that involve working in Regulated Activity must undergo an enhanced DBS check with a check of the children's barred list. Anyone who is barred from work with children is committing an offence if they apply for, offer to do, accept or do any work that constitutes Regulated Activity with children. Guidance on Regulated Activity with children can be found on the Disclosure and Barring Service website.

Are you disqualified (barred) from working with children or young people?

Yes No

I understand that false or misleading information on this declaration form will disqualify me from appointment and if appointed, may result in disciplinary action, which could lead to my dismissal.

I agree to the above declaration (please tick):

Signed:

Date:

Print name:

Appendix 4: Invitation to Interview Letter

Invitation to Interview Letter

Dear *(Name of candidate)*

I am pleased to inform you that following your application for the position of *(Job Name)* at *(School Name)* you have been selected for interview.

Your interview will be held on *(Interview Date)* at *(Interview Time)*. Your interview will be held at *(School Name)*, *(School Address)*. When you arrive, you should report to *(Contact Name)*.

The interview process will also include:

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

The interview process is expected to last *(Enter length of time)*.

Please bring to the interview any relevant original certificates / proof of qualifications which were listed as essential for this role.

You should also bring with you, a form of photographic ID which proves your identity as well as documentary evidence of your Right to Work in the United Kingdom. For UK citizens this will commonly be a UK Passport. If you are not sure which documents you can use to prove your Right to Work, please visit the Home Office website.

As an organisation which is committed to ensuring equal opportunities, we are keen to provide an appropriate interview environment for all applicants. If you have a requirement that can be met with a reasonable adjustment (e.g. access to a lift, interpreter or support worker) please advise the school accordingly on at hr@marishandwillow.co.uk or 01753 819900 option 3.

To confirm your attendance for the interview, please contact Alka Rajput, HR Lead at hr@marishandwillow.co.uk or 01753 819900 option 3. As part of the acceptance, the attached Self-Declaration Form must be also be completed and emailed prior to your interview attendance.

The interview has been structured around the person specification and job description of the post. If you require a copy for your reference or have any further queries, please contact the school via at hr@marishandwillow.co.uk.

I look forward to meeting you.

Yours sincerely

(Name of Signatory)

Encl. Self-Declaration Form

Appendix 5: Type of Questions Recommended at Interview

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

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

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

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

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

Questions to be avoided:

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

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

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

Also avoid asking questions about the following:

- Any of the protected characteristics under the Equality Act 2010 unless where relevant to the requirements of the role
- Health related questions unless permitted under the Equality Act 2010 (see Section 8.3 of this Policy)
- Number of children, family intentions or childcare arrangement
- Financial status
- Trade union activities (not to be confused with a candidate joining a Union)
- Political beliefs

Appendix 6: Additional Guidance on Managing Interviews in the Context of Safeguarding

1. Introduction

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

The aim should be to ensure the interview is fair and for the panel to reach an agreed view on the candidate.

No personal feelings or assumptions should inform the interview or any decisions that are made afterwards.

2. Things to avoid at interviews

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

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

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

3. Identifying concerns at interview

Interviewing panels ought to be concerned where the candidate demonstrates:

- Attitudes which attribute adult experience and knowledge to children, especially sexual knowledge, or behaviour.
- Disproportionate amount of extra-curricular time spent in activities involving children.
- Personal life/work imbalance, including lack of adult relationships/leisure pursuits.
- Attitudes which appear to underestimate the incidence and impact of sexual abuse.

- An inability to recognise or respect boundaries around physical contact.
- An inability to appreciate or describe the appropriate boundaries of a professional relationship with children or to distinguish between appropriate and inappropriate behaviour.

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

Appendix 7: Selection Tools in Addition to the Interview

Presentation

Candidates are asked to make a brief presentation on a given topic within a time limit. Details clearly need to be given to candidates in advance. It is helpful to choose a topic which has direct relevance to a particular school situation or a management issue pertinent to the job in question.

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

Carousel

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

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

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

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

Candidate Observation

Candidates are given a task to perform which involves teamwork with other candidates. The panel observes their proceedings and ask questions afterwards. The observers need to be skilled practitioners.

Psychometric Testing

Candidates can be asked to undertake psychometric testing.

There are two main types of psychometric assessment; cognitive ability and personality. Both are fair and objective through their standardised administration and reliable and valid construction process. Ability tests measure candidates' aptitude and critical reasoning at certain tasks, while personality questionnaires are concerned with behaviour and preferences in the workplace. The scientific nature of psychometric tests means they omit the influence of subjective bias present in other recruitment and development methods.

Although a useful tool, psychometric testing should be applied with caution where there are candidates with a protected characteristic (under the Equality Act 2010) for whom an adjustment to the testing environment and method may be required to avoid the risk of discrimination.

Exercises or Tests

These could include:

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

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

Involving Pupils

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

Appendix 8: Interview Grid

Interview Date:

Candidate: Name:

Interviewers: 1.

2.

Questions for Job Title

Questions	Comments	Grading 1 – 4 (4 being the highest)			
		1	2	3	4
1.		1	2	3	4
2.		1	2	3	4
3.		1	2	3	4
4.n.		1	2	3	4
Do you have any questions for us?		1	2	3	4

Appendix 9: Pre-employment Checks

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

1. References

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

Schools should always ask for written information about previous employment history and check that the information is not contradictory or incomplete.

The purpose of seeking references is to allow employers to obtain factual information to support appointment decisions.

When to seek references

The Keeping Children Safe in Education guidance document states that schools and academy trusts should obtain references prior to interview, because this allows any concerns raised to be explored further with the referee and taken up with the candidate at interview.

The above guidance was clearly written with only teachers in mind who must inform their school if they need to take a day off to attend an interview at another school. This would similarly be the case for other term-time only staff member who works within a school. However, applicants applying for non-teaching posts may not come from another school, where the norm is not to inform their employer that they are applying for another job until they had at least provisionally secured that job. The risks to them could include being deprived of training or promotion or pay rises once the employer becomes aware of the fact they are seeking alternative employment. Therefore, requesting references for these applicants prior to interview has the potential to reduce the number of suitable applicants willing to apply for the post through fear of being treated less favourably by their current employer if they are unsuccessful in being offered the position.

Additional issues with reviewing references prior to interview are:

- That the panel is then provided with the referee's perspective of a candidate before they have had the opportunity to make their own judgement. A busy Headteacher who is rushed for time might provide a basic reference for an outstanding candidate whereas another Headteacher might provide an overly favourable reference for a mediocre candidate because they are keen to let them go for.
- Where the recruitment timeline is short, not all references may have been received in time to review before shortlisting or before the interview process begins.

Schools should consider the above information when deciding when to request references and whether references should only be requested for teachers prior to shortlisting and/or interview.

When requesting references, schools should:

- Provide a copy of the job description and person specification for the post;
- Not accept open references e.g. to whom it may concern;
- Not rely on applicants to obtain their own reference;

- Ensure at least one reference is from the candidate's current employer and has been completed by a senior person with appropriate authority (if the referee is a school, the reference should be confirmed by the Headteacher/Principal as accurate in respect to disciplinary investigations and relevant capability concerns*);
- Obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed;
- Secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children). If the applicant has never worked with children, then ensure a reference from their current employer;
- Establish the reason for the candidate leaving their current or most recent post;
- Ensure electronic references originate from a legitimate source;
- Always verify any information with the person who provided the reference (see Scrutiny of References below);
- Contact referees to clarify content where information is vague or insufficient information is provided (see Scrutiny of References below);
- Compare the information on the application form with that in the reference and take up any discrepancies with the candidate (see Scrutiny of References below);
- Consider the suitability of the alternative referee(s) for candidates with no previous employment history or only one previous employer;
- Ensure receipt of at least two satisfactory references;
- For teaching and leadership appointments, ensure references are requested from the Headteacher if the candidate is currently working in a school. If the appointment is for a Headteacher, the reference must be requested from the Chair of Governors. For all other appointments, references must be either from the candidate's line manager or another person more senior to them within the organisation with authority from the organisation to provide a reference. A work colleague will not be a suitable referee.

Scrutiny of references

Either the recruitment panel or its delegation have the responsibility for scrutinising references. This will include checking that the information is complete and consistent with information already provided by the candidate, either in their application form or during the interview stage. (The shortlisting panel may be a delegation of members from the full recruitment panel and if references are reviewed at the shortlisting stage, this review must be fed back to the full recruitment panel).

Where there is doubt about the appropriateness of a referee, a designate of the recruitment panel must seek further information from the candidate to clarify any doubt. The designate may also seek advice from their HR Advisor.

Medical information

Under the Equality Act 2010 it is unlawful for employers to ask job applicants health related questions before an offer of employment is made unless it is for specified reasons stated under the Act (see Section 8.3 of this Policy).

To avoid any claims from unsuccessful candidates for not being selected on health grounds, medical information should only be viewed after an offer of employment is made. This can be problematic when references are

requested and reviewed prior to the final selection of an applicant, as references sometimes contain information relating to the applicant's absence record and medical conditions that might have affected their employment. If references are requested and reviewed prior to shortlisting or final selection, it is recommended that someone independent of the recruitment panel scrutinises them to remove any reference to medical conditions or absenteeism that might relate to a medical condition before the panel view them.

Capability procedures*

In accordance with the School Staffing Regulations and the DfE Staffing and Employment: Advice for Schools document, as part of the appointment process for Headteachers and teachers, the Governing Board should, in a reference, ask previous employers for details about whether the individual has been subject to capability procedures in the previous two years. For maintained schools, the Governing Board must respond in writing to confirm whether that individual 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. This may impact on the appointment.

The above 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. Academies can ask for relevant information about a teacher's capability as part of their appointment processes.

Safeguarding allegations

Schools should ensure the information provided in references confirms whether the referee is satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold but should not include information about safeguarding concerns/allegations which are unsubstantiated, unfounded, false, or malicious. A recruitment panel should seek HR advice if they are in receipt of references which include information relating to safeguarding allegations.

Appendix 12 provides a reference pro forma that can be used when seeking references once a conditional offer of employment has been made (see separate forms for Teaching Staff and Non-Teaching Staff – Appendices 12 and 12A).

If the school adopts a different practice and seeks references prior to interview, an Example Reference Pro-forma template is available on the Schools HR Co-operative website that the school may use to request references. When a school requests references before an offer of employment is made, they must ensure that pre-employment references are received for all shortlisted candidates.

Appendix 13 provides a reference request letter template.

2. ID Checks

Identification checking guidelines can be found on the [GOV.UK website](https://www.gov.uk). ID checks should be made against all names by which the candidate is or has been known.

3. Medical Health Checks

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

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

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

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

Where driving for work is a feature of the job, schools must also ensure that the candidate meets the DVLA requirements (e.g. holds a valid driving license for the correct category of vehicle, check for any restrictions that may be indicated. Categories of vehicles and restriction codes can be found on the [GOV.UK website](#)). It is recommended that the prospective employee is not allowed to drive for work until they have been declared fit by occupational health as part of their pre-employment health check.

4. Qualification Checks

Candidates must be required to provide proof of their qualifications by producing documentation at the interview (relevant certificates or a letter of confirmation from the awarding body/institution). Where the candidate is unable to provide the original documentation, they must provide a properly certified copy.

5. Right to Work in the UK

Schools must ensure that any prospective employee has the right to work in the UK. If a school fails to carry out the necessary checks or if the checks are not properly carried out which results in the school employing a person who does not have the right to work in the UK, the school can face a fine of up to £20,000 for each illegal worker. Additionally, if the school knowingly employs a person who does not have the right to work in the UK, it may face a criminal prosecution.

For advice and guidance on matters to be aware of when carrying out this check, including the type of documents that may be accepted for this check, please refer to the [GOV.UK website](#) and also to the employer guidance on the [GOV.UK website](#).

For information about the sponsor licence and sponsoring migrant workers please refer to the [GOV.UK website](#).

6. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) Order 2013 also referred to as the Exceptions Order 1975 (2013 and 2020)

Under The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended applicants applying to work with vulnerable groups were required to declare all spent and unspent convictions. The amendments to this legislation now provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and will therefore not appear on a DBS Certificate, and cannot be considered when making decisions about a person's employment.

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

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

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

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

For those under the age of 18 at the time of the offence:

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

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

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

Only shortlisted candidates should be asked to complete a self-declaration form (See **Appendix 3A**) of their criminal record or information which might make them unsuitable to work with children. This information should not be requested in the application form to decide who should be shortlisted. A self-declaration is subject to the Ministry of Justice guidance on the disclosure of criminal records.

The purpose of a self-declaration is to give candidates the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received. Revealed disclosures may require the school to undertake a risk assessment process if appropriate, see **Appendices 14 and 15** for templates.

Candidates should be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign the hard-copy of the declaration form at the point of interview.

The Ministry of Justice and DBS advise that employers use the following statement and question:

“The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered ‘protected’. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.”

“Do you have any convictions or cautions (excluding youth cautions, reprimands, or warnings) that are not ‘protected’ as defined by the Ministry of Justice?”

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

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

A person will be engaging in regulated activity in the following circumstances:

Category A

- Teaching, training, instructing, caring for 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.

Category B

- Work undertaken for schools and colleges (known as specified places) which provides an opportunity for contact with children but not including work undertaken by supervised volunteers.

Category C

- Work which involves relevant personal care which 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 or
- Work which involves health care provided by or provided under the supervision of a health care professional; health care means care for children provided by, or under the direction or supervision of a regulated health care professional.

Work undertaken in either Category A and/or Category B above is regulated activity if:

- It is carried out frequently by the same person or
- The person carrying out the activity does so at any time on more than three days in any period of 30 days or
- For the purposes of the work referred to in Category A above (apart from driving a vehicle only for children), it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children.

Work undertaken in Category C is deemed to be regulated activity regardless of frequency or whether the person is supervised or not.

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

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

With effect from 17 June 2013 the DBS stopped issuing a copy of the DBS Certificate to registered bodies. Consequently, registered bodies are unable to notify the school of the results of a DBS check. Instead, schools need to ask the candidate for sight of their DBS Certificate. Candidates should be made aware of this at the time they are asked to complete a DBS application and they should further be made aware of the consequences if they fail to produce the certificate at the relevant time.

Schools can track progress of the DBS application and will therefore know when the status is complete. If the candidate fails to provide their DBS Certificate to the school within seven (7) days of the completion date, they should be reminded to bring their DBS Certificate to the school and informed about the implications of failing to do so. A template letter is provided at **Appendix 16** that can be given to the employee where they have failed to produce a DBS Certificate, without an acceptable reason and following the reminders. Schools should seek immediate advice from Schools HR where the individual fails to provide their DBS Certificate.

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

Further information about the DBS is available on the [GOV.UK website](https://www.gov.uk).

Where a school or college allows an individual to start work in regulated activity before the DBS certificate is available, then they must carry out a risk assessment and ensure that the individual is appropriately supervised and that all other checks, including a separate Barred List check, have been completed (see **Appendix 14** for a Risk Assessment Form template).

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

If the DBS Certificate reveals information that a candidate has not disclosed during the selection process, advice should be sought from Schools HR immediately. If any conviction information appearing on the DBS Certificate is different from the information supplied by the candidate, they should be asked for an explanation (it may be that the candidate has forgotten or incorrectly remembered information on convictions they have because they occurred a long time ago or the candidate was young when the offences occurred). Where there is a disclosure present, the school (dependent upon the information which is revealed), in deciding whether to proceed with the appointment, must carry out a risk assessment to make a judgment on whether the candidate poses a risk to or is otherwise considered unsuitable to work with children and young people – see **Appendix 15** for a Risk Assessment Form template to cover this scenario. If a judgement is reached that the candidate deliberately falsified the information supplied on the job application, this can be taken into account when considering whether the job offer should be withdrawn.

For further guidance, see the Flowchart on page 65, Part 3 of the Keeping Children Safe in Education guidance.

8. Professional Status Check

Verification of professional status where required, to ensure applicants have achieved the required teaching standards, e.g. Registration with the Teaching Agency, QTS status (unless properly exempted).

9. (For Applicants who have lived or worked outside the UK) Teacher Sanctions or Restrictions

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges. In addition, schools must make any further checks they consider appropriate so that any relevant events that occurred outside the UK can be considered.

These further checks should include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed (on or after 18 January 2016). Although restrictions imposed by another EEA regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the sanction or restriction being imposed when considering a candidate's suitability for employment. With effect from 01 January 2021 professional regulators in the EEA will no longer share information about sanctions imposed on EEA teachers with the Teaching Regulation Agency (TRA) and the TRA will no longer maintain a list which includes this information.

A letter of professional standing from the professional regulating authority in the country in which the applicant has worked can be asked for. Advice about the relevant regulatory or professional body, can be obtained from the UK National Information Centre for the recognition and evaluation of international qualifications and skills (UK ENIC).

The checks can also include an overseas criminal records check. The Home Office has published guidance on [criminal records checks for overseas applicants](#).

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

In a school in England in a post:

- Which brought the person regularly into contact with children or young people; or
- To which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young people; or
- In an institution within the further education sector in England, or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young people.

10. Secretary of State - Teacher Prohibition Orders (Section 141B Education Act 2002)

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

The School Staffing (England) Regulations 2009 require that schools:

- Must check that any person appointed to carry out “teaching work” is not a person who is subject to a prohibition order or interim prohibition order. Teaching work is defined by the Teachers’ Disciplinary (England) Regulations 2012 as: *“planning and preparing lessons and courses for pupils; delivering lessons to pupils; assessing the development, progress and attainment of pupils and reporting on the development, progress and attainment of pupils. These activities are not teaching work, if the person carrying out the activity does so [other than for the purposes of induction] subject to the direction and supervision of a qualified teacher or other person nominated by the Headteacher to provide such direction and supervision.”*
- Must record in the Single Central Record whether a check has been made that the person is not subject to a prohibition order or interim prohibition order.
- Must obtain confirmation from any supply agency whether a check was made to establish that the person is not subject to a prohibition order or interim prohibition order.

Information on factors relating to decisions leading to the prohibition from the teaching profession is available on the [GOV.UK website](http://www.gov.uk).

Schools can check the list of persons who have been prohibited from teaching via the Department for Education’s (DfE’s) [Teacher Services system](#). This is a free service available for schools and can be accessed through the [DfE Sign-in portal](#).

11. Secretary of State - Section 128 Direction (Section 128 Education And Skills Act 2008)

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

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

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

With effect from 01 September 2016, independent schools, including academies and free schools, should check that a person taking up a management position as described above is not subject to a section 128 direction made by the Secretary of State. Individuals taking part in ‘management’ may include individuals who are members of proprietor bodies (including governors if the governing board is the proprietor body for the school), and such staff positions as follows: headteacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from ‘taking part in management’ depends on the facts of each case.

With effect from 01 September 2018 maintained schools should check that a person to be appointed as Governor to their Governing Board is not subject to a section 128 direction made by the Secretary of State.

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

Please refer to the Keeping Children Safe in Education guidance for further information.

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

Schools are prohibited from employing a person who is disqualified under the Regulations from working with children who have not attained the age of 8.

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

Please also refer to the Schools HR model guidance Childcare Disqualification Checks, available on the [Schools HR Co-operative website](#), on checks required under these Regulations.

13. Checks on Agency and Third-Party Staff

Schools and colleges must obtain written confirmation from any agency, or third-party organisation they use, that the organisation has carried out the same checks as the school or college would otherwise on any individual who will be working at the school or college in respect of the enhanced DBS certificate. Schools and colleges must ensure that written notification confirms the certificate has been obtained by either the employment business or another such business. Where the certificate discloses any matter or information of concern, the school or college must obtain a copy of the certificate from the agency.

Where the position requires a Barred List check, this must be obtained by the agency or third-party prior to appointing that individual. The school must also check that the person presenting themselves for work is the same person on whom the checks have been made.

14. Checks on Trainee/Student Teachers

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

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

15. Checks on Volunteers

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

Volunteers, who on an unsupervised basis, teach or look after children regularly, or provide personal care on a one-off basis in schools will be in regulated activity (as referred to in section 7 above). The school should obtain an enhanced DBS certificate (to include barred list information) for all volunteers who are new to working in regulated activity.

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

The school or college should undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity. In doing so they should consider:

- The nature of the work with children
- What the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers
- Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability
- Whether the role is eligible for an enhanced a DBS check.

Details of the risk assessment should be recorded.

Appendix 10: Conditional Offer Letter to Successful Candidate

Dear *(Candidate name)*

RE: Application for the post of *(Insert Job Vacancy)*

I am pleased to inform you that following your interview, we would like to offer you the position of *(Position Title)* at *(Full School Name)*. The proposed start date of this post is *(Commencement Date)*.

The starting salary of the post will be at *(Scale and Salary Amount)* per annum / hour. This is a *(Contract Type)* position for *(Weekly hours and work pattern e.g. 30 hours per week, Term time only; 38 weeks etc.)*.

This offer is conditional upon the satisfactory outcome of any relevant checks made by the organisation to ensure your eligibility and suitability for the post.

These checks will include an Enhanced Disclosure and Barring Service (DBS) check, a satisfactory medical report and two written references together with documentary evidence that you have current and valid permission to work in the United Kingdom (Right to Work Check). *If there are any additional checks being completed for the post, please amend or add accordingly (overseas criminal records checks as an example)*.

If there are any further questions you may wish to ask about this offer of employment, please contact Alka Rajput, HR Lead directly by calling or emailing hr@marishandwillow.co.uk

If you commence your employment prior to all the relevant checks being completed, your appointment will be subject to a risk assessment, and you will be classed as a temporary employee. Your employment will not be confirmed until all the relevant checks have been completed and are satisfactory.

Marish Academy Trust reserves the right to withdraw this offer of employment should any of the required checks and references not be satisfactory, or if they are unable to complete these checks within a reasonable time.

If there are any further questions you may wish to ask about this offer of employment, please contact Alka Rajput, HR Lead directly by calling or emailing hr@marishandwillow.co.uk.

Yours sincerely,

(Name of Signatory)

Appendix 11: Letter to Unsuccessful Candidates

Dear *(Candidate Name)*

RE: Application for the post of *(Insert Job Vacancy)*

Thank you for attending the interview on *(Date)*.

I regret to inform you that you have not been successful on this occasion.

(State briefly reasons for decision)

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

Yours sincerely

(Name of Signatory)

Appendix 12: Employment Reference Request Form – Teaching Staff

NB: THIS TEMPLATE SHOULD ONLY BE USED FOR REQUESTING REFERENCES POST OFFER OF EMPLOYMENT. FOR FURTHER GUIDANCE PLEASE SEE APPENDIX 9, SECTION ON REFERENCES

EMPLOYMENT REFERENCE REQUEST FORM – TEACHING STAFF

STRICTLY CONFIDENTIAL

The information requested in this document is needed to help the recruiting organisation to make an assessment that the person who is making this application of employment is suitable to work with children/young people. Please note that the information you provide is subject to the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018.

Candidate Name:
Application for the post of:
Dates of Employment: From: To:
Current/Previous Job Title:
Current/Previous Salary (inc. grade if applicable):
Please describe the main duties and responsibilities of the candidate's current/last position within your organisation:
Please comment on the suitability of the candidate to the position applied for. A job description and person specification for the post is attached for your reference. (Please continue on a separate sheet if required).
Would you re-employ this candidate? Yes <input type="checkbox"/> No <input type="checkbox"/> If No, please provide details:

<p>Do you know of ANY reason why this candidate may not be suitable to work with children or young people?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide details:</p>		
<p>Why did this candidate leave your employment?</p>		
<p>How long have you known this candidate and in what capacity?</p>	<p>How long?</p>	<p>In what capacity?</p>
<p>How many days' sickness absence did the candidate have in the last two years?</p> <p>How many periods of sickness absence did the candidate have in the last two years?</p> <p>(Please exclude any protected characteristic related absences, e.g. pregnancy, disability and gender re-assignment)</p>		
<p>Was there any disciplinary action taken against the candidate? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide details. Please include:</p> <ul style="list-style-type: none"> • Details of any disciplinary procedures the candidate has been subject to in which the disciplinary sanction is current; and • Details of any disciplinary procedures the candidate has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired, and the outcome of those* ; and • Details of any allegations or concerns that have been raised about the candidate which relate to the safety and welfare of children or young people or behaviour towards children or young people, and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved*. <p>*For all safeguarding concerns/allegations, please provide facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold. You are not required to provide information about safeguarding concerns/allegations which are unsubstantiated, unfounded, false or malicious.</p>		
<p>Has the candidate been the subject of formal capability proceedings within the last two years?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide details of the concerns, duration of the proceedings and their outcome:</p>		
<p>NB: Please ensure that the reference is accurate and does not contain any material mis-statement or omission. The person appointing may contact you if clarification is required on any aspect of the reference. Relevant and factual content of the reference may be discussed with the candidate.</p>		

Signed:		Position:	
Name:		Telephone Number:	
School/ company		Date:	

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

Please return the completed reference to:

Alka Rajput, HR Lead
Marish Academy Trust
Swabey Road
Langley
SL3 8NZ
Email: hr@marishandwillow.co.uk

Appendix 12A: Employment Reference Request Form – Support Staff

NB: THIS TEMPLATE SHOULD ONLY BE USED FOR REQUESTING REFERENCES POST OFFER OF EMPLOYMENT. FOR FURTHER GUIDANCE PLEASE SEE APPENDIX 9, SECTION ON REFERENCES

EMPLOYMENT REFERENCE REQUEST FORM – SUPPORT STAFF

STRICTLY CONFIDENTIAL

The information requested in this document is needed to help the recruiting organisation to make an assessment that the person who is making this application of employment is suitable to work with children/young people. Please note that the information you provide is subject to the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018.

Candidate Name:
Application for the post of:
Dates of Employment: From: _____ To: _____
Current/Previous Job Title:
Current/Previous Salary (inc. grade if applicable):
Please describe the main duties and responsibilities of the candidate's current/last position within your organisation:
Please comment on the suitability of the candidate to the position applied for. A job description and person specification for the post is attached for your reference. (Please continue on a separate sheet if required).

<p>Would you re-employ this candidate?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If no, please provide details:</p>		
<p>Do you know of ANY reason why this candidate may not be suitable to work with children or young people?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please provide details:</p>		
<p>Why did this candidate leave your employment?</p>		
<p>How long have you known this candidate and in what capacity?</p>	<p>How long?</p>	<p>In what capacity?</p>
<p>How many days' sickness absence did the candidate have in the last two years?</p> <p>How many periods of sickness absence did the candidate have in the last two years?</p> <p>(Please exclude any protected characteristic related absences, e.g. pregnancy, disability and gender re-assignment)</p>		
<p>Does the candidate have any "live" disciplinary sanctions in force? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide relevant details:</p> <p>If a sanction has been applied relating to a safeguarding matter and the term of the sanction has expired, please provide details of the safeguarding matter.</p> <p>For all safeguarding concerns/allegations, please provide facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold. You are not required to provide information about safeguarding concerns/allegations which are unsubstantiated, unfounded, false or malicious.</p>		
<p>Is the candidate currently subject to capability proceedings?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide relevant details:</p>		

DECLARATION: I confirm that the information provided in this reference is accurate and does not contain any material mis-statement or omission. I understand that the recruiting organisation may wish to contact me for any clarification relating to this reference. Relevant and factual content of the reference may be discussed with the candidate.			
Signed:		Position:	
Name:		Telephone Number:	
School/ company		Date:	

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

Please return the completed reference to:

Alka Rajput, HR Lead
 Marish Academy Trust
 Swabey Road
 Langley
 SL3 8NZ
 Email: hr@marishandwillow.co.uk

Appendix 13: Reference Request Letter

Dear *(Named Referee)*

Strictly Confidential: Employment Reference

(Name of Candidate)

I refer to the above-named individual who has applied for the position of *(Job Title)* at Marish Academy Trust. Your details have been provided as a referee to support their application and I would be grateful if you could let me have your views on their suitability by completing the attached Reference Request Form. The Reference Request Form has been designed to follow the DfE recommendations for staff required to work with children and therefore, I would be grateful if you could complete all sections of the form.

To ensure expediency in the recruitment process, I would appreciate your response to this request at your earliest convenience. The Job Description and Person Specification have been provided to aid you in providing this reference.

If for any reason, you feel you are not able to provide a reference, please contact me by replying to this email as soon as possible.

Once complete, please return by email to: Alka Rajput at the following email address: hr@marishandwillow.co.uk

Please note that the information provided by you will only be used for the purposes of recruitment and selection and will be held in accordance with the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018. Only in exceptional circumstances will the reference be disclosed to the candidate and in such circumstances the referee's permission will be sought.

Yours sincerely

(Name of Signatory)

Appendix 14: Risk Assessment Form - Commencing Employment without a DBS Check in Place

Name of Employee:		Position Appointed To:	
Person Completing This Form:		Their Position Title:	

Section One: Pre-Employment Checks			
Has a new DBS Application been submitted for this individual?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>This should be completed before this Risk Assessment is started.</i>
Does the individual have a previous DBS Clearance Certificate available?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>If Yes, please detail the date of the certificate and if it is clear of disclosures.</i>
If the individual is working in Regulated Activity, has an independent Barred List Check been requested and confirmed as clear?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>This can be completed via the DfE Sign-in portal.</i>
At the time of application or subsequently has the individual made any voluntary disclosures?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>If Yes, these should be independently risk assessed and an explanation provided (please see Appendix 15).</i>
Does the individual require an Overseas Criminal Record Check to be completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Please refer to Appendix 9 for more guidance.</i>
Has a Right to Work check been completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Please refer to Appendix 9 for more guidance.</i>
Has the individual filled in an application form for the role, with any gaps or discrepancies being identified and explained in full?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>A candidate's full history should be explored in detail, and any gaps clearly explained. You should also probe into the reasons behind any multiple sudden moves in location.</i>
Has the individual left their previous employment, and was the reason for them leaving well established?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Please provide the reason for leaving.</i>
If this role involves Teaching Work has a Secretary of State - Teacher Prohibition Order been completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>This will only be applicable to candidates entering into teaching work. If N/A please do not complete this question.</i>
If this role requires a Section 128 Direction Check has this been completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>This will only be applicable to some candidates in certain school types. If N/A please do not complete this question.</i>
Does this post require a check relating to Disqualification under the Childcare Act 2006, and has this been completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>This will only be applicable to some candidates working with certain phase types/age ranges. If N/A please do not complete this question.</i>
Has a satisfactory pre-employment medical clearance be received?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>This can be done by your Occupational Health (OH) Provider.</i>
Have the essential qualifications required for this role been verified? (such as confirmation of QTS or First Aid Certification)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Qualifications required for the role should be kept on the personnel/CPD file and updated as required.</i>

Have two satisfactory references been received back, one of which is from the previous or most recent employer?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>References should be requested at the time an offer of employment is made, verified, and placed on the personnel file.</i>
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Section Two: Control Measures & Impact Assessment

What level and type of access will this post holder have to children and young people if their employment were to commence?	<i>Please detail here.</i>
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What type of supervision can be put in place (if any) to ensure that this post holder does not have unsupervised access to children and young people?	<i>Please detail here.</i>
---	----------------------------

Are there meaningful duties which this post holder can complete which do not require them to have access to children and young people?	<i>Please detail here.</i>
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What is the potential impact to the school and to normal service delivery if this post holder does not start work immediately?	<i>Please detail here.</i>
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If this post holder does not start work immediately, can their duties be reasonably carried out by another member of staff on an interim basis?	<i>Please detail here.</i>
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Section Three: Risk Assessment Decision

Following the completion of this risk assessment, what level of risk do you consider this individual to pose to the school, the pupils, the staff and the wider school community if they were to commence employment	HIGH RISK	MEDIUM RISK	LOW RISK
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without a DBS clearance in place? (Please highlight the level of risk and then select <u>either one</u> of the below outcomes).				
OUTCOME ONE:	Following the completion of this risk assessment, it is determined that the abovenamed individual may commence employment with the identified control measures detailed in place. They have been made aware of the safeguarding measures in place in this school. I undertake to personally review this situation and the status of their DBS check at intervals of no less than every two weeks. I have discussed with the individual that their employment continues to be subject to receipt of a satisfactory DBS check.			
OUTCOME TWO:	This individual will not start work until such time as the DBS check is completed and received by the school.			
Signed by person completing this form:		Date Completed:		
Date of risk assessment review:				
Signed by Employee:		Date:		
Authorised by Headteacher:		Date of authorisation:		

Appendix 15: Risk Assessment Form – When a Disclosure is Present on a DBS Certificate

The completion of this risk assessment form is the responsibility of the appointing manager or line manager as appropriate. It must be authorised by the Headteacher before the individual can start work or continue working with children or their records. This completed risk assessment form must be placed on the individual's personnel file in a separate section / sealed envelope marked "confidential". It should be retained on file for the duration of the individual's employment.

This risk assessment document is broken down into three parts, as follows:

PART ONE – Applicant Declaration

You should separate this part of the form and give it to the applicant to complete. You must only give it to the applicant once you have seen their DBS certificate and are aware that a disclosure is made on it. You MUST NOT give this part of the assessment to any applicant as part of the recruitment process.

PART TWO – Line Manager Checklist

This part of the risk assessment should be completed by the individual's line manager, the recruitment manager or school business manager or the headteacher.

PART THREE – Assessment of Risks

The final part of this document is for the headteacher to complete (if they have not already been completing the risk assessment) as they have the ultimate responsibility in school for safeguarding.

This risk assessment is designed to be used in conjunction with the Schools HR Co-operative's Model Safer Recruitment and Selection Policy. If you require any support or guidance around DBS checking, or risk assessments for disclosures then please contact a member of the HR Advice & Guidance Service before proceeding.

PART ONE – Applicant Declaration

As part of your pre-employment checks, the school is aware of a disclosure on **[DELETE AS APPROPRIATE]** your DBS Certificate / Self Declaration Form completed post shortlisting and in line with best practice, we require you to take part in this risk assessment process. Please be aware that a disclosure will not necessarily bar you from working with the school, however it will depend on the nature of the position that you are applying for and your circumstances at the time of the incidents or offences. Please be aware that to withhold information or to give false information will be regarded as an attempt to falsify records which may lead to dismissal.

Your Name:	
Job Title:	

DISCLOSURE 1 (Conviction, Warning, Reprimand, or Incident)

Date Listed on DBS:

Please describe what happened. It is useful to know who was involved, when it occurred, what occurred, where the incident or offence was committed and why it was committed. It is also necessary to explain how you, the applicant, now feel about the incident or offence.

DISCLOSURE 2 (Conviction, Warning, Reprimand, or Incident)

Date Listed on DBS:

Please describe what happened. It is useful to know who was involved, when it occurred, what occurred, where the incident or offence was committed and why it was committed. It is also necessary to explain how you, the applicant, now feel about the incident or offence.

If there are more than two disclosures present, please complete these using the template above on a separate piece of paper and securely attach (staple) them to this form.

YOUR DECLARATION: I certify that the information I have provided on this document is true and complete. I understand that to knowingly make a false statement or omit information may result in my dismissal.

Your Signature:		Date Completed:	
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PART TWO – Line Manager Checklist

This part of the risk assessment should be completed by the line manager of the individual, or the person responsible for carrying out the pre-employment checks.

Candidate's Name:			
Job Applied For:		Job Reference:	
Application Date:		Interview Date:	
Proposed Start Date:		Date Today:	

Have the following pre-employment checks been completed (please tick)?			
A satisfactory Right to Work check.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A full application form, which has been checked for any gaps in personal or employment history.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
At least 2 appropriate and satisfactory references.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Verification of the minimum qualification(s) required for the position.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A pre-employment medical check	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A prohibition from teaching check (if the applicant will undertake teaching work)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
A section 128 direction check (if applicable)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
An overseas police check (where applicable). If the overseas check is still in progress, please note that here:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

Applicant History (Part A)		
Did the applicant previously work for a school or education establishment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If Yes, has a reference from that organisation been obtained and does it contain any information which is concerning? (please detail here)		
Applicant History (Part B)		
At interview did the applicant cause any concerns with panel members in relation to their answers around safeguarding?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If Yes, please detail that briefly here and ensure that the interview notes accurately reflect the candidate's answers.

Name of the person completing this form:

Your job role / title:

PART THREE – Assessment of Risks

This part of the risk assessment should be completed by the Headteacher as the individual with ultimate responsibility for safeguarding. It may also be countersigned by the Chair of Governors if this is school policy.

Candidate's Name:

Job Applied For:

Job Reference:

Application Date:

Interview Date:

Proposed Start Date:

Date Today:

Is Part One Completed?

Is Part Two Completed?

Part A – Risk Assessment Questions

Did the applicant make the disclosure on their application form (post shortlisting) at the time of interview?

Yes

No

COMMENTS:

Does the individual agree that the information on the DBS certificate is accurate?

Yes

No

COMMENTS:

Were any (or all) of the disclosures related to a work setting?

Yes

No

COMMENTS:

Part B – Applicant Specific Questions

What are the individual's thoughts / feelings about the disclosures now? (do they show remorse?)

COMMENTS:

Were there any mitigating circumstances surrounding the disclosures? (i.e. was the person homeless, receiving medical / therapeutic treatment, was there a traumatic life event or was the disclosure at the time when the applicant was young – and if so, how many years have now passed)

COMMENTS:

<p>Has the applicant changed anything major about their life situation since the disclosures, or can they show any efforts they have taken to ensure they do not re-offend? (Have they received counselling for example, or do they attend a programme such as AA/GA/NA, or have they moved areas)</p>	<p>COMMENTS:</p>	
<p>Do the disclosures form a pattern of any kind, or show a repeat motivation (such as theft to provide for themselves)?</p>	<p>COMMENTS:</p>	
<p>Part C – Assessing the Risk at Work</p>		
<p>What, if any, involvement does this post have with the public, and does the disclosure have an impact on this?</p>	<p>COMMENTS:</p>	
<p>Does the nature of the disclosure cause a concern around any of the duties of this role?</p> <p>For example, if the disclosure is driving related, does the role require a clean licence. Or if the disclosure is finance related, does the role require management of school finances?</p>	<p>COMMENTS:</p>	
<p>Does the nature of the disclosure cause a concern around interaction with children and young people?</p>	<p>COMMENTS:</p>	
<p>Can effective safeguards be put in place to remove any risk (such as not allowing the individual to work unsupervised)?</p>	<p>COMMENTS:</p>	
<p>What supervision is already in place for this post holder, regardless of their disclosure?</p>	<p>COMMENTS:</p>	
<p>Part D – Judgement</p>		
<p>Considering all the information contained within Part one, two and three of this risk assessments; what category do you place this individual (please circle):</p>		
<p style="text-align: center;">LOW RISK</p> <p>No control measures are needed, the post holder may start work as normal.</p>	<p style="text-align: center;">MEDIUM RISK</p> <p>Control measures are required as detailed below.</p>	<p style="text-align: center;">HIGH RISK</p> <p>The risk to staff and pupils is deemed too high and we will not proceed/ we will terminate this employment.</p>

Control Measures (Medium Risk Factor) which will be implemented (please include as much detail as possible, including when the control measures will be reviewed and monitored and who will have operational responsibility for this):

Headteacher's Signature:	
Headteacher's Name:	
Date:	

If the HIGH RISK factor has been allocated, we suggest that before taking action you contact a member of The Schools HR Co-operative HR Advice & Guidance Service for further guidance on potentially terminating this employment.

Appendix 16: Failure to provide a DBS Certificate Letter

Failure to provide a DBS Certificate Letter

Dear *(employee name)*

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

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

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

Yours sincerely

Headteacher

Appendix 17: Guidance on Online/Internet Searches on Shortlisted Candidates

Guidance on Online/Internet Searches on Shortlisted Candidates

As part of the shortlisting process, the KCSIE guidance states schools and colleges should consider carrying out an online/internet search via their preferred search engine as part of their due diligence on the **shortlisted candidates** in relation to safeguarding and suitability to work with children. This search 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 candidate at interview.

KCSIE guidance does not require a school to conduct online searches and schools should decide for themselves whether they have sufficient information to judge the suitability of shortlisted candidates or whether an online search would further aid the process.

Where a school decides to carry out an online search as part of the recruitment process, this should be reflected in the advert text indicating online searches will be carried out on shortlisted candidates. The school should also notify applicants in advance and confirm, as a matter of good practice, that shortlisted candidates will have a chance to address any areas of concern, revealed by the search, at the interview.

The school should also identify and define in advance, the scope and purpose of the search. Schools **must** be consistent in their approach when carrying out a search for **all** shortlisted candidates.

The person appointed to undertake the online search must bear in mind that this search is part of a safeguarding check, and should therefore purely base their search on whether the candidate is suitable to work with children. To avoid unconscious bias and risk of discrimination, care must be taken when selecting the type of information to look for and how the information should be filtered before sending on to the interview panel. Information that is relevant and of concern, which suggests that the candidate is unqualified for the role and/or poses a potential safeguarding risk or risks damaging the trust or reputation of the school, should only be shared with the panel. So in line with this approach, it is advised the person conducting these checks should not be a member of the panel nor be responsible for making any recruitment decisions.

Any information disclosed by the search which highlights inconsistency or areas of concern should be explored with the candidate at the interview.

When carrying out an online search, caution must be exercised as the results of an online search may be misleading. Information you find may:

- Be out of date
- Be out of context or untrue
- Relate to someone else, especially if the candidate has a common name or uses a pseudonym

The data protection principles apply to online searches the same as any other part of the application process. Searching for and collecting information about a candidate counts as a data processing activity and therefore engages the data protection principles.

NB: An online check is not a replacement or an alternative for other recruitment checks that a school is required to undertake.