



# Snape Wood Primary and Nursery School

## Excellence for All

**‘We are a small school that makes a big difference’**

**‘To provide excellence for all within a happy, safe, and  
stimulating  
learning environment’**

# RECRUITMENT AND SELECTION POLICY

SNAPE WOOD PRIMARY AND NURSERY SCHOOL	
Approved by: Full Governing Body	Date: Spring 2023
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## **RECRUITMENT AND SELECTION GUIDANCE FOR SCHOOLS**

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## **1. INTRODUCTION**

- 1.1 This guidance is provided to schools purchasing Nottingham City Council's HR Advisory Service and is intended to support the model School Safer Recruitment Policy, where adopted.
- 1.2 The guidance is intended to assist schools with appointments of both teaching and non-teaching staff, with an emphasis on ensuring the safety of children. Further specialist support is available to schools, via the City Council's HR Advisory team, to assist with a variety of recruitment needs, including leadership appointments, targeted campaigns and strategies to address hard to fill posts, technical recruitment issues and apprentice recruitment. These services are available to all schools and academies on a pay-as-you-go basis from the HR Advisory Service at [schools.hrenquiries@nottinghamcity.gov.uk](mailto:schools.hrenquiries@nottinghamcity.gov.uk).
- 1.3 School leaders and governors who are undertaking recruitment and selection should have a good understanding of safer recruitment practices, and a minimum of one person must have successfully completed a recognised Safer Recruitment in Education training course (see 4.5 below).
- 1.4 Schools must ensure that all recruitment processes are compliant with equal opportunities, current statutory provisions and guidance, and with school policies, including the school's current pay policies for teachers and support staff.

## **2. MAKING APPOINTMENTS**

- 2.1 The appointment of staff in maintained schools is governed by the provisions of the Education Act 2002.
- 2.2 The governing body has overall responsibility for all staff appointments in its school and, with the exception of the appointment to leadership posts (i.e. headteachers and deputy/assistant headteachers), may delegate this responsibility to the headteacher, an individual governor, or a group of governors, with or without the headteacher.
- 2.3 The governing body, or headteacher where delegated, should determine who will be involved in the selection process (see 10.1-10.5 below on panel selection).
- 2.4 The City Council should be notified whenever a maintained school has a vacancy for a leadership post. A representative of the City Council may be invited to attend the recruitment process, in order to give advice to the recruitment panel, or alternatively the City Council may request that they participate.

### **3. PRINCIPLES OF EFFECTIVE RECRUITMENT AND SELECTION**

- 3.1 The principal aim of the recruitment and selection process is to ensure that people with the right combination of knowledge, competencies and personal attributes are appointed to the school, and that all recruitment decisions are safe.
- 3.2 Governing bodies and headteachers should ensure that they are fully compliant with legal requirements relating to employment in schools.

### **4. LEGAL REQUIREMENTS**

- 4.1 Schools must ensure that they comply with all statutory provisions and guidance (including any subsequent amendments and additions to those identified below).

#### **Safeguarding Children and Young People – Safer Recruitment**

- 4.2 Safer recruitment in practice means thinking about and including issues to do with child protection and safeguarding, and promoting the welfare of children and young people (referred to as 'children' in this document) at every stage of the process, including:
- planning the recruitment and clarifying in the advert the school's commitment to safeguarding and promoting welfare (see sample statement in 4.4);
  - obtaining, collating, analysing and evaluating information from and about applicants;
  - making the appointment and following this through in the subsequent induction to the school and beyond.
- 4.3 Under section 175 of the *Education Act 2002*, governing bodies of maintained schools are required to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. It is vital that schools adopt recruitment and selection processes that help deter, reject and identify people who might abuse children (and also potentially abuse vulnerable adults) or are otherwise unsuited to work with them, in order to safeguard children. Schools should ensure that they follow the statutory guidance *Keeping Children Safe in Education – March 2015*, issued by the Department for Education (DfE) under the Act (or subsequent version). (<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>)
- 4.4 Schools should publicise their commitment to building and maintaining a safe environment which safeguards and promotes the welfare of children and staff by the use of a general statement similar to the following:

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

- 4.5 Each recruitment panel must have a minimum of one person who has successfully completed a currently recognised Safer Recruitment in Education training course. The City Council's Safeguarding team can provide details of approved courses (contact [safeguarding.partnerships@nottinghamcity.gov.uk](mailto:safeguarding.partnerships@nottinghamcity.gov.uk)). On-line training courses are available from the NSPCC at <http://www.nspcc.org.uk/what-you-can-do/get-expert-training/safer-recruitment-education-course/>. It is also recommended that recruitment panels are reflective of the diversity of the school community (see 10.3).
- 4.6 The *School Staffing (England) Regulations 2009* (as amended in 2012, 2013 and 2014) and related *Guidance on managing staff employment in schools* explain what is required of governing bodies, local authorities and headteachers by the Regulations. Where appropriate, guidance is also given in relation to other Acts and Regulations relevant to the employment of staff in maintained schools.
- 4.7 The Safeguarding Vulnerable Groups Act 2006 was introduced as a result of the recommendations of the Bichard enquiry following the Soham murders. It aims to prevent unsuitable people from working (either paid or unpaid) with children or vulnerable adults by making provision for the vetting all those who wish to do such work. Part 5 of the Protection of Freedoms Act 2012 shaped further the vetting requirements, which resulted in the current Disclosure and Barring Service (DBS).
- 4.8 The DfE's *Statutory guidance: Disqualification under the Childcare Act 2006*, published in March 2015, relates to the application of the Childcare (Disqualification) Regulations 2009 and obligations under the Childcare Act 2006 in schools, with regard to a range of relevant offences that may have been committed by staff and those who live or work in their household ('by association'). This applies to those working with Early Years (nursery and reception) children during and out of school hours and in Later Years (up to and including age 7) on school premises out of school hours. For further information see Appendix 15 and <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006> or speak to the school's HR advisor.

### **Employment law**

- 4.9 The Immigration, Asylum and Nationality Act 2006 makes it a criminal offence for an employer to employ those who do not have permission to live and work in the United Kingdom (see Appendix 14 on Right to Work).
- 4.10 Schools must comply with the provisions of the Equality Act 2010 and must not discriminate on the grounds of race, sex, marriage, disability, sexual orientation, age, religion/religious belief or any other recognised characteristic, at any stage of the recruitment process, to ensure equal opportunity to all. In some situations, reasonable adjustments may need to be made to afford applicants an equal opportunity to participate in the recruitment process. This question should be asked when inviting applicants to interview (see Appendix 11 for example).

- 4.11 The governing body is responsible for the equality monitoring of its recruitment and selection decisions and for reviewing the composition of the school's workforce.
- 4.12 Schools should consult their HR advisor for further guidance, as required.

## **5. THE JOB VACANCY**

### **Reviewing the post**

- 5.1 When a vacancy occurs, it is important to invest time in gathering information about the nature of the job. This means considering not only the content/tasks, but also the job's overall purpose, the outputs required from the postholder, how it fits into the overall structure of the school and compliance with the school's relevant pay policy and the current School Teachers' Pay and Conditions Document (STPCD).
- 5.2 The headteacher and governing body should review the job and consider the following:
- Is the post still required?
  - Is there a need to re-focus support or finance?
  - If it is still required, is it needed at the same level? (Have the duties changed? Is there a need for any change in the foreseeable future? Does it need re-evaluating in the case of changes to the job description for a support post? See 6.2 and 6.3 below)
  - Is there a need for any changes to the hours or contract, bearing in mind current and future requirements?
- 5.3 In terms of the wider context, the following could also be considered, as appropriate:
- a) The current situation:
- Probable/intended future developments
  - The strengths of current staff
  - Make-up of the workforce
  - Gaps in curriculum/age range expertise
  - The aspirations and needs of the remaining staff for a personal change of role
  - Requests for changes of hours or job sharing arrangements
  - If it is a leadership post, there may be a need to review the whole leadership range, consistent with the current STPCD provisions
- b) The needs of the school which may involve discussion with:
- members of the governing body
  - the senior management team
  - other staff in the school
  - current and past postholders
  - LA advisors



- Resourcing consultant

### **Timing of the appointment**

- 5.4 It is important to plan a realistic outline timescale which allows sufficient time for advertising, in order to attract the widest pool of potential applicants and for the processes necessary to fill the post.
- 5.5 Timing is particularly important when recruiting teachers who are under a minimum of two months' notice and, in the summer term, three months terminating at the end of school term. All headteachers are under a minimum of three months' notice and, in the summer term, four months, terminating at the end of a school term, as defined below:-
- The summer term from 1 May to 31 August
  - The autumn term from 1 September to 31 December
  - The spring term from 1 January to 30 April

Therefore:

<b>To leave at the end of...</b>	<b>Teachers must resign by:</b>	<b>Headteachers must resign by:</b>
Autumn Term (31 December)	31 October	30 September
Spring Term (30 April)	28 (29) February	31 January
Summer Term (31 August)	31 May	30 April

### **Consideration of restructuring needs**

- 5.6 Vacant posts should be examined in the context of planned management of staffing over a period of time. For example, in cases of restructuring in the school, consideration should be given to the possibility of internal appointments, with appropriate training if necessary (see 7.1 below).

### **Job analysis/exit interviews**

- 5.7 An exit interview can be a useful aid to reviewing the job role and revising the job description and person specification. This is an interview with the previous postholder, prior to them leaving the employment of the school or transferring to another post. It gives the experienced job holder the opportunity to comment on the role and suggest ways it could be amended to improve its effectiveness. It will also help to provide a realistic assessment of the weighting of the various tasks involved in the job. Exit interviews may also be useful for other purposes, in relation to staff retention, support and welfare.

### **Internal appointments**

- 5.8 Where a post is to be filled internally, all staff should be given the chance to apply and the general principles of this guidance should be followed to ensure equal opportunity to all.

## **Fixed term appointments**

- 5.9 Where a temporary vacancy arises, schools must ensure that a fair and open recruitment and selection process is undertaken. The vacancy should be advertised and the advertisement should clearly stipulate the reason for, and the duration of, the fixed-term post. This information should be reiterated at all stages of the selection process, i.e. at interview, in the appointment letter and statement of particulars. The school's HR advisor can give further guidance on this, including the implications of continuous service entitlement and of extending the end date of the post in the future.

## **Teaching and Learning Responsibility (TLR) payments**

- 5.10 Schools should ensure that they comply with the latest STPCD when considering advertising posts that carry TLRs, particular care should be taken in relation to those applied to fixed term posts.

## **6. JOB DESCRIPTION AND PERSON SPECIFICATION**

- 6.1 The job description and person specification for the vacant post must be sent to all prospective applicants.

### **Support staff**

- 6.2 For schools who have been through Single Status, a wide range of evaluated job descriptions are available on the extranet or via the Job Evaluation (JE) team, and these should be used wherever possible to minimise the risk to the school of an equal pay challenge.
- 6.3 If the school feels that none of these fit their needs and they require a bespoke job description and person specification, advice should be sought from the JE team in the first instance. All new or revised job descriptions must be evaluated by the JE team, using the City Council's job evaluation scheme, before use to ensure equal pay compliance.

### **Teaching posts**

- 6.4 For teaching posts, details of key responsibilities can be found in the latest STPCD. Schools should also ensure that they include any relevant teacher and headteacher standards.

### **General guidance**

- 6.5 The wording used in job descriptions and person specifications must be carefully chosen to ensure that they accurately reflect the post, are measurable, and also that there is no possibility of direct or indirect discrimination.

## **Job description**

- 6.6 The job description should outline the main duties of the post and identify lines of accountability and reporting, in order for applicants to be fully informed of the responsibilities expected of the postholder.
- 6.7 The job description (see Appendix 1 for template) must also clearly set out the grade and level of the post and the individual's responsibility for promoting and safeguarding the welfare of the children and young people (see sample statement in Appendix 1).

## **Person specification**

- 6.8 The information in the job description should be used to produce a person specification (see Appendix 1), which will form the basis for shortlisting and at all subsequent stages of the selection process, and help to ensure objectivity.
- 6.9 The person specification should clearly state the minimum level of skills, knowledge, experience and qualifications required from a successful candidate.
- 6.10 Any criteria included in a person specification should be realistic, justifiable and measurable. Including unnecessary criteria may be discriminatory and could reduce the possibility of otherwise good candidates progressing through to the next stage of the recruitment process.
- 6.11 The person specification (and the job description) must not state that a candidate should be of a particular age, ethnic origin, religion etc. However, in exceptional circumstances, for example, in some faith or single sex schools, or other situations where there is a specific occupational requirement, such as the supervising of changing facilities, there may be a case for the postholder to have a particular protected characteristic under the provisions of Schedule 9 of the Equality Act 2010. Schools should always seek HR advice before this is included in the person specification and should make reference to the relevant legislation in the advert.
- 6.12 Schools should also include information on the person specification that gives candidates an indication of how the individual criteria will be assessed (e.g. application form, interview, test, etc.). This is done by placing a tick in the appropriate column for each requirement. It is recommended that at least two methods of assessment are noted for each requirement (e.g. 'application form' and 'test'), where possible, to ensure candidates have a good opportunity to demonstrate their suitability.
- 6.13 When assessing a candidate, the panel must not make assumptions about an applicant's ability to meet specific criteria, for example, if they have a young family or a caring responsibility, the panel should assume that the candidate has already taken the requirements of the job

(providing they are clear) into consideration and made a conscious decision that they can meet these. Specific realistic requirements, such as a need to be on call during the evening or weekend, should be made clear to enable applicants to decide for themselves whether they can meet the requirements.

- 6.14 Where a candidate has a disability, the panel will need to consider whether a reasonable adjustment to the role/working environment can be made that will enable them to meet the necessary job requirements and to demonstrate this at interview. Schools should seek HR advice where necessary.

## **7. AT RISK CANDIDATES**

- 7.1 In accordance with the City Council and school's intention to minimise redundancy, it is important that consideration is given to any staff at risk of redundancy through restructuring or other redeployment issues. Further information can be found in the City Council's 'Restructuring Principles and Redundancy Guidelines for Schools' (available for HR advisory customers) or from the school's HR advisor.

## **8. ADVERTISING**

- 8.1 To help decide on the most appropriate recruitment advertising method the following should be considered:
- The type of post
  - Where the school labour market is located
  - The type of person required, as defined in the person specification
  - The resources available at the time e.g. budget, time available for advert to run according to the media preferred
  - Concerns about under-representation in the existing workforce

### **Preparing adverts**

- 8.2 Adverts should be based on information in the job description and person specification and should not contain any additional information other than that used for marketing purposes (e.g. brief information about the school). They should clearly state the grade and level of the post, hours and salary, and the closing date. It is helpful to include any essential (and justifiable) requirements, particularly experience and qualifications, in advertisements to help applicants to select appropriate vacancies.
- 8.3 Schools should avoid any jargon or terminology in advertisements which may be confusing or discriminatory.
- 8.4 The advertisement should include a statement about the employer's commitment to safeguarding and promoting the welfare of children (see

4.4 above) and equal opportunities, and reference to the need for the successful applicant to undertake and pass any checks relevant to the position (e.g. enhanced DBS, staff suitability declaration, right to work), as well as the usual details of the post, salary, qualifications, etc.

- 8.5 Wherever possible a date for interviews should be included in the advertisement or applicant information pack, to ensure that applicants have advanced notice of when they would need to be available, if shortlisted for interview.
- 8.6 Advertisements should state clearly if the job is fixed term, and the reasons for this, and any information that could have an impact on its long-term future. The end date (or approximate end date) should be specified if it is known for a fixed-term post.

### **Advertisements for teaching posts**

- 8.7 Posts should be advertised clearly specifying the minimum and maximum salary levels, consistent with the school's pay policies for teachers and support staff, and the current School Teachers' Pay and Conditions Document (STPCD). Schools must ensure that sufficient budget exists to enable an appointment at the top of the specified salary range, if necessary to obtain the best candidate.
- 8.8 Where a post is being advertised on a particular range, e.g. mainscale only, this should be clearly stated, enabling teachers to de-select themselves if the salary is not of interest to them. Candidates should be reminded of the salary range during the process to avoid any confusion if selected.
- 8.9 Advertisements should indicate whether there are any Teaching and Learning Responsibility (TLR) payments attached to the post and provide information in relation to the responsibilities that relate to these.

### **Placing Adverts**

- 8.10 The Employee Service Centre (ESC) at East Midlands Shared Services (EMSS) can assist with the placement of advertisements. Appendix 2 provides further information.

### **Where to advertise**

- 8.11 It is important to know where suitable applicants can be found and how best to make contact with them to secure their application. It may be useful to consider the following:
- a) Advertisements
    - Local, regional and national newspapers
    - Internal bulletins
    - Minority/religious newspapers and journals
    - Eteach and other internet sites

- Extranet
- Professional Journals
- Shops/public places
- Notice Boards

(NB: beware of longer circulation periods for some publications e.g. for monthly journals, which may impact on the closing date)

- b) Contacting schools, colleges and universities, etc.
- c) The City Council's HR Service Redesign team for information about staff at risk in other schools
- d) Job centres/careers services

8.12 When considering the placing of advertisements, care should be taken to avoid confining them to those areas or publications which could exclude or disproportionately reduce the number of applicants from a particular group, e.g. gender, ethnic origin or disability. Adverts can be used to encourage applications from groups that are under-represented amongst the staff, or individuals who might meet the needs of specific pupils, for example, schools may wish to consider positive action opportunities, such as using the ethnic minority press to advertise posts requiring experience of working with ethnic minority pupils or bilingualism, or including a statement to encourage applications from people who share an under-represented protected characteristic e.g. *'we particularly welcome applications from black and minority ethnic candidates as they are currently under-represented at this school'*. However, schools should ensure that posts are also advertised in a medium that offer the opportunity for circulation to a wide potential range of applicants.

### **Word of mouth recruitment**

8.13 It is important to ensure that a formal and approved recruitment and selection process occurs for each vacancy. Therefore, word of mouth recruitment, whilst useful to attract applicants for certain roles, should not be used as the sole method of filling a vacancy.

## **9. RECRUITMENT PACKS**

9.1 All applicants should be provided with as much information as possible when they apply for a post. This will enable them to assess whether they feel they are suitable and want to apply for the position.

9.2 The content of the information pack will vary from post to post but, as a minimum, applicants should be provided with:

- Covering letter (see Appendix 3)
- A copy of the advert

- Application form (see Appendix 4)
- Job description and person specification
- Guidance to applicants (see Appendix 5)
- Additional information about the post, as appropriate, including hours of work, salary, grade and level
- Clarification regarding whether the post is to work term time only or for 52-weeks per year and any salary consequences of this
- Note about possible implications for internal applicants in relation to any additional hours worked as a result of Single Status (if applicable)
- The end date of any fixed term post
- The school's Equal Opportunities Policy
- Details of any pre-employment checks that the applicant must comply with for the post (Appendix 6 may be used to summarise this information for the applicants and see 11.24 to 11.37 onwards for further information), which may include:
  - At least two satisfactory references
  - Verification of Right to Work (to comply with the Immigration, Asylum and Nationality Act 2006)
  - Photo identification
  - Enhanced DBS check (with or without Barred List)
  - Compliance with Disqualification requirements under the Childcare Act 2006 and completion on the staff suitability declaration (Appendix 15)
  - Disclosure of convictions and advice that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974
  - Verification of the candidate's medical fitness
  - Verification of relevant qualifications required by the job
  - Verification of professional status where required e.g. qualified teacher status using the Employer Access Online service
  - (for teaching posts) verification of successful completion of the statutory induction period (applies to those who obtained QTS after 7 May 1999) using the Employer Access Online service
  - Prohibited check using the Employer Access Online service (teachers only)
  - (for non-teaching posts) satisfactory completion of the probationary period
- Schools may wish to include information on the staffing and management structures of the school
- Any other relevant material to attract candidates (e.g. school prospectus, local information, etc.).
- Guidance on applying for a post on a job share basis
- What will happen on receipt of their application (e.g. if they have not been contacted by a certain date they should assume that they have been unsuccessful and thanked for their application)

## **10. ASSESSMENT AND SHORTLISTING OF APPLICANTS**

### **Selection panel**

- 10.1 Schools may have designated governors or a staffing committee for the purpose of appointing staff. If neither exists, then a selection panel

should be convened by the governors and/or headteacher, ensuring balanced representation where possible, and appropriate expertise. The governing body should be represented on all panels.

- 10.2 There are no grounds for excluding teacher governors under the School Governance Regulations, other than for pecuniary or conflict of interest reasons. Any interests must be disclosed to the chair prior to recruitment commencing.
- 10.3 Interviews must not be carried out on a one-to-one basis as this increases the scope for bias. Consideration should also be given to having a representative panel (ideally reflective of the diversity of the school community) and to the size of the panel. Too many members can be intimidating and this may also create logistical problems in terms of seating plans, asking questions, convening meetings, etc. It is best practice to have an odd number of panel members, ideally this is recommended to be three people, at least one of whom must have undergone Safer Recruitment in Education training (see 4.5 above).
- 10.4 Once a panel has been agreed, members should remain unchanged throughout the process (other than in exceptional circumstances), and particularly during the interview process.
- 10.5 Representatives from external agencies and technical experts may be invited to attend selection interviews where appropriate, e.g. when a post has a significant working relationship with that agency, in an advisory capacity or to advise on candidates' performance in a test. These representatives do not have decision-making rights.

### **Shortlisting**

- 10.6 All applications must be treated confidentially and only shared with those individuals involved in the recruitment process. The Equality and Diversity identification (E&D ID) number for each application should be recorded on the front of the application form and also on the Equality and Diversity Monitoring Form. The two forms should then be separated and the shortlisting panel should receive only the application form, to ensure anonymity and equal opportunity. The E&D Monitoring Forms should be retained confidentially and securely until shortlisting has been completed and should be consulted before applicants are invited to interview, to ensure that reasonable adjustments can be made.
- 10.7 Shortlisting is a process whereby the selection panel assesses consistently whether or not each candidate has demonstrated in their application that they have met the requirements of the post ticked in column 'A' of the person specification.
- 10.8 Shortlisting should commence as soon as possible after the closing date. Late applications are not normally considered. Where a school has known recruitment difficulties or a low number of applicants, a decision may be taken to relax this rule. However, once one late application is



accepted, all other late applications for the same post should also be accepted.

- 10.9 Where a large number of applications are received or anticipated for a post, the panel may identify a small number of key requirements that they consider applicants must fully meet in order to progress to the interview stage. This may help to reduce the numbers. It must be done early in the process, before the names of any applicants are known to the panel, to avoid any allegation of bias. The choice of these requirements must be clearly justifiable to applicants, if challenged.
- 10.10 When considering applications against the criteria on the person specification, panel members should independently record their decisions as to the degree to which each requirement has been met, in an agreed format, such as a shortlisting grid (a sample is shown in Appendix 7).
- 10.11 Panel members should initially shortlist individually, and then meet to discuss and agree their findings, and draw up the final shortlist. All members of the shortlisting panel must have equal status and contribute to the process accordingly. Panel members should make objective decisions, based solely on the information provided by the applicant, not on prior knowledge or assumptions.
- 10.12 Applicants should not be contacted until shortlisting is fully completed. This will help to ensure that equality of opportunity has been afforded to all.
- 10.13 There is no agreement as to the ideal number of applicants who are shortlisted as this will be dependent on the number who meet the requirements. There is no minimum number of shortlisted applications specified; however, where the number is low, a judgement will need to be taken on whether it is viable to continue with the selection process. It is not acceptable to apply additional criteria that do not appear on the person specification, when there are a large number of candidates; however the early consideration of key requirements (see 10.9 above) may be useful, but must be done at an early stage to prevent bias.
- 10.14 Advice should be sought in relation to any criminal convictions, cautions, or other concerns arising from essential checks as a view will need to be taken by the panel about the applicant's suitability to continue in the process. Other areas of concern should be raised with the candidate during the interview.

### **Curriculum vitae (CV)**

- 10.15 CVs are not generally acceptable as an alternative to an application form as these are likely to only contain the information that the applicant wishes to present and may omit relevant details. The only exception being for applications to leadership posts.

### **Requirements for qualifications**

- 10.16 Where qualifications are genuinely required for the post, such qualifications must be indicated on the person specification or in the documentation sent to the applicant. Candidates should be asked to show proof of relevant qualifications prior to appointment. It is recommended that relevant documents are brought to the interview and verified, with copies taken.

### **Overseas qualifications**

- 10.17 Not all overseas qualifications are equivalent to those awarded in the UK. Where there is any doubt, the standard of those qualifications should be checked with the appropriate agency.

### **Level of qualifications**

- 10.18 Applicants should not be turned down because they are deemed to be over-qualified or over-experienced for the vacant post. If the job description and person specification are well set out, an individual should have a clear understanding of the post and will decide for themselves if they wish to be considered or not.

### **Shortlisting disabled applicants**

- 10.19 It is recommended that schools adopt a policy whereby all suitably qualified disabled candidates, who meet the basic criteria outlined in the person specification, are invited for interview.
- 10.20 Once shortlisting has been completed, disabled candidates should be contacted to discuss any reasonable adjustments that will allow them to fully participate in the interview process.

### **Notifying unsuccessful applicants**

- 10.21 Candidates who are not shortlisted should either receive notification of this as soon as possible, or, as in most cases, a date should have been specified in the recruitment pack after which they should assume that they have not been successful.

### **Retaining documents**

- 10.22 Shortlisting documents should be retained confidentially for 12 months after the appointment has been made, this is in order to respond to queries and complaints about the process and/or decision.

## **11. REFERENCES AND PRE-EMPLOYMENTCHECKS**

### **Requesting references**

- 11.1 References should be sought for all shortlisted candidates, including internal ones, and ideally be obtained before interview, so that any issues of concern can be explored further with the referee, and/or taken up with the candidate at interview.

- 11.2 Applicants should be made aware at the application stage that references will be sought prior to interview.
- 11.3 At least two references should be requested for each shortlisted applicant, one of which should be the current or most recent employer. If the applicant is not currently working with children, but has done so in the past, either on a paid or voluntary basis, a third reference should be sought from the employer for whom the candidate was most recently employed to work (paid or voluntary) with children. Applicants should be made aware of this at the application stage (see guidance for applicants Appendix 5). The school reserves the right to contact other previous employers for a reference where this is deemed necessary, in exceptional cases.
- 11.4 Caution should be taken when scrutinising references from employers so that, wherever possible, references are given by the most relevant person. In schools, references should normally be addressed to the headteacher.
- 11.5 In exceptional circumstances, a candidate may request that their current employer is not contacted prior to interview. It is up to the chair of the interview panel, advised by the school's HR advisor, as to whether they respect this request.
- 11.6 It should be acknowledged that there may sometimes be personal difficulties between individuals and their employers (past and present) which may explain why an applicant may not want an employer to be contacted. There should be an opportunity for candidates to explain these circumstances at interview and an expectation by the interview panel that they will do so.
- 11.7 Appointments should not be confirmed without satisfactory references being received for both internal and external candidates. Where references have not been received or, in exceptional circumstances, not taken up prior to interview, conditional offers of employment only should be made, subject to receipt of satisfactory references, and all other checks for the post.
- 11.8 Please note it is not possible to justify making an appointment purely on which candidate references have been received for. The selection decision must always be based on an objective assessment of their suitability.
- 11.9 Requests for references should normally be sent out at the same time as the invitation to interview letters (see 11.5 and 11.6 for exceptions) and should include a copy of the relevant job description and person specification.
- 11.10 The use of a reference request pro forma can help to ensure that the reference provides valuable, useful and specific information. A template letter and questionnaire are provided in Appendix 8.

## **Evaluation of references**

- 11.11 References should be checked against the information contained on the application form to ensure consistency (e.g. dates of employment, past duties, etc.). Any discrepancy or area of concern should be raised with the applicant either within the interview or, if the reference is not received before interview, at a later stage but prior to any offer of employment being confirmed.
- 11.12 Any information about disciplinary action or allegations should be considered in relation to the individual's circumstances. Cases that were satisfactorily resolved some time ago, not related to safeguarding concerns and where no further issues have been raised, are unlikely to cause concern. However, where any concerns arise, schools should seek further advice from the City Council's Resourcing and Reward Manager (contact via the Schools' HR Advisory Service on 0115 876 2000 and request recruitment safeguarding advice).
- 11.13 Any allegations that were either proven to be false, unsubstantiated or of a malicious nature, should not be included in employer references and should not be taken into consideration.
- 11.14 Serious or recent issues that were not resolved satisfactorily are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to be a cause for concern. The school's HR advisor and the City Council's Resourcing and Reward Manager will be able to provide additional advice and guidance where such concerns are raised.
- 11.15 Applicants have a right to view references provided for them and referees should be made aware of this.

## **Where an adverse reference is received**

- 11.16 Where the reference is unclear or hints at problems, it is advisable for the chair of the recruitment panel to telephone the referee in order to clarify the information. Notes of the conversation should be documented, dated, signed and placed on file. They should be advised that information provided verbally may also be shared with the applicant. Ideally, the referee should be asked to confirm the information in writing or by email.
- 11.17 Further clarification on areas of concern should also be sought from the candidate during the interview. If further enquiries prove satisfactory, the panel may appoint.
- 11.18 The appointment can be refused on the grounds of an unsatisfactory reference. Where this is the case the panel must ensure that the decision is fair, reasonable and based on justifiable grounds, and that the reasons for the decision are documented in the event of a complaint from the applicant. Advice should be sought from the school's HR advisor.

## **Where references are late**

- 11.19 Appointees should not be allowed to begin work without satisfactory references being received and other checks being completed. If references have not been taken up by the interview stage, at the request of the successful candidate, any offer must clearly state that it is conditional upon the satisfactory outcome of the reference requests and other pre-employment checks.

### **Providing references for employees**

- 11.20 A school has three duties to an employee concerning the provision of a reference (see below). If an inaccurate reference is given, attempts should always be made to correct the error by sending an accurate reference and a covering letter as soon as possible.
- a) A duty of care in negligence - a school will be liable to an employee in negligence if the employee suffers loss as a result of the employer's failure to exercise reasonable care in the preparation of a reference. A school is under a duty to provide a reference which is in substance true, accurate and fair. The reference must not give an unfair or misleading impression overall, even if its discrete components are factually correct. A school will not be liable for references that are not comprehensive unless the omission of the information has the effect of giving a misleading impression of the employee
  - b) An implied duty of mutual trust and confidence - an implied contractual term of trust and confidence may be breached by the provision of a misleading reference. Statements in a reference should not refer to complaints or difficulties that have not been raised with the employee concerned.
  - c) A duty not to make defamatory comments or those which amount to malicious falsehood – care must be taken to ensure information is factually correct, defensible if challenged, and not defamatory or of a malicious nature. There is no liability for libel provided the school believes the information in the reference is correct and is given without malice or is misleading.
- 11.21 There are a number of points which should be borne in mind when giving a reference:
- Ensure the reference is not only factually accurate but also carefully considered, objective, fair, not misleading in the overall impression it gives to the recipient and can be substantiated if challenged
  - It must be suitable to be disclosed to the employee as they have a right to view references – this includes notes taken from telephone calls, so accuracy is vital
  - Provided only by those members of staff in school who are authorised to do so – usually this will be the headteacher or deputy/assistant headteacher
  - Ensure the referee has all the relevant information regarding the individual, seeking information from a direct line manager where necessary

- It should be provided on headed notepaper, on behalf of the school, in response to specific requests from the prospective employer
- Ensure that the reference is for a specific job and addressed to a named person rather than an open reference 'to whom it may concern'

### **Open references**

11.22 Occasionally open references are sought, for example, at times of dismissal, redundancy, conduct or capability, or some other reason where a compromise agreement has been reached. It is advisable to reach an agreement on the precise wording of the reference to avoid any future litigation, and advice from the school's HR advisor should be sought.

### **Withdrawing a conditional offer**

11.23 As long as it has been made clear to a prospective employee that an employment offer is conditional, the offer can be withdrawn if a condition is not satisfied. A contract of employment is only made where there has been an unconditional offer and an unconditional acceptance, supported by the intention to create a legal employment relationship.

### **Pre-employment checks**

11.24 The governing body and headteacher are responsible for ensuring that all necessary checks have been satisfactorily carried out prior to a new employee (or volunteer, contractor or agency worker) commencing in the school. In the case of contractors or agency workers, this includes ensuring that the employer/agency has undertaken the necessary checks (see 17 below). The school is advised to obtain written confirmation of this from the employer/agency.

11.25 The specific checks required for each position will vary according to the role being filled and chairs of panels and/or headteachers will need to review these as appropriate, confirming them in person specification and in the recruitment pack. Part three of the DfE's statutory guidance *Keeping Children Safe in Education March 2015* (available on the [www.gov.uk](http://www.gov.uk) website), entitled *Safer recruitment*, provides detailed information on pre-appointment checks (and the checks required for other people working at or visiting the school) and the recording of checks on the single central record.

11.26 Generally, all staff recruited to work in a school must satisfactorily pass the following prior to commencing their role:

- at least two satisfactory references (including last employer and at least one reference relevant to their work with children)
- proof of their right to work (to comply with the Immigration, Asylum and Nationality Act 2006) – to include photo identification
- enhanced DBS check (with or without barred list depending on whether they will be carrying out regulated activity) – further information, taken from of the DfE's statutory guidance *Keeping*

*Children Safe in Education March 2015* appears in Appendix 9 to assist schools to decide on the level of check

- disclosure of any convictions, spent (unless 'protected') or unspent, consistent with exemption from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013).
- verification of medical fitness

11.27 Other post-specific checks may include:

- compliance with disqualification requirements under the Childcare Act 2006 (Appendix 15)
- verification of relevant qualifications required by the job
- verification of professional status where required e.g. qualified teacher status using the Employer Access Online service
- verification of successful completion of the statutory induction period (applies to those who obtained QTS after 7 May 1999) using the Employer Access Online service (for teaching posts)
- prohibited check using the Employer Access Online service (teachers only)

### **Single Central Record**

11.28 Since 1 April 2007, schools have had a duty to maintain a single central record (or register) (SCR) with records of all employment checks for all working on the premises. There is no defined format for the SCR, which can be in manual or electronic format (such as an Excel document), but it must be kept in a single location. An example is included in Appendix 10.

11.29 There is a section on the Single Central Record in Part 3 *Safer recruitment* of the latest version *Keeping Children Safe in Education Statutory Guidance*, which can be found on the [www.gov.uk](http://www.gov.uk) website.

11.30 The SCR is listed as a statutory document for schools in Part C of the DfE's document entitled *DfE's Statutory policies for schools: Advice on the policies and documents that governing bodies and proprietors of schools are required to have by law* (available on the [www.gov.uk](http://www.gov.uk) website).

11.31 The SCR is likely to be inspected by Ofsted and it is the responsibility of school leaders and governing bodies to ensure the correct vetting of staff in schools and that a record of this is maintained in the SCR. Whilst it is likely that day to day management of this will be undertaken by the business/office manager, it is recommended that it is monitored and checked regularly by the headteacher and designated member of the governing body.

11.32 The record must cover the following people:

- all staff (including supply staff, and teacher trainees on salaried routes) who work at the school;

- all others who work in regular or unsupervised contact with children in the school or college, including agency workers, contractors and regular volunteers (see Section 17 below); and
- for independent schools, including academies and free schools, all members of the proprietor body.

11.33 The information that must be recorded for those defined in 11.32 above relates to 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;
- an enhanced DBS check/certificate (recording disclosure number and date);
- a barred list check;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK;
- a check of professional qualifications, registration and any mandatory induction periods;
- references;
- medical clearance; and
- a check to establish the person's right to work in the United Kingdom.

11.34 Although not specified in the statutory guidance, it is recommended that schools use this to maintain records of their annual checks in relation to Disqualification under the Childcare Act 2006, where applicable, including any waivers obtained and/or restrictions in place (see Appendix 15).

11.35 Schools may choose to add other columns to update the list or where local decisions are taken to include information, for example, this could include records of safeguarding training, or attendance at a staff briefing sessions such as the Code of Conduct, where a scanned copy of signatures could also be retained. Schools should always ensure that the information held complies with the requirements of current data protection legislation.

11.36 As a minimum requirement, for each person, schools should record under each relevant heading:

- what has been seen;
- when it was seen; and
- by whom it was seen.

11.37 For agency (including supply) and contract workers, schools should also include written confirmation that the relevant agency/company providing the worker has carried out the relevant checks and obtained the appropriate certificates, including whether any enhanced DBS check certificate has been provided in respect of the worker and the date that confirmation was received (see section 17 for further information).



- 11.38 Where it is necessary to carry out checks on volunteers, schools should also record this on the single central record (see section 17).

## **12. VISITS TO THE SCHOOL**

- 12.1 Where arrangements are made for informal visits to the establishment prior to interview, the same opportunity for visiting must be available to all applicants at that stage of the recruitment process.
- 12.2 Pre-interview visits should take place on a different day from that of the interview, wherever possible. Ideally such visits should be arranged individually and carefully structured, and key staff should be available.
- 12.3 The visit gives candidates the opportunity to see the school in session and to form initial impressions which may be explored at interview. It is not part of the selection process and is an entirely voluntary process. It should not be assumed by the panel that the candidate has a lack of motivation or interest if they do not undertake a pre-interview visit.
- 12.4 The needs of applicants with disabilities must be considered in order to facilitate pre-interview visits for all.

## **13. THE INTERVIEW STAGE**

### **Pre interview stage**

- 13.1 A realistic timetable for the interviews should be scheduled to:
- ensure sufficient time for each interview
  - ensure the panel has sufficient time in between each interview for assessing the candidate
  - allow for comfort breaks and meal breaks where necessary
  - allow time for considering candidates' performance and making decisions
- 13.2 Consideration should be given to the timing of interviews for candidates who have a distance to travel

### **Panel preparation for the interview day**

- 13.3 All members of the selection panel should meet well in advance of the interview day to:
- review the relevant documents including job description, person specification and the application forms of the candidates
  - agree the interview structure and key questions, considering any areas that they need to explore further at interview
  - ensure that questions are non-discriminatory
  - determine the roles of the interviewers, including who will chair (see role of chair 13.18), and the questions each panel member will ask
  - agree the key responses that they would expect to the questions during the interview, this will help to prevent bias towards a particular

candidate's responses on the day; however, the panel must always remain open to acceptable alternative answers

- 13.4 The questions should be relevant to the requirements on the person specification marked as 'I' for assessment at interview, and should give candidates the opportunity to fully demonstrate that they meet the criteria.
- 13.5 The panel should plan to use a range of questioning techniques to obtain all of the information necessary to effectively assess each candidate.

### **Selection tests**

- 13.6 The panel should consider a range of activities which will enable the candidates to demonstrate how they meet the requirements on the person specification marked for assessment in column 'T'. Tests should be fair, job-specific, unbiased and measurable; the panel should agree in advance what standards they expect from tests and how they will be weighted in the overall candidate assessment.
- 13.7 Consideration should be given to any disability, including dyslexia, when designing tests. This may include allowing extra time or IT facilities as a reasonable adjustment. Advice can be sought from the Employee Wellbeing team.
- 13.8 Testing forms part of a whole recruitment and selection process and must be appropriate to the post. Tests can be supervised and assessed by a technical expert who reports back to the panel with the results. Examples of tests include:
- a presentation on a given subject (either pre-prepared before the day, or prepared during time allocated on the day)
  - participation in a lesson
  - a technical or practical test (e.g. using IT or numerical skills relevant to the job)
  - undertaking a specific task (e.g. prioritising work, spotting health and safety concerns, etc.)

### **Invitation to interview**

- 13.9 A letter confirming the details of the interview should be sent to candidates as soon as possible. As much notice as possible should be given, ideally at least a week; however, where the interview date is close to the shortlisting date, it is recommended that candidates are telephoned to give them basic details of the time, date, venue and any tasks which may require pre-planning. A template letter is attached in Appendix 11.
- 13.10 It is advised that, wherever possible, all interviews for a vacancy should be held on the same day. Where this is impossible, ideally no more than two or three days should be allowed to lapse before finalising the interviews. In these circumstances, the panel membership should remain the same wherever possible. As a minimum, the Chair and one other

panel member must remain the same, including whoever has undertaken Safer Recruitment training.

13.11 Other documents may be included with the invitation to interview, for example:

- location/map
- a description of the location if applicable, specifying any potential difficulties in accessibility for a person with a disability, with a request that they inform the chair of the panel should any reasonable adjustments be required
- approximate duration of interview/structure of the day's programme
- general details of any tests the candidate will be required to undertake (e.g. the subject for any pre-prepared presentation, details of any lesson that they may be required to participate in, etc.), which must be consistent with the requirements marked for testing in the person specification

## **Interviews**

13.12 The interview is a two-way process, giving candidates the opportunity to show their suitability for the post described in the person specification; and also giving prospective employees an understanding of the school and the job, so that they can make an informed choice if offered the post; therefore it is important that the right first impression is created.

13.13 All interviews must only be concerned with objectively assessing the applicant's suitability for the job.

13.14 In order to ensure consistency and fairness throughout the process, the format of the interview should be the same for each candidate. All candidates should be asked the same core questions, which form the basis of the assessment.

13.15 The panel's role is to get the best out of the candidate and, in order to do this, it may be necessary to ask supplementary questions in order to probe for further information; or, as planned in advance, in order to explore gaps in the information provided by the candidate; however, where additional questions are used these must be noted and taken into account during the assessment if it is felt that the panel has had to prompt a response from a candidate.

13.16 The panel should ensure that sufficient open-ended questions are asked to enable them to explore the candidate's attitude towards, and suitability to work with, children and young people, and their ability to support the authority and school's agenda for safeguarding and promoting the welfare of children, as relevant to the post that they have applied for.

13.17 The panel should ensure that they check any gaps in the candidate's employment history and any concerns or discrepancies arising from the information provided by the candidate and/or a referee are verified and clarified.

## **Role of the chair**

13.18 The chair has an important role, which includes:

- Making necessary introductions to the candidates at interview and explaining the structure and format of the interview process.
- Ensuring that the candidates feel sufficiently at ease to be able to communicate effectively during the course of the interview.
- Occasionally the candidate may not understand the question and the chair may be able to rephrase the question so that it can be more easily understood.
- Concluding the interview and informing the candidate what the subsequent stages of the process are.
- Giving candidates the opportunity to ask any questions that they might have, or say anything further about themselves in relation to their application.
- Ask the candidates if they will accept the job if it is offered to them.
- Ensure all checks are satisfactorily completed before a firm offer of employment is made.
- Provide feedback to candidates (this can be delegated).

## **Keeping records during interviews**

13.19 It is important that all interviewers keep independent notes to ensure that a properly reasoned assessment can be made as to whether a candidate meets the requirements of the person specification and whether they are suitable to work with children. This enables a fair comparison to be made between candidates at the end of the interview process when the panel discuss their individual assessments.

13.20 Paperwork used to record assessment and selection decisions may be required for candidate feedback, in the event of a recruitment complaint, or in the event of any action taken by an unsuccessful applicant. It is important that information is recorded appropriately and accurately. The chair should ensure the schools retain all documentation securely for a period of 12 months, after which it should be destroyed securely.

## **Warning signs in interviews**

13.21 The purpose of Safer Recruitment in Education training is to make it as difficult as possible for unsuitable people to gain access to children. Despite all checks, it can be difficult to identify an abuser during selection processes or to prevent unsuitable people from working with children.

13.22 It is important that panel members are vigilant at all times and that at least one member has completed Safer Recruitment in Education training (see 4.5 above).

13.23 Individuals unsuited to working with children may exhibit one or more characteristics that could be considered as possible danger signs. These are covered in the approved Safer Recruitment in Education training. It is recommended that the trained panel representative(s) familiarise themselves with the list of characteristics prior to the recruitment taking

place and ensure that they brief other panel members before the interviews occur.

- 13.24 Schools must also ensure that all necessary checks are carried out before any appointment is confirmed (see section 11 above).

### **The decision**

- 13.25 Immediately after each interview, and any other tests observed by the panel, the panel members should individually complete their assessment forms and mark these against the person specification requirements.
- 13.26 When completed, the selection panel should share their records of each candidate and attempt to reach an objective consensus about which candidate best fits the person specification. The panel should not make decisions based on qualities that do not relate to the person specification.
- 13.27 In some cases the final choice of the most appropriate person for the job may not be by unanimous decision. In these cases the panel should review any discrepancies and consider the evidence, recording the reasons for any changes that they make. If a consensus cannot be reached, the chair will have the final say. Once a decision has been made, which may be either by majority or unanimous, all members of the interviewing panel should accept this as a collective decision.
- 13.28 The panel should clarify exactly why the unsuccessful candidates have been rejected and note the reasons on their assessment forms in case the decision is challenged at a later date. This information may also be used for feedback, if requested.
- 13.29 If no candidate shows sufficient evidence of meeting the selection criteria for the post, then an appointment should not be made and the post should be re-advertised. The panel should consider any reasons that may have prevented suitable people from applying, including the wording and circulation of the advertisement. They should try and make amendments in order to attract as wide a pool of applicants as possible.
- 13.30 Records of shortlisting, tests, interviews and the application forms of all candidates should be retained for a period of 12 months in case there is a query or complaint.

## **14. OFFERS OF EMPLOYMENT – CHECKS AND VERIFICATION**

- 14.1 Once a decision has been made, the next step is to conditionally offer the post to the successful candidate. A verbal offer of the job may be made initially, however this must be followed up with written confirmation (see Appendices 12 and 13 for sample offer letters).
- 14.2 Any offer must clearly state that it is conditional until all necessary checks, including references, have been received to the school's satisfaction.

14.3 Governing bodies need to be aware that both verbal and written offers of employment form a legally binding contract unless they explicitly state that they are conditional.

14.4 The school should liaise with the appropriate agency to ensure completion of all checks required for the post. The chair will give the final approval to appoint once these have been completed satisfactorily.

## **15. FEEDBACK**

15.1 Feedback from the chair, or a delegated member of the selection panel should be offered to all candidates, both successful and unsuccessful.

15.2 Feedback should be based on the criteria outlined in the person specification and the relevant performance at the interview and tests. Comments should be relevant, justified, positive, constructive, sensitive and generally helpful for any future applications, including suggested areas for development. The candidate should be given the opportunity to express their feelings about the selection process and thanked for their interest in the post. Objective written confirmation of feedback should be sent where this is requested.

## **16. COMPLAINTS**

16.1 Unsuccessful applicants may wish to make a formal complaint about a recruitment and selection process.

16.2 External candidates may use the school's Complaints Procedure for this purpose, while internal candidates must use the school's Grievance Procedure.

16.3 Such complaints are the responsibility of the governing body to investigate. Advice can be sought from school's HR advisor.

## **17. AGENCY WORKERS, CONTRACTORS AND VOLUNTEERS**

17.1 Governing bodies and headteachers are responsible for ensuring that all people on site are suitable to be near to children and young people.

17.2 Where other alternatives to direct recruitment are used (e.g. agencies and contractors), it is essential that the school ensures that all providers adopt robust recruitment and vetting procedures that minimise the risk of unsuitable people gaining access to children and young people in the school. As with directly employed staff, the checks required will relate to the work being carried out and the potential for unsupervised access to children and young people.

17.3 Schools should ensure that they obtain and record confirmation from agencies that relevant checks have been carried out. These records should be kept up to date and the information retained securely with the single central record, for inspection if required.

## **Volunteers**

- 17.4 Volunteers may be used in a variety of different roles and safer recruitment principles will need to be adapted and applied with common sense, depending on an individual's involvement and interaction with pupils. For example, if a parent volunteers to help with an event on a one-off or occasional basis and does not have unsupervised contact with children, there is unlikely to be a need for a formal checking process. Appendix 9 includes a separate flowchart to help schools to assess whether volunteers need an enhanced DBS check.
- 17.5 If a volunteer is likely to have an on-going role that includes regular contact with children, then it may be appropriate to carry out an informal recruitment exercise, similar to a recruitment interview, to ensure that the school feels happy that the individual does not pose any obvious dangers to children and young people. This process should include someone trained in Safer Recruitment to look out for warning signs.
- 17.6 Volunteers with regular and on-going roles should be subject to similar checks as for employees and records should be kept with the single central record. Schools should note that Ofsted will not carry out the waiver process for volunteers automatically disqualified under the Childcare Act 2006; therefore if this check is essential for their volunteering role, and they are deemed to be disqualified, they should not be retained as a volunteer.

## **18. CHECKLISTS**

- 18.1 A template checklist has been provided to assist schools to ensure that the relevant processes and procedures have been completed. This can be found at Appendix 14.



# Job description

## Job title:

Department:

Service:

Grade:

Post reference number:

### 1. Job purpose

### 2. Principal duties and responsibilities

1

2

3

**3. All staff, volunteers and other workers are expected to share the school's commitment to safeguarding and promoting the welfare of children and must comply with all employment checks and registration requirements, immediately bringing any concerns or changes to their status to the attention of the leadership team.**

**4. All staff are expected to maintain high standards of customer care in the context of the City Council's Core Values, to uphold the Equality and Diversity Policy and health and safety standards and to participate in training activities necessary to their post.**

**5. All staff are expected to abide by the obligations set out in the Information Security Policy, IT Acceptable Use Policy and Code of Conduct in order to uphold Nottingham City Council standards in relation to the creation, management, storage and transmission of information. Information must be treated in confidence and only be used for the purposes for which it has been gathered, and should not be shared except where authorised to do so. It must not be used for personal gain or benefit, nor should it be passed on to third parties who might use it in such a way All staff are expected to uphold the City Council obligations in relation to current legislation including the General Data Protection Regulations (GDPR) and Freedom of Information Act.**

**6. This is not a complete statement of all duties and responsibilities of this post. The post holder may be required to carry out any other duties as directed by a supervising officer, the responsibility level of any other duties should not exceed those outlined above.**



---

**7. Numbers and grades of any staff supervised by the post holder:**

Click once and type details of staff supervised here

**8. Post holder's immediate supervisor:** Click once and type job title here

**Prepared by/author:** Click once and type name here

**Date:** Click once & type date

**Job title:** Click once and type job title here

---

**Note:** This section should only be included in job descriptions issued to employees and should not be sent to all job applicants.

I understand and accept the job duties and responsibilities contained in this job description.

**Signature:** .....

**Date:** .....

# Person specification



**Nottingham**  
**City Council**

**Job title:**

**Department:**

**Service:**

**Grade:**

**Post reference number:**

Areas of responsibility	Requirements	Measurement				
		P	A	T	I	D
<b>E.g. Admin and IT Skills</b>	Click once and type requirements here	✓	✓	✓	✓	✓
	Click once and type requirements here					
	Click once and type requirements here					
<b>Work to promote mutual respect and good relations</b>	Click once and type requirements here					
<b>Work Related Circumstances</b>	<p>Able to demonstrate a good understanding of their role in safeguarding and promoting the welfare of children at the school.</p> <p>Willingness to comply with the City Council's non-smoking policy.</p> <p>Possession of full driving licence, access to a vehicle and willingness to travel both inside and outside the council area as required.</p>					
<b>Essential qualifications and pre-employment checks required for this post</b>	Click once and type requirements here					

(These <b>must</b> be provided before any final offer of employment can be confirmed for the successful candidate)						
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<b>P:</b> Pre-application	<b>A:</b> Application	<b>T:</b> Test	<b>I:</b> Interview	<b>D:</b> Documentary evidence
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**Prepared by/author:** Click once and type name here

**Date:** Click once & type date

**Job title:** Click once and type job title here

## APPENDIX 2 – Advertising information



### Website advertising

We are able to upload your logo on to your advert – please provide a JPEG version of your logo if you wish this to be displayed.

### Template for schools and external organisations

We aim to process your request within 48 hours of receipt of this form; however, there may be exceptions to this dependent on workloads.

Schools should be aware that are separate application forms which should be used for teachers/headteachers and support staff, both within maintained schools and academies. Please ensure the correct application form is attached if you are requesting that applicants download and return to the school. These can all be found on EIS.

### Job details

<b>Job Title</b>	
<b>Name of Organisation</b>	
<b>Location</b>	
<b>Salary/Payscale</b>	
<b>Job Reference Number</b>	
<b>Closing Date</b>	
<b>Advert details</b> Contract: permanent/temporary Hours: Full-time/part-time etc. Advert text:         Informal enquiries/application details:   <b>Do you buy into LCC/NCC HR Admin Services    YES/NO</b>	

Please complete this form and return by email to [escrecruitment2@emss.org.uk](mailto:escrecruitment2@emss.org.uk) or post to Recruitment Team, Employee Service Centre, Leicestershire County Council, Eastern Annexe, County Hall, Glenfield, Leicester, LE3 8SR

**For external organisations and schools/academies that do not buy into HR services, there will be a £100 plus VAT charge for this advert (please provide details for invoice purposes, i.e.: name/address)**

## APPENDIX 3

### Covering letter to applicants

[Name]  
[Address]

[Date]

Dear Applicant,

**POST:**  
**SCHOOL:**  
**ADDRESS:**  
**SALARY RANGE:**

Thank you for your interest in the above post, the governors and headteacher of **[name of school]** are seeking to appoint a **[post title]** to work in partnership with them and the school.

Applicants should complete the application form for this post as fully as possible and write or type a separate letter of application addressing the requirements identified in the person specification, in relation to this school. Please note, requirements will be assessed by a variety of methods, and these are indicated by ticks in the boxes adjacent to the requirements.

Applicants who are applying on a job share basis will need to demonstrate how, individually, they meet the job requirements stated in the person specification.

Please find enclosed:

- Job description
- Person specification
- An application form
- Guidance to applicants
- **List all other information provided in the pack**

I hope that you will find these documents useful in making your application.

### Important Information for applicants

Applicants should be aware that we will be seeking references for all shortlisted candidates prior to interview. We will require at least two references, one of which must be your current or most recent employer. If you do not currently work with children but have done in the past, either on a paid or voluntary, basis then a reference will also be sought from this employer. The school reserves the right to contact other previous employers for a reference where this is deemed necessary, in exceptional cases.

This post is exempt under the Rehabilitation of Offenders Act. This means that all convictions, both spent and unspent, will need to be disclosed when making your application except for those classed as protected (see application form for more details)

Please return your completed application form and letter to **[name and address]** to arrive no later than **noon on [date]**. If you wish to return your application form electronically please email to **[school e-mail]**.

Shortlisting will take place on **[date]** and the interviews will be held on **[day(s)/date(s)]**. Candidates invited to the selection process will be contacted as soon as possible after the shortlisting process. The successful candidate, if not already employed by the school, will be required to satisfy the school of his/her fitness for employment by passing a medical check and must satisfactorily complete all pre-employment checks required. For this post, this will include:

***(Delete those not applicable to this post)***

- Enhanced DBS
- Staff suitability declaration - Disqualification under the Childcare Act 2006
- Immigration, Asylum and Nationality Act 2006
- References
- Medical check
- ***Add others as applicable to the post***

In order to keep costs down, applications will not normally be acknowledged unless a stamped addressed envelope/postcard is enclosed with the completed application form.

On behalf of the governors, may I thank you for your interest in this post.

Yours sincerely

***[Name]***

Headteacher

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

Private and confidential

# **JOB APPLICATION FORM**

School Staff

E&D ID no:  
(for office use only)

*[insert school logo]*

## **Vacancy Details**

Job Title	
Closing Date	
Job Ref	
Date Received	

Email or post completed form to:

*[insert contact details]*

## **Personal Details**

Last Name		First Name(s)	
Address		Telephone (home)	
		Telephone (work)	
Postcode		Mobile	
Email			
Have you previously been employed by Nottingham City Council, a Nottingham school or a neighbouring authority? If yes, please specify		Yes	No
Are you eligible to work in the UK?		Yes	No
National Insurance Number			
Teacher Registration Number (teachers only)			
<b>Referee Details</b> Please give the names of two referees. One of your referees must be your present/last employer. If you have not been previously employed then headteachers/lecturers, employment advisors etc. are acceptable. Please note that is our policy for this particular post to take up references prior to interview, and that we reserve the right to approach any of your previous employers for a reference, in addition to any listed. Friends and relatives are not acceptable as referees. Please contact the school directly if you wish to discuss this further.			
First Referee (current or last employer)		Second Referee	
Name and address		Name and address	
Telephone Number:		Telephone Number:	
Email Address:		Email Address:	
How do they know you?		How do they know you?	

## Current/Last Occupation

Name and address of current/last employer	Job Title	
	Start Date	
	Notice Required	
	Salary (noting any additional payments)	
	Reason for leaving (if applicable)	
Brief description of duties:		

**Previous employment** (most recent first and including any temporary, unpaid or voluntary work experience). The reason for leaving must be stated in every case.

Date from Month/Year	Date to Month/Year	Employer	Job title	Salary	Reason for leaving

**Membership of professional bodies** – Proof of post specific membership will be required. Please state if you are a member of a particular institute or registered body relevant to the post for which you have applied.

Name of body	Category of membership	Date of joining	Qualification (if applicable)



**Education/Training relevant to this job** (please note you may be required to produce original documents/proof of qualifications)

Date From	To	Secondary Schools, Colleges, Universities attended – including part time	Subjects and qualifications (gained or pending)	Result

**Other qualifications and attendance at training courses relevant to this job**

Organising body	Course title	Duration	Date

### Personal Statement

**Please attach additional sheets to explain how you meet each of the requirements marked in column 'A' of the person specification.**

**You can use experience, knowledge, skills and abilities gained from paid, unpaid, voluntary work, training, life experiences, education and leisure interests to demonstrate how you meet the criteria.**

**Please ensure that the statement is named and identifies the post applied for and is secured to the rest of your application details.**

**Please note that C.V.'s can only be considered alongside a fully completed application form and additional sheets. CVs are only acceptable for school leadership posts.**

## Protection of Children: Disclosure of a Criminal Background

Nottingham City Council is committed to the protection of all those who use its services and of its employees.

If you are appointed, in order to protect children and vulnerable adults, the authority will require you to comply with the employment checks relevant to your post (see job details for further information).

All employees in schools are required to pass an enhanced Disclosure and Barring Service (DBS) check, which will identify whether you have any criminal convictions, including cautions and reprimands.

All posts in schools are exempt from the Rehabilitation of Offenders Act 1974 (as amended in 2013); this means that you must declare all convictions, cautions and reprimands, including those that would generally be regarded as 'spent'. The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. All guidance and criteria on the filtering of these cautions and convictions can be found in the DBS filtering guidance (<https://www.gov.uk/government/collections/dbs-filtering-guidance>).

The existence of a criminal background does not automatically mean that you cannot be appointed, but it may do so.

Do you have any convictions, cautions or reprimands to declare?	Yes	No
---	-----	----

If yes, please give details of these, including dates and sentences

## Confidentiality, Disclosure and Accuracy

You are advised that information given on this form may be checked for accuracy. Information regarding equality and diversity will be used for research and statistical purposes and it may also be used to meet our statutory obligations. Unsuccessful candidate applications will be destroyed after 6 months. Information will be treated confidentially and held in accordance with the Data Protection Act 2018. For further information about how your data will be used, please see attached Privacy Notice.

## Certification and Signature

I certify to the best of my knowledge the information given on this form is correct and true. I understand that my application may be rejected or that I may be dismissed for withholding relevant details or giving false information. I also understand that the information I have provided may be subject to checking. I have not canvassed anyone directly or indirectly associated with this role in connection with this application and I will not do so.

Signed:	Dated:
---------	--------

## General details

Where did you find out about this vacancy?	
Are you related to or partner of any employee or governor of the School? If yes, please give details.	
Please give details of any dates during the next four weeks when you would not be available for interview.	
Do you have any requirements that you would like us to consider to enable you to fully participate in the selection process? (e.g. wheelchair access, sign language interpreter, additional reading time etc.) If yes, please give details.	

Thank you for applying for this job. If we have not contacted you within 10 working days of the closing date, please assume your application was unsuccessful on this occasion.

*[Please insert page break if necessary - this page should be provided as a stand-alone document, sent out with the application form, so that it can be removed before shortlisting to ensure anonymity]*

## EQUALITY AND DIVERSITY MONITORING FORM

E&D ID no:  
(for office use only)

We aim to have a workforce that represents the communities we serve. We welcome applications from all sections of the community. The information you provide below does not form part of the recruitment process and will be detached from your application.

Job Title		Vacancy Reference No.	
-----------	--	-----------------------	--

Date of birth		Age		Gender	Male <input type="checkbox"/>	Female <input type="checkbox"/>
Do you consider yourself to be disabled?				Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Do you have any long-term illness, health problems or disability that, with or without the use of aids or medication, limits your daily activities? (Please see Guidance Notes for definition of long-term and aids)						
Yes <input type="checkbox"/> No <input type="checkbox"/>						

### My racial/ethnic origin is:

A. White	B. Mixed	C. Asian or Asian British	D. Black or Black British	E. Chinese or Other Racial Group
British <input type="checkbox"/>	White & Black Caribbean <input type="checkbox"/>	Indian <input type="checkbox"/>	Black Caribbean <input type="checkbox"/>	Chinese <input type="checkbox"/>
Irish <input type="checkbox"/>	White & Black African <input type="checkbox"/>	Pakistani <input type="checkbox"/>	Black African <input type="checkbox"/>	Other Racial Group <input type="checkbox"/>
Other White <input type="checkbox"/>	White and Asian <input type="checkbox"/>	Bangladeshi <input type="checkbox"/>	Other Black <input type="checkbox"/>	
	Other Mixed <input type="checkbox"/>	Other Asian <input type="checkbox"/>		
If other, please state	If other, please state	If other, please state	If other, please state	If other, please state

### My religion is:

None <input type="checkbox"/>	Buddhist <input type="checkbox"/>	Hindu <input type="checkbox"/>	Jewish <input type="checkbox"/>
Muslim <input type="checkbox"/>	Sikh <input type="checkbox"/>	Other <input type="checkbox"/>	
Christian <input type="checkbox"/> (including Church of England, Catholic, Protestant and all other Christian Denominations)			

### My sexual orientation is:

Bisexual <input type="checkbox"/>	Gay man <input type="checkbox"/>	Gay woman/lesbian <input type="checkbox"/>
Heterosexual/straight <input type="checkbox"/>	Other <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>



## **Guidance to the Job Application Process**

### **1. Introduction**

Thank you for requesting an application pack for a post within Nottingham City Council.

The City Council and all City schools are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment.

Before you start to complete your application form, please check you have all of the documents listed below:

- Application Form (if you require an application form in an alternative format please contact the school directly)
- Job Description
- Person Specification
- Additional Information (if applicable)
- Details of any pre-employment checks required by the school, for example, the process used by the school for gathering staff suitability declaration information in relation to Disqualification under the Childcare Act 2006

If any of the above are missing from your application pack please call the school.

### **2. Applicant Contract**

We want to promote our reputation as an employer of choice by ensuring all of our applicants are treated fairly.

**If you apply for a job with Nottingham City Council we will:**

- ⇒ Send you an application pack within two working days of receiving your request.
- ⇒ Only consider a CV alongside a fully completed application form.
- ⇒ Aim to let you know if you have been short-listed within ten working days of the closing date.

- ⇒ Respond to your request for feedback if you have not been shortlisted provided you ask us within eight weeks of the closing date.
- ⇒ Ask you what adjustments you might need to assist you to participate fully in any selection test(s) and/or interview(s).
- ⇒ Give you five working days' notice of any test(s) and/or interview(s).
- ⇒ Let you know the outcome of any test(s) and/or interview(s) within five working days of the last test/interview unless we have advised you otherwise.
- ⇒ Respond to your request for feedback if you have not been appointed provided you ask us within four weeks of us notifying you of the outcome.
- ⇒ Respond to any complaint you make about the recruitment and selection process within ten working days providing this is made in writing to the school.

### **3. Application Form**

The main points to remember when filling in your application form are:

- ⇒ **You need to clearly show how your skills and experience meet the requirements marked in Column "A" of the person specification by giving examples of your skills and experience.**
- ⇒ If you do not do this you will not be short-listed and therefore we will not be able to offer you an interview.
- ⇒ Fill in **all** sections of the form as fully as possible as we will not be able to make assumptions on your abilities.
- ⇒ CVs will only be considered alongside fully completed application forms (unless otherwise advised for leadership posts).
- ⇒ Use dark ink if completing a paper application form.
- ⇒ It would be useful for you to make a copy of your completed form for future reference.
- ⇒ Make sure you return the form to us before the closing date, as we do not normally accept late applications.
- ⇒ You can scan your completed application form and return it as an email attachment to the email address on the application form. Please ensure you include the post reference number.

- ⇒ If you wish to post your application please mark the envelope “Application Form” and post it to the postal address on the application form
- ⇒ By submitting a completed and signed application form, you will have accepted the statement on confidentiality and disclosure (please see application form).
- ⇒ If you have a green wheelie bin (not a recycling bin) then you are classed as a Nottingham City Resident.

#### **4. Alternative Formats**

If you need us to send you the application form and job details in a different format e.g. Braille or if you wish to send in your application in a different format then please contact the school who will make the necessary arrangements.

#### **5. After application**

Due to the large number of applications we receive, unfortunately we cannot acknowledge receipt of your application form. If you have not been contacted within 10 working days of the closing date please assume that you have not been short-listed.

If you have been short-listed for an interview you will receive confirmation (by letter/mail/telephone) of the details of the interview including the date, time, location etc. if you require any adjustments or equipment to enable you to fully participate in the interview process please do not hesitate to call or email the school providing details.

#### **6. Equality and Diversity**

The City Council and all schools have a leading role to play in promoting equal opportunity and valuing diversity – in the community, as an employer and as a provider of services to the people of Nottingham and its visitors.

However, if you feel you have been discriminated against at any stage of the recruitment process you have the right to complain under the school’s Complaints Procedure. You should contact the school in the first instance.

##### **6.1 City Council’s Equality and Diversity Policy**

We have an Equality and Diversity Policy, copies of which can be obtained by contacting the Equality & Community Relations team, Loxley House, Station Street, Nottingham, NG2 3NG. Telephone: 0115 876 2747, or email: [equalityanddiversityteam@nottinghamcity.gov.uk](mailto:equalityanddiversityteam@nottinghamcity.gov.uk).

Upon request, copies of the Equality and Diversity Policy can be provided in community languages, large print, Braille and text for use on text recognition software.

## 6.2 The Equality Act (2010) – Disabled Applicants

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

You are considered disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

- 'substantial' is more than minor or trivial – e.g. it takes much longer than it usually would to complete a daily task like getting dressed.
- 'long-term' means 12 months or more – e.g. a breathing condition that develops as a result of a lung infection

On your application form we ask whether you consider yourself to be a disabled person and to give details of any aids you may need to enable you to attend an interview e.g. loop system, wheelchair access, sign language interpreter, support dog etc. We need this information to make sure that you have every opportunity to demonstrate your true abilities at the interview.

All disabled people who meet the requirements for the post at application form stage are guaranteed an interview.

## **7. Pre-employment checks and Safeguarding Responsibility**

The school and City Council are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment and to take immediate action to bring any concerns to the attention of the leadership team.

All successful applicants will be required to satisfactorily complete pre-employment checks appropriate to the post. A list of the checks appropriate to the post for which you are applying are included with the application pack and also in the person specification. Any change in status during employment in relation to any of these checks must be advised immediately and could lead to dismissal. Failure to disclose information in relation to any checks could result in dismissal from any post that you may be appointed to.

Checks relevant to your post may include some or all of the following:

### **7.1 Disqualification under the Childcare Act 2006**

The disqualification requirements apply to staff working with or managing:

- the education **during the school day** and activities that take place at the school **outside of the school day** (e.g. breakfast or after school clubs) for **early years children** (i.e. of nursery and reception class age)



- the supervision of **later years children** (i.e. under the age of 8) in relation to activities that take place **outside the school day** (e.g. breakfast or after school clubs)

Staff working in the relevant settings above will automatically be disqualified if any of the relevant offences or criteria below apply directly to them (including spent convictions) or by association to anyone else living or employed in the same household (excluding spent convictions). See Appendix 15 for further information.

## **Relevant Offences**

The relevant offences are covered at some length in Schedules 2 and 3 of the Childcare (Disqualification) Regulations 2009 (and in Appendix 15.A FAQ 1). However, these can be summarised as any of the following that resulted in a caution (issued since 2007 and including reprimands, warnings and youth cautions) or a conviction:

- Any offences by an adult against or involving children
- Any sexual offence by an adult or a child against an adult or child
- Any sexual offence by an adult or a child involving animals
- Murder, manslaughter, kidnapping, false imprisonment, ABH or GBH
- Burglary (involving rape)
- Offences relating to children's homes pursuant to the Care Standards Act 2000
- Any similar offence committed overseas which would result in disqualification if committed in the UK

## **Other relevant criteria include**

- Certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations
- Inclusion on the Disclosure and Barring Service (DBS) Children's Barred List
- Certain orders made in relation to the care of children, as referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations
- Refusal or cancellation of registration relating to childcare (other than failure to pay a fee), or children's homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2009 Regulations

Schools will determine how they gather information about their staff, or prospective staff, and applicants will need to comply with their requirements in order to demonstrate that they are suitable to work at the school (see sample staff suitability declaration Appendix 15.B). Failure to provide information will render an applicant unable to proceed with the recruitment process. Where information provided results in the applicant being automatically disqualified, schools will review cases individually. If they are allowed to remain in the process, any subsequent offer of employment would be conditional, dependent on the applicant successfully applying to Ofsted for a waiver.

## **7.2 Policy Statement on the Recruitment of Ex-Offenders**

Nottingham City Council is committed to the protection of all those people who use its services and of its employees. The City Council is also committed to the promotion of Equality & Diversity and welcomes applications from people who have a criminal record as long as that does not affect its duty of care to others.

All posts in City schools are exempt from the Rehabilitation of Offenders Act and applicants must declare all convictions. This includes those which for any other purpose would be classed as spent (including cautions and reprimands) other than those that are “protected” as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013).

The employment and management of people with criminal records will be approached in a balanced and responsible way, taking into consideration the offence declared in relation to the post applied for.

## **7.3 DBS (Disclosure and Barring Service) and Barred List Checks**

All posts in schools require employees to successfully complete an Enhanced DBS check and in most cases an additional Barred List check (see [www.gov.uk/disclosure-barring-service-check](http://www.gov.uk/disclosure-barring-service-check) for further information). This will need to be completed once a suitable candidate has been selected through the recruitment process; however any offer of employment will remain conditional of the successful completion of these checks.

The DBS will provide a certificate with details of the person’s criminal record which the individual will be required to show to their prospective employer, who will assess and record the information provided, in order to confirm whether they are suitable for employment.

Having a criminal record will not necessarily bar anyone from working with the City Council. This will depend on the nature of the position and the circumstances of the background of the offence.

## **7.4 Right to Work in the UK**

Under the Immigration, Asylum and Nationality Act 2006, it is a criminal offence for an employer to employ those who do not have permission to live or to work in the United Kingdom. All potential employees will be required to comply with the requirements of this legislation and produce evidence of their right to work before any employment offer can be confirmed. Further details of the documents acceptable as evidence can be found at [www.gov.uk/check-job-applicant-right-to-work](http://www.gov.uk/check-job-applicant-right-to-work).

## **7.5 Medical Clearance**

Before employment can be confirmed, all potential employees will require medical clearance. In order to do this, they will be required to complete a

medical questionnaire which will be assessed by the school's occupational health advisor. Any queries will need to be followed up to ensure the applicant is fit to undertake the post applied for.

## **7.6 References**

All applicants for jobs in schools are required to provide the names of two referees, one of whom must be their current/last employer. The referees should include at least one who can comment on the applicant's previous work with children, where this is possible. The school reserves the right to contact other previous employers for a reference where this is deemed necessary, in exceptional cases. For applicants who have not previously been employed, suitable referees could include, for example, headteachers, lecturers, employment advisors and volunteering supervisors.

It is Nottingham City Council's practice to obtain references for short-listed applicants to school posts before interviews take place. In very rare circumstances, it may be possible to delay a reference until after interview; however applicants should contact the chair of the recruitment panel prior to application to discuss whether an exception can be made.

## **7.7 Other job-specific checks**

For some posts there will be other checks, specific to the job, that suitable applicants will need to comply with. Examples of these include verification:

- of any relevant qualification required by the job
- of professional status
- of completion of the statutory induction period for teachers
- that they have not been prohibited from teaching

## **8. Working Time Directive**

If your application is successful, in order to comply with Working Time Regulations the school will need to know if you have any other employment. The combined total of working hours must not exceed 48 hours when averaged over a 17-week period unless a voluntary agreement is completed in accordance with Nottingham City Council's Working Time Regulations Policy Statement. This will include any other employment (whether with the City Council, another employer or self-employed) and will need to be updated should the situation change during your employment.

**Information for applicants**

(Copy of checklist to be retained with interview file for use during selection process)

**Vacant post:** [insert post title]

**Vacancy close date/time:** [insert date and time]

**Note to candidates:**

Candidates for the above post are advised that the following checks and references must be completed prior employment commencing. Offers of employment to a successful candidate can only be made on a conditional basis until these checks have been satisfactorily completed. Failure to comply with all or part of this list will result in the withdrawal of any employment offer.

<b>Check</b>	<b>Required ✓</b>	<b>Date checked and verifier's initials (for office use only)</b>
At least 2 satisfactory references (to include last/current employer and one of which relating to a post working with children if applicable)		
Verification of Right to Work, including photo identification		
Enhanced DBS check and Barred List (delete as applic)		
Compliance with Disqualification requirements under the Childcare Act 2006 (if applicable)		
Disclosure of any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)		
Medical check		
Verification of any relevant qualifications and registration required for the job (see person specification)		
Verification of professional status		
Verification of successful completion of the statutory induction period (teachers)		
Prohibited check (teachers)		
<i>Other – please add</i>		

**SHORTLISTING MATRIX**

PANEL MEMBER'S NAME COMPLETING THIS FORM	ABBREVIATIONS FOR MARKING
	<b>F – FULLY MEETS</b> <b>P – PARTLY MEETS</b> <b>B – BRIEF REFERENCE</b> <b>N – NO REFERENCE</b>

**VACANCY BEING RECRUITED TO:**

**Guaranteed Interview Scheme for Disabled Applicants**

**It is recommended that all suitably qualified disabled applicants, who meet the basic criteria outlined in the person specification, are invited for interview.**

**Once shortlisting has been completed, disabled candidates should be contacted to discuss any reasonable adjustments that will allow them to fully participate in the interview process.**

AREA OF RESPONSIBILITY	REQUIREMENT	CANDIDATES' NAMES										
	<b>OVERALL ASSESSMENT: S - SHORTLISTED R – REJECTED BEFORE INTERVIEW</b>											

## APPENDIX 8 School Reference Request



[Address of school  
and contact details]

**Private and Confidential**  
**[Name and address]**

**[Date]**

Dear

**Name of Candidate – [name]**  
**Post applied for – [post title]**

The above person has applied for a post at [name] school [or alternative location] and has given your name as a referee. I enclose a job description and person specification for your information.

I would appreciate it if you could complete the attached form as comprehensively and accurately as possible and return it to me within 5 working days. If you would prefer to send a letter, please would you ensure that you answer all of the questions in order to enable us to fulfil our safer recruitment duties.

This post involves working with children and young people, therefore please include any information that you feel is relevant, in order to help us to protect our pupils/students from unsuitable adults.

Due to the nature of this post it is exempt from the Rehabilitation of Offenders Act 1974. I must therefore ask you to provide us with details of any unspent cautions, reprimands or charges, that are not classed as “protected” under the Exceptions Order 1975 (2013). All guidance and criteria on the filtering of these cautions and convictions can be found in the DBS filtering guidance. <https://www.gov.uk/government/collections/dbs-filtering-guidance>. This information will be treated in the strictest confidence.

Please note that the individual is entitled to see references at the recruitment stage. If appointed, this reference will be held on their personal file, which they may access at some time in the future.

Thank you for your help in this matter and please do not hesitate to contact me if you have any queries.

Yours sincerely

**[name and post title]**

*This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.*  
**[List enclosures as applicable]**



## SCHOOL REFERENCE REQUEST FORM

Candidate's Name:			
Post applied for:			
School/location:			
Name of Referee:			
Referee's Tel No:			
Referee's email address:			
<b>PAST EMPLOYMENT DETAILS</b>			
How long and in what capacity have you known the candidate?			
What is (or was) the candidate's job and main responsibilities?			
When did the candidate work for your organisation?	From:	To:	
What is his/her current salary (or salary when leaving your post)?	£		
If the candidate has left your employment, please state the reason:			
<b>ATTENDANCE</b>			
Please include the number of days absent due to illness in the last 12 months. Were any patterns of sickness identified?			
<b>CONDUCT</b>			
Please comment on the candidate's conduct and disciplinary record:			



<p>Did you find him/her to be:  Honest?  Punctual?  Reliable?</p> <p>If no, please provide further information:</p>
<p>Have you ever referred the candidate to any agency due to your concerns (e.g. the Protection of Children Act List (POCA List), List 99 (now known as Section 142 of the Education Act 2002))?</p> <p>If you have any concerns about the candidate's suitability to work with children and young people, please give details here:</p>
<p>Are you aware of any convictions, criminal offences, cautions or reprimands, particularly in relation to an offence against children or vulnerable adults?</p> <p>If yes, are you aware of the date(s) issued?</p> <p><i>NB This post is exempt from the Rehabilitation of Offenders Act (see covering letter for more details).</i></p>
<p>Are there any disciplinary warnings recorded in respect of the applicant?</p> <p>If yes, please state the reasons for the warning(s) and when given:</p>
<p><b>PERFORMANCE AND SUITABILITY</b></p>
<p>Please comment on the candidate's suitability for the post applied for:</p>
<p>Please comment on the candidate's ability to work with and relate to children, and to manage difficult behaviour of children and young people, if appropriate:</p>
<p>Please comment on his/her individual strengths or areas for development:</p>

Please provide any other information that you think is relevant, including any specific concerns with regard to the person's suitability for this post.

Would you re-employ the candidate?

If no, why?

**Your signature:**

**Your name:**

**Date of this reference:**

**Position in organisation:**

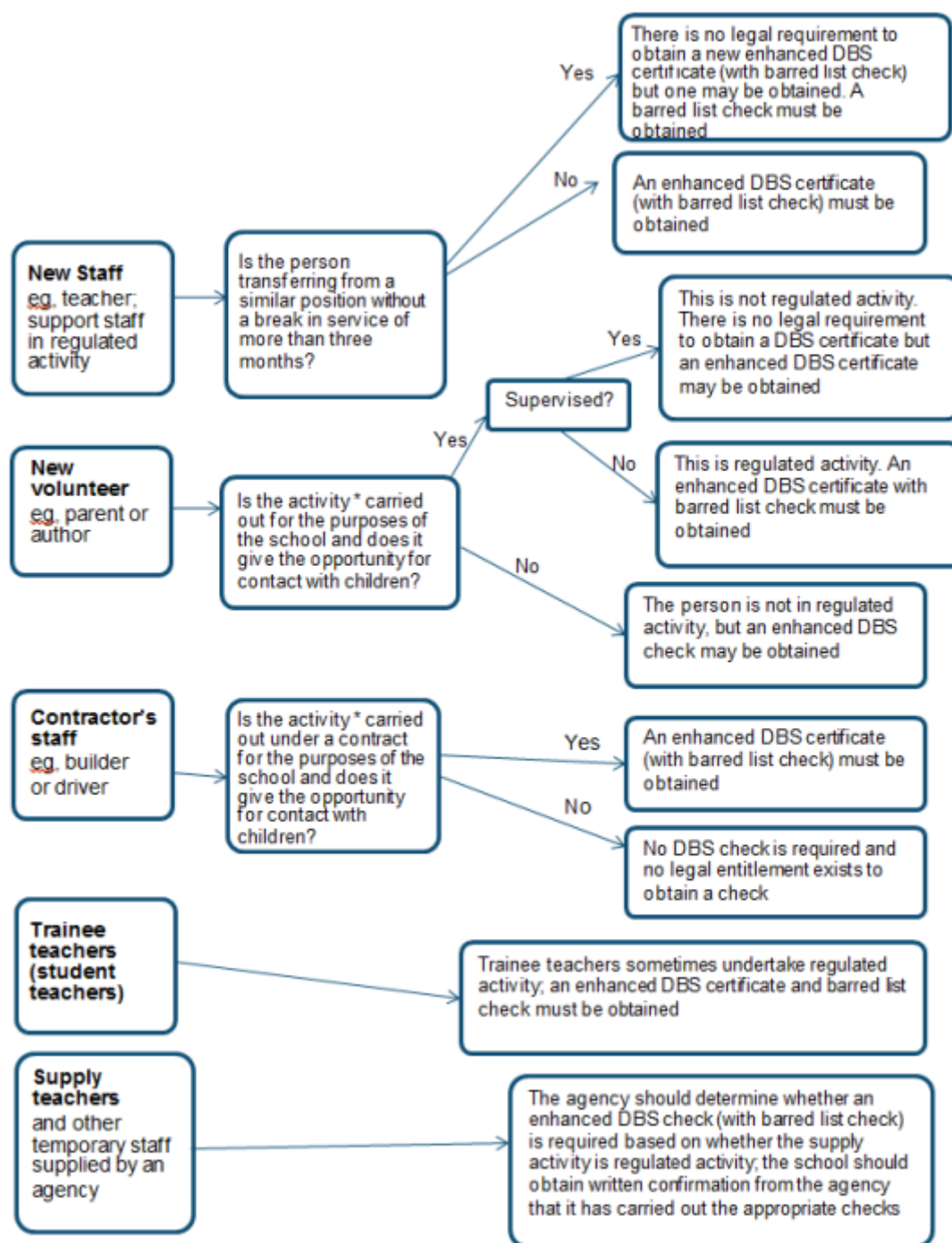
**Additional information can be provided on a separate sheet, if necessary**

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

**THANK YOU FOR YOUR HELP**

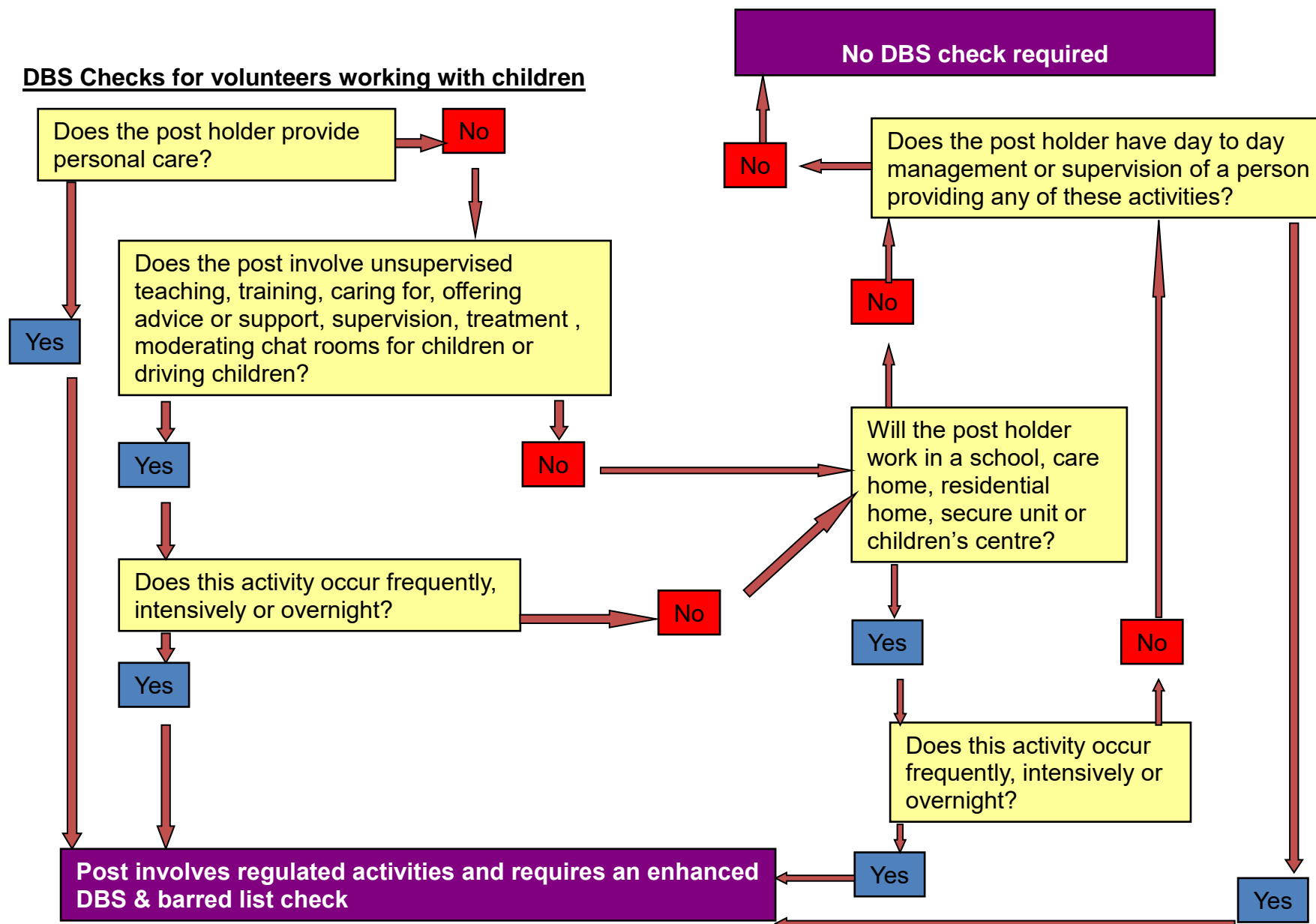
## APPENDIX 9

### Flowchart of Disclosure and Barring Service criminal record checks and barred list checks



\* Activities listed under the guidance's definition of regulated activity and which are carried out 'frequently'

## DBS Checks for volunteers working with children



## Appendix 10 – Single Central Record example

	SCR Mandatory		School optional
--	---------------	--	-----------------

A) PERSONAL DETAILS				B) ID CHECKS			C) JOB	
Forenames	Surname	Home address	Date of birth	Type of evidence seen	Date checked	Checked by	Start date	Job title

- A) Record the full name of the individual, their current address and date of birth. The address will also need recording for the DBS check
- B) Record the documents used to provide the ID evidence, which should include an official form of photo ID (e.g. passport, photo driving licence together with paper version). The documents should confirm the name, date of birth and address. If the individual cannot provide any form of photographic evidence, schools should seek more than one additional form of ID along the lines required by the DBS check. Originals evidence must be seen, photocopies are not acceptable. It is good practice to take a copy of the documents, sign and date that the original has been seen and hold the copies in the personal file.
- C) Their post and start date should be recorded. The order used to record staff is for schools to decide, but it is best to use some order to make searching easier e.g. post type or alphabetical.

D) QUALIFICATIONS AND REGISTRATION				E) PROHIBITED FROM TEACHING			F) DBS CHECK			
Quals required Y/N	Qual evidenced	Date checked	Checked by	Check required Y/N	Date checked	Checked by	Completed date	DBS number	Checked by	Inc. barred list check Y/N

- D) Schools must record the professional qualifications that are a requirement of the job, which should be as identified on the person specification, e.g. Qualified Teacher Status (QTS) for a Teacher, National Professional Qualification in Headship for a Headteacher, NVQ2 for a Teaching Assistant. This

section should also include any registration with a professional body that is a requirement of the job. Schools should record whether or not a qualification is required for the job; the qualification/s that have been evidenced; the date seen and who has checked it. It is only necessary to check those that are a requirement of the job; however schools may choose to check others if they wish. It is good practice to take a copy of the original documents, signed and dated and then placed on the personal file. Unfamiliar overseas qualifications should be checked, which can be done on various websites such as NARIC [www.naric.org.uk/naric/](http://www.naric.org.uk/naric/).

- E) Since the 1st September 2013, it has been a statutory requirement that a Prohibition Order check must be made for any teacher a school employs. This does not apply to other staff groups. It is not the same as a Barred List check (obtained via the DBS). The prohibition checks can be made directly by schools to check the record of teachers they are considering employing, via the Employer Access Service provided by the National College of Teaching and Learning. The Service can check a teacher's personal details, initial teacher training qualifications, qualified teacher status, induction status, supplementary qualifications, details of any active sanctions, a suspension or conditional order that is still current, and prohibition from teaching. Schools should record on the SCR if a Prohibition Order check is required, the date of the check and the name of the person who checked it.
- F) An enhanced Disclosure and Barring Service (DBS, previously CRB checks) with barred list check (see G) is required for all staff appointed to work in a school. Further details of DBS requirements can be found in Appendix 9, the DBS website at [www.gov.uk/disclosure-barring-service-check/overview](http://www.gov.uk/disclosure-barring-service-check/overview) and in *Keeping Children Safe in Education September 2016* found at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/526153/Keeping\\_children\\_safe\\_in\\_education\\_guidance\\_from\\_September\\_2016.pdf?mc\\_cid=5a838d4cd9&mc\\_eid=bca903b36e](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/526153/Keeping_children_safe_in_education_guidance_from_September_2016.pdf?mc_cid=5a838d4cd9&mc_eid=bca903b36e).

G) CHILDREN'S BARRED LIST		H) DBS UPDATE SERVICE (portability)			I) OVERSEAS CHECKS (if living abroad)			J) RIGHT TO WORK IN UK		
Date checked	Checked by	Check required Y/N	Date checked	Checked by	Checks carried out	Date checked	Checked by	Type of evidence seen	Date checked	Checked by

- G) A Children's Barred List check (formerly List 99) must be undertaken for all staff working in schools in regulated activity. Further details can be found as listed in F above. It is unlawful to carry out a Barred List check for a person who is NOT engaged in regulated activity, as could apply to some volunteers and governors. The date that this is checked should be recorded on the SCR, together with the checker's initials or name.
- H) The DBS introduced a portability scheme in July 2013. This allowed individuals to subscribe to the scheme by paying an annual fee (free for volunteers) that enables their next DBS disclosure to be considered portable. Schools proposing to engage an employee or volunteer who holds a portable DBS can accept their current DBS and check on-line to see if there have been any changes. If there has been an update to the information contained on the disclosure it is recommended that the school requests a new one. If there are no amendments, the school can accept the current DBS certificate for the purposes of the pre-employment check. If a portable check is provided, it must be recorded that this needs checking, the date checked and initials/name of the checker
- I) Schools must carry out the same checks for individuals who have lived or worked outside the UK, as for everyone else but, in addition, must make any further checks considered appropriate. This would usually involve checks on overseas criminal records but could also include overseas qualification checks (see D above), employment checks etc. These overseas checks must be recorded on the SCR, indicating the nature of the check carried out, the date, and the person carrying out the check. From 18 January 2016, checks for teachers who have worked in other EEA (European Economic Area) states can be accessed through the NCTL Teacher Services (also known as employer access online) to check for restrictions/sanctions that have been imposed since 18 January 2016 by regulators of the teaching profession in other EEA member states. Schools need to access the "Teachers sanctioned in other EEA member states list" to identify any restrictions in force, using the teacher's reference number and date of birth. The restrictions imposed by another EEA authority don't prevent an individual from taking up teaching positions in England. However, schools should consider the circumstances leading to the restriction when considering a candidate's suitability.
- J) Under the requirements of the Immigration, Asylum and Nationality Act 2006, Employers must confirm that employees have the right to work in the UK. More information can be found on the Gov.uk website. The evidence, date and checker details should be recorded.

K) REFERENCES			L) DISQUALIFICATION BY ASSOCIATION					M) INDUCTION AT SCHOOL	
Date of cleared ref 1	Date of cleared ref 2	Date of cleared extra ref	Self-declaration required Y/N	Date of declaration	Checked/ actioned by	Date of Ofsted waiver	Other action	Date of school induction	Carried out by

--	--	--	--	--	--	--	--	--	--

- K) References are covered in section 11, including the occasional need for a third reference to confirm suitability to work with children. Schools must take up references on all new appointments but there is no requirement to record references on the SCR. As good practice to ensure that all pre-employment checks are recorded together, school could include these optional columns and record the date of receipt of satisfactory references. The references should be retained in personal files.
- L) The authority has provided further guidance on the requirement to comply with the disqualification requirement of the Childcare Act 2006 (see Appendix 15) and the DfE's statutory guidance *Disqualification under the Childcare Act 2006 - Statutory guidance for local authorities, maintained schools, independent schools, academies and free schools February 2015* can be found on the Gov.uk website. Schools do not have to record this information on the SCR but, as it must be recorded somewhere, the SCR is recommended. It should be recorded whether or not a declaration is required for the post, the date that this is provided, confirmation that it has been checked and any details of subsequent Ofsted waivers or other action, such as ensuring the member of staff works only in KS2.
- M) All schools must have an effective child protection policy in place together with a staff behaviour policy (sometimes called a code of conduct). Both these policies, together with the name of the school's designated safeguarding lead, should be provided to all staff as part of their induction. This applies equally to volunteers, temporary, agency and contract staff. There is no requirement to record this on the SCR but school may wish to do so in order to keep all records in a single place. Schools may choose to add more details of areas covered during the induction and training updates, such as safeguarding, as they occur.
- N) Other important information could include records of safeguarding training and attendance at training sessions where vital information, such as expectations in relation to the Code of Conduct were discussed, e.g.

N) Other important information		
Date of latest Safeguarding training	Attended briefing on school Code of Conduct	Etc....





**APPENDIX 11**  
**Invite to Interview Letter**

**Private & Confidential**

**[Name]**

**[Address]**

**[Date]**

Dear

**POST:**

**SCHOOL:**

**ADDRESS:**

**SALARY RANGE:**

Further to your recent application for the above position, I am pleased to invite you to attend the selection process which will be held on **[date]** at **[venue, name and address]**. I have enclosed a map of the location for your information. **[Add any specific details e.g. parking arrangements]**

Please arrive at **[time]** and ask for **[insert details]**.

The selection process will include: **[provide details of activities to be undertaken, any information required in advance and approximate times]**

*For example:*

- *You are required to prepare a presentation in advance of the day, on [subject title], which you will be allocated [number of minutes] to deliver during the interview, with a follow-up discussion. If you require the school to provide any equipment for the delivery of your presentation (e.g. projector, flipchart etc.), please contact me so I can make the necessary arrangements.*
- *The interview will last approximately [number of minutes]. The panel members will include the headteacher and two governors.*
- *You will also be required to participate in a year 5 lesson, the subject of which will be [title plus any information necessary for them to prepare]*

If you have any special needs or requirements (relating to a disability or otherwise) to enable you to participate in the recruitment process, please contact **[name & telephone number]** so that we can make the necessary arrangements. **(If food is provided - Please contact the school if you have any special dietary requirements.) [delete/amend as appropriate]**

As previously advised, it is school policy to follow-up references prior to interview. One referee must be your current/last employer, and should include at least one who can

comment on your previous work with children, where this is possible. The school reserves the right to contact other previous employers for a reference where this is deemed necessary, in exceptional cases.

**If you are the successful candidate the Chair of the panel will contact you to undertake any outstanding pre-employment checks required for this post (see information to applicants and Person Specification):-**

***[insert list as relevant to the post or re-attach original list advising them to 'see attached']***

**You are required to confirm your attendance no less than 2 days prior to your interview. To do this please contact *[insert contact details]*.**

I look forward to meeting you for interview. If you have any questions in the meantime, please do not hesitate to contact me by telephone or email.

Yours sincerely

**[Name]  
[Title]**

Enclosures **[amend as applicable]**

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

## APPENDIX 12 – Offer Letter – Teaching Staff

### Private & Confidential

[Name]

[Address]

[Date]

Dear [name]

### Conditional Offer of Appointment

#### **[Post Title]**

Further to your recent interview, I am pleased to conditionally offer you the above post with Nottingham City Council **[amend for academy trust]**, based at **[insert school]** with effect from **[date]**.

#### **[Delete if not applicable]**

- *The position temporary \* maternity cover and will be \* reviewed on a month by month basis unless brought to an end prior to this by either side on notice or sooner should circumstances change. \**
- *This post is temporary until \* unless brought to an end prior to this by either side on notice or sooner should circumstances change. \**

The appointment is subject to the following conditions:

1. A starting salary of **[£]** per annum within the **[insert]** pay scale for teachers **[Delete as appropriate: and includes – details of breakdown of pay, e.g. (if part time) payment for X hours worked per week, a TLR payment of [£] (specify duration of this in case of TLR3).]**
2. Your salary being paid monthly by bank credit.
3. During your employment with the authority your terms and conditions of employment will be in accordance with:  
**[amend as necessary for academy trust]**
  - a) The current Education (Teachers) Regulations and amendments;
  - b) The School Teachers' Pay and Conditions Document;
  - c) The Conditions of Service for School Teachers in England and Wales (the Burgundy Book);
  - d) Legislation and regulations appropriate to teachers;
  - e) Any local collective agreements relevant to your employment reached between the Authority and the recognised Trade Unions;
  - f) The financial regulations for schools;
  - g) The Articles and Instruments of Government of the school.The documents above may be referred to in your place of employment.

4. The appointment is subject to two months' ***[amend to 3 months for headteachers]*** notice on either side expiring on either the 31st day of December or the 30th day of April or three months ***[amend to 4 months for headteachers]*** if expiring on the 31st day of August in any year. The effective resignation dates are, therefore, 31<sup>st</sup> October, 28<sup>th</sup> (or 29<sup>th</sup>) February and 31<sup>st</sup> May ***[amend to 30<sup>th</sup> September, 31 January and 30 April for headteachers]*** respectively. Notice should be given to the Headteacher ***[amend to Chair of Governors for headteachers]***.

All teachers resigning their appointment will be paid salary:

- a) at the end of the Summer Term to August 31st; or in the case of a teacher resigning to take up an appointment with another authority or a school maintained by another authority, to the day preceding the day on which the school under the new authority opens for the autumn term if this be earlier than September 1st;
- b) at the end of the autumn term to December 31st;
- c) at the end of the spring term to April 30th; or in the case of a teacher resigning to take an appointment with another authority or a school maintained by another authority, to the day preceding the day on which the school under the new authority opens for the summer term if this be earlier than May 1st.

The minimum periods of notice to be given by an employer are governed by the Employment Rights Act 1996. For the purposes of calculation the notice pay period relates to your date of commencement with the Council ***[amend for academy trust]***. If termination is for the reason of gross misconduct there is no entitlement to notice pay.

5. Your appointment is conditional on the satisfactory completion of pre-employment checks. As previously advised, the checks necessary for your post are as follows:

***[list all pre-employment checks for this post – these should have previously advised in the application pack]***

As soon as the conditions of the offer have been satisfied, I will contact you again to discuss your starting arrangements. Please note that if your employment commences after the cut-off date for the monthly payroll (usually at the start of the month), your first salary payment will be made on 22<sup>nd</sup> of the following month, backdated to your start date.

Superannuation contributions will automatically be deducted from your salary. Employees may choose to 'opt out' of the scheme after enrolment, further information is available at [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk). A contracting out certificate is in force for the Teachers' Pension Scheme.

In order to comply with Working Time Regulations, please advise me if you have any other employment. The combined total of working hours must not exceed 48 hours when averaged over a 17-week period unless a voluntary agreement is completed in accordance with Nottingham City Council's ***[amend for academy trust]*** Working Time Regulations Policy Statement. This includes any other employment (whether with the City

Council ***[amend for academy trust]***, another employer or self-employed) and you are expected to update the school should the situation change during your employment

I have included an acceptance form ***[Delete as appropriate: together with...list any other forms included for completion e.g. bank mandate]*** which I would be grateful if you would complete and return to me as soon as possible.

Finally, I would like to wish you my congratulations on obtaining this appointment and very much look forward to working with you.

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

Yours sincerely

**[Name]**

**[Post Title]**

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

Enclosures: ***[insert details of any forms sent for completion]***

## ACCEPTANCE FORM (TEACHERS)

**Post Title:**

**Grade:**

**Department/Name of School:**

I confirm that I accept the conditional offer of employment in relation to the above post with Nottingham City Council ***[amend for academy trust]*** on the terms and conditions stated in the accompanying letter dated **[date]**

I understand that the offer of employment cannot be confirmed until the conditions of this offer have been satisfied.

**Signed:**.....

**Name:**

**Address:**

**Date:** .....

Please return this acceptance to

Headteacher

**[Address]**

## APPENDIX 13 – Offer letter – Support Staff

Private & Confidential

[Name]

[Address]

[Date]

Dear

Post title:

### Conditional Offer of Appointment –

Further to your recent interview, I am pleased to conditionally offer you the above post with Nottingham City Council **[amend for academy trust]**, based at **[insert school]** with effect from **[date]**.

#### ***[Delete if not applicable]***

- *The position temporary \* maternity cover and will be \* reviewed on a month by month basis unless brought to an end prior to this by either side on notice or sooner should circumstances change. \**
- *This post is temporary until \* unless brought to an end prior to this by either side on notice or sooner should circumstances change. \**

### Conditions of Offer

The appointment is conditional on the satisfactory completion of pre-employment checks. As previously advised, the checks necessary for your post are as follows:

- The receipt of a minimum of two satisfactory references.
- Medical clearance as to your suitability for employment in this post.
- Documentary evidence of your right to work in the UK.
- Confirmation of any post-specific, qualifications/registration with professional bodies as detailed in the person specification (where applicable).
- Satisfactory completion of an enhanced Disclosure & Barring Service (DBS) check

***List all pre-employment checks for this post – as previously advised in the application pack]***



The job which you have been conditionally offered involves substantial opportunity for access to children. It is therefore exempt from the Rehabilitation of Offenders Act 1974. You are therefore required to declare any convictions or cautions you may have, even if they would otherwise be regarded as “spent” under this Act, with the exception of those classed as “protected” under the Exceptions Order 1975 (2013) (see <https://www.gov.uk/government/collections/dbs-filtering-guidance> for further information). The disclosure of a criminal record will not necessarily prevent your appointment and each case will be considered carefully in relation to the conviction and employment offered

Failure to declare a conviction may disqualify you from appointment, or result in summary dismissal if the discrepancy comes to light. If you have lived outside of the UK for five or more years during your adulthood, an overseas

s check may also be required. Please be aware that if an overseas check is required, your start date could be considerably delayed.

As soon as the conditions of the offer have been satisfied your line manager will be in contact with you to arrange a suitable start date. Please note that if your employment commences after the cut-off date for the monthly payroll, your first salary payment will be made on 22nd of the following month, backdated to your start date. As part of the appointment process there are various forms we need you to complete and return back to us once you have read through the information.

## **Pension**

You will automatically be entered into the Local Government Pension Scheme (LGPS) which includes a generous employer contribution towards your pension saving.

You do have the right to opt out after joining the LGPS however in order to do this you must either visit the Nottinghamshire County Council website [www.nottspf.org.uk](http://www.nottspf.org.uk) to access the form or telephone them on 0115 977 2727. Please be aware that only the pension scheme administrator can provide this information to you and not Nottingham City Council as your employer.

A short guide to the LGPS PEN12 and pension membership form PEN1 can be found online at <http://www.nottspf.org.uk/members/membersguides/>. It is very important that you use form PEN1 to declare any previous pensionable service that you may wish to transfer in as there is a 12-month time limit to request such a transfer and it is also important to complete the death grant nomination form PEN9, please return your forms to the school. If you require any help to access the forms, please contact me.

If you wish to receive any other details or have any questions on pensions you can contact the City pensions team on 0115 8762270.

## **Working Time Directive**

In order to comply with the Working Time Regulations the school needs to know if you have any other employment. The combined total of working hours must not exceed 48 hours when averaged over a 17-week period unless a voluntary agreement is completed in accordance with Nottingham City Council’s Working Time Regulations Policy Statement.

You will need to inform your headteacher if you have any other employment (whether with the City Council or another employer) that you either have at the commencement of this employment or propose to take up at any time during your employment with the Council. If you are paid on Grade G (SCP 31) and above you shall devote your whole time service to the work of the City Council and shall not engage in any other business (including self-employment) or take up any additional appointment without the express written prior consent of their Headteacher (or, in the case of Headteachers, the Director of Education).

Failure to comply with the above will be regarded as a serious matter which may result in your dismissal for gross misconduct.

### **Acceptance**

I have included an acceptance form ***[Delete as appropriate: together with...list any other forms included for completion e.g. bank mandate]*** which I would be grateful if you would complete and return to me as soon as possible.

Finally, I would like to wish you my congratulations on obtaining this appointment and very much look forward to working with you.

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

Yours sincerely

**[Name]**

**[Post Title]**

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

Enclosures: ***[insert details of any forms sent for completion]***

## ACCEPTANCE FORM (SUPPORT EMPLOYEES)

**Post Title:**

**Grade:**

**Department/Name of School:**

I confirm that I accept the conditional offer of employment in relation to the above post with Nottingham City Council ***[amend for academy trust]*** on the terms and conditions stated in the accompanying letter dated **[date]**

I understand that the offer of employment cannot be confirmed until the conditions of this offer have been satisfied.

**Signed:**.....

**Name:**

**Address:**

**Date:** .....

Please return this acceptance to

Headteacher

**[Address]**

## APPENDIX 14 Recruitment and Selection Checklist

### Safer Recruitment - Appointment Checklist

**This checklist should be completed for all new and existing employees and the relevant details recorded in the school's Single Central Record**

#### 1. Employee Details

Employee's Name		Planned Start Date	
Post Title		School	

**PLEASE NOTE: No contract will be issued or payment made until all of the documents listed below have been provided (or it has been confirmed that they are already on the personal file for existing employees)**

2. Documentation Required	Attached	On File
Copy of essential qualification certificates (as detailed in the person specification)		
Copy of essential professional body registration or membership certificates (as detailed in the person specification) <b>These must show the individual's registration number and any expiry date.</b>		
References Record the results of all references obtained. In most cases, 2 references should have been obtained before interview. Additional references may be required, for example, where earlier jobs can provide missing evidence of the applicant's work with children, where the last employer has not been provided as a referee or where any anomalies in the employment record need to be addressed. The results of any supplementary telephone conversations should be recorded and confirmation in writing should be obtained wherever possible.		
Proof of entitlement to work in the UK (including photo identification) <b>Please complete list in section 6. below to confirm which documents have been provided</b>		
Confirmation of pre-employment medical clearance		
Application form, expression of interest or curriculum vitae <b>Written confirmation of any unexplained gaps in the individual's employment history must be included</b>		
Copy of the job description and person specification		

<b>3. Enhanced DBS Clearance</b> - Please note: a photocopy of the DBS certificate should <b>not</b> be taken	
Disclosure Number Does this include a Barred List check: YES/NO	Date of Issue:
Type of Workforce: Adult / Child / Adult and Child / Other (delete as appropriate)	
Date Certificate Seen:	Any Information Disclosed? YES / NO
<b>If information has been disclosed on the certificate, please contact the Resourcing &amp; Reward Team on 0115 87 63819 or 0115 87 62763 for guidance</b>	
Is the individual registered with the DBS Update Service? YES / NO	
Date of Online Status Check:	
Outcome of Online Status Check:	

4. Evidence of other pre-employment checks (Please delete/add as applicable to job)	Attached	On File
Prohibited check carried out and passed (teachers only)		
Copy of the job description and person specification		
Disqualification checks under the Childcare Act 2006		
Verification of successful completion of statutory induction period (teachers only)		
Other (please add)		

<p><b>REMINDER (this is not a pre-employment necessity):</b></p> <p>In order to allocate the correct tax details and ensure a new starter's salary payment is not delayed, they should also provide their bank details and <b>ONE</b> of the following:</p> <ul style="list-style-type: none"> <li>A print-out of the <a href="#">HMRC Starter Checklist</a> <b>OR</b> a P45 from their previous employer</li> </ul> <p>These should be forwarded to the school's payroll provider, as appropriate.</p>
---

## 5. Manager Declaration

I confirm that:

- All of the required documents listed in this checklist are attached or are already contained within the employee's personal file;
- I have seen the original versions of all of the documents attached to this checklist;
- The photographs shown on documents confirming proof of identity and/or entitlement to work in the UK are consistent with the appearance of the person;
- All of the documents provided, particularly those in relation to the entitlement to work in the UK, are genuine, have not been tampered with and belong to the holder;

If applicable:

- Where documents have been provided as proof of an individual's entitlement to work in the UK and they contain different names, additional documents are attached (e.g. marriage certificate) to explain the name change;
- I have contacted the referees to verify that the references received originated from them;
- I have checked that the individual holds the relevant level and type of DBS clearance required to undertake this post.

**Signature:**

**Name:**

**Date:**

## 6. Right to Work Documentation

**Please indicate the documentation checked as per one of the descriptions below. Each photocopy must be signed and dated to confirm when the originals were seen and checked.**

✓

### List A

A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK

A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer

A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland

A registration certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland

A permanent residence card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland	
A <b>current</b> Biometric Residence Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the person named in it is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK	
A <b>current</b> passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK	
A <b>current</b> Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer	
A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland <b>together with</b> an official document giving the person's National Insurance number and their name issued by a Government agency or a previous employer	
A certificate of registration or naturalisation as a British citizen <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer	
<b>List B - Group One</b>	
A <b>current</b> passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question	
A <b>current</b> Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the person named in it can currently stay in the UK and is allowed to do the type of work in question	
A <b>current</b> Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence	
A <b>current</b> Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the person named on it can stay in the UK and is allowed to do the type of work in question <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer	
<b>List B - Group Two</b>	
A Certificate of Application which is <b>less than 6 months old</b> issued by the Home Office to a family member of a national of a European Economic Area country or Switzerland stating that the holder is allowed to take employment <b>together with</b> a <b>positive verification notice</b> from the Home Office Employer Checking Service	

An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, <b>together with a positive verification notice</b> from the Home Office Employer Checking Service	
A <b>positive verification notice</b> issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the person named in it may stay in the UK and is permitted to do the work in question	



## Appendix 15 – Keeping Children Safe in Education

### Disqualification under the Childcare Act 2006



#### 1. Statutory Guidance for all schools and academies

1.1 The guidance sets out:

- The responsibilities of local authorities (in the exercise of their education functions) and schools;
- What schools need to do to comply with the legislation;
- Who is covered – including the implications for staff who live in the same household where a disqualified person lives or is employed;
- The circumstances under which staff should be directed to apply to Ofsted to waive disqualification.

1.2 It also explains the responsibilities of:

- Training suppliers, such as initial teacher training providers who place trainees or students at a school who are working and are being trained in a relevant childcare setting; and
- Agencies and third party organisations employing staff to work in relevant childcare settings in a school.

1.3 The Guidance can be found at:

- [Statutory guidance: Disqualification under the Childcare Act 2006](#) (electronic link)

or

- <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>

1.4 Supplementary Guidance has been provided by the City Council's HR and Legal Teams in the FAQs in Appendix 15.A.

#### 2. Who is covered?

2.1 Disqualification by association only applies to staff working with or managing:

- the education **during the school day** and activities that take place at the school **outside of the school day** (e.g. breakfast or after school clubs) for **early years children** (i.e. of nursery and reception class age)
- the supervision of **later years children** (i.e. under the age of 8) in relation to activities that take place **outside the school day** (e.g. breakfast or after school clubs)

2.2 There are some staff that the DfE has confirmed that the requirements do not generally apply to, including catering, cleaning and other support staff not involved in a) or b) above

2.3 Schools need to make the relevant staff aware of the legislation and to carry out and record checks, including follow-up actions taken for any issues arising. It is for schools to determine how they do this, which may not necessarily be by the

completion of a self-declaration form (although this may be the simplest option for schools – see sample form in Appendix 15.B). Schools may choose to record answers given verbally, with staff signing to confirm the information. The checks need to be recorded and retained centrally for inspection. It may be simplest to do this within the Single Central Record.

- 2.4 Offences relating to spent cautions or convictions should not be taken into account for others living or working in the same household (i.e. those covered ‘by association’)

### **3. What are the disqualification requirements?**

- 3.1 The DfE advises that individuals are disqualified under the Act and Regulations, at the point that an individual is convicted of, or cautioned for, a criminal offence of a specific type (see Appendix 15.A FAQ 1. for further information), or where they meet other disqualification criteria set out in the regulations, including:
- inclusion on the Children’s Barred List;
  - being cautioned for or convicted of certain violent and sexual criminal offences against children and adults;
  - grounds relating to the care of children (including where an order is made in respect of a child under the person’s care);
  - having registration refused or cancelled in relation to childcare, or children’s homes, or being disqualified from private fostering;
  - living in the same household where another person who is disqualified lives or works (‘disqualification by association’).

### **4. What action should school leaders take?**

- 4.1 School leaders are responsible for ensuring that all the staff they employ have had the appropriate checks and that all staff working in the specified settings (see 2.1 above) are suitable to do so.
- 4.2 Schools should ask existing employees working in these settings, and those who are directly concerned in the management of such provision, to provide the relevant information not only about themselves, but also about anyone living in the same household as them (‘by association’). They should also ask for this information as part of the pre-employment checks they undertake when appointing new staff.
- 4.3 Schools are responsible for ensuring that they do not knowingly permit any relevant staff members who are disqualified, or disqualified by association, to work with children of the relevant ages (unless a waiver has been received from Ofsted). To do so is a criminal offence.
- 4.4 Schools may choose how they do this (see 2.3 above). They may ask staff to complete and sign a declaration which would help identify those caught by the ‘by association’ requirement (see sample form in Appendix 15.B). It is recommended that a clear and reasonably short deadline is given for the return of declarations and that this is monitored strictly and those not returned are followed up promptly (advice can be provided by the school’s HR Casework Advisor). The following information should be requested:

- details of any order, determination, conviction, or other ground for disqualification from registration under the Childcare (Disqualification) Regulations 2009;
  - the date of the order, determination or conviction, or the date when the other ground for disqualification arose;
  - information about the body or court which made the order, determination or conviction, and the sentence (if any) imposed; and
  - a certified copy of the relevant order (in relation to an order or conviction).
- 4.5 All information received must be treated with the utmost confidentiality and processed in accordance with data protection legislation. The Childcare (Disqualification) Regulations 2009 require employers to pass information to Ofsted and such statutory duties are allowed under the legislation. Schools must handle and store all information in school carefully, in accordance with secure data protection rules.
- 4.6 Anyone who is disqualified (or disqualified by association), will need to be removed immediately from the relevant setting while their circumstances are considered and alternative employment opportunities are explored. School leaders should contact their HR Casework Advisor to help them to manage the situation and consider the options available.
- 4.7 The DfE guidance clarifies that, whilst awaiting a waiver, individuals are not necessarily prevented from working in the school in any other setting, e.g. teaching a class other than reception or nursery. Schools must ensure that a risk assessment has been undertaken and measures put in place, and agreed with the individual, to ensure that they are removed from settings specified in 2.1 above, until the waiver decision has been received from Ofsted.
- 4.8 Where alternative employment opportunities cannot be found, it will be necessary to send the member of staff home on paid leave while they apply for a waiver from Ofsted. A template letter to issue to the employee is in Appendix 15.C.
- 4.9 The school should explain to the employee the implications and advise them that they can usually apply to Ofsted for a waiver of disqualification (not applicable to those on the Children's Barred List). Further details of this can be found in the Ofsted fact sheet: [Applying to waive disqualification: early years and childcare providers](#). The individual must not continue to work in the settings described in 2.1 above whilst the waiver application is being considered.
- 4.10 The school must provide any information on disqualifications to Ofsted as soon as reasonably practicable, within 14 days of notification at the latest.
- 4.11 Going forward, it is recommended that the school determine when they will formally review the status of their staff on an annual basis, it may be that this is most appropriate at the start of each school year.
- 4.12 Schools should also ensure that any external agency providing staff in relevant settings has completed the checking process prior to allowing them to work in the school and provide documentary evidence of this for school records.
- 4.13 Ofsted will include this as part of their overall safeguarding/record checks.

## **5. What action should staff take?**

- 5.1 Employees are responsible for accurately self-declaring if any of the disqualification criteria in 3. above apply to them directly, or if they are living in the same household as a person cautioned for, or convicted of a relevant crime (see also Appendix 15.A FAQ 1. for further information).
- 5.2 Employees must comply with the Ofsted waiver process without delay, where this is necessary.
- 5.3 Individuals are expected to advise school leaders if their situation changes throughout the year.
- 5.4 Failure to declare any relevant information may result in disciplinary action, which could lead to dismissal.

## **6. Further Support**

- 6.1 School leaders requiring support should contact their Casework Advisor or ring the City Council's HR Advisory Line on 0115 876 2000.
- 6.2 If staff require support during or following the declaration process, they can contact PAM Assist on 0800 882 4102 to discuss any concerns in confidence.

## **FREQUENTLY ASKED QUESTIONS – DISQUALIFICATION UNDER THE CHILDCARE ACT 2006**

### **Relevant offences**

**1. What are the criteria for disqualification under the 2006 Act and the 2009 Regulations?**

#### **Summary of relevant offences**

The relevant offences are covered at some length in Schedules 2 and 3 of the Childcare (Disqualification) Regulations 2009. However, these can be summarised as any of the following that resulted in a caution (issued since 2007 and including reprimands, warnings and youth cautions) or a conviction:

- Any offences by an adult against or involving children
- Any sexual offence by an adult or a child against an adult or child
- Any sexual offence by an adult or a child involving animals
- Murder, manslaughter, kidnapping, false imprisonment, ABH or GBH
- Burglary (involving rape)
- Offences relating to children's homes pursuant to the Care Standards Act 2000
- Any similar offence committed overseas which would result in disqualification if committed in the UK

#### **Other relevant criteria include**

- Certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations
- Inclusion on the Disclosure and Barring Service (DBS) Children's Barred List
- Certain orders made in relation to the care of children, as referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations
- Refusal or cancellation of registration relating to childcare (other than failure to pay a fee), or children's homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2009 Regulations
- Living in the same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in regulation 9 of the 2009 Regulations

Relevant people	
2. Which staff are covered and what are the relevant settings?	<p>The Regulations cover staff who work in ‘relevant settings’ defined as:</p> <ul style="list-style-type: none"> <li>• Staff who work in <b>early years provision</b> – who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast and after school clubs and lunchtime supervision provided by the school) both <b>during and outside of school hours</b></li> <li>• Staff working in later years provision for children who have not attained the age of 8 – staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This <b>does not include</b> education or supervised activity for children above reception age <b>during school hours</b> (including extended school hours for co-curricular learning activities, such as the school’s choir or sports teams) but it <b>does include</b> before school settings, such as breakfast clubs and after school provision</li> <li>• staff who are directly concerned with the management of such early or later years provision</li> </ul>
3. Which staff are not covered?	<ul style="list-style-type: none"> <li>• staff who only provide education, childcare or supervised activity during school hours to children above reception age (including teachers, teaching assistants, middays – where not working with reception age or younger);</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• staff who only provide childcare or supervised activities out of school hours for children who are aged 8 or over;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• staff who have no involvement in the management of relevant provision</li> </ul>
4. What about other support staff in schools?	<p>The school will need to make a decision about whether the work of the member of support staff falls under the definition of a relevant setting, or whether there are any occasions where this could apply. If the school is sure that the Regulations do not apply to a particular post, then they can decide to exempt that person from the Regulations; however, it is recommended that the reason for the decision is documented and that employees understand the parameters. If the situation changes, then the employee must alert a member of the senior leadership team to this immediately, prior to undertaking the work in question, and they may need to undergo the declaration process used by the school (e.g. if a member of staff normally works in KS2 only and the situation changes so that they are required to assist with reception children)</p>

<b>5. What about other City Council employees undertaking contracts at schools?</b>	<p>Staff such as caretakers, cleaners, drivers, transport escorts, catering and office staff, who are not employed to directly provide childcare, are not covered by the legislation. Similarly, most staff who are only occasionally deployed and are not regularly required to work in relevant childcare will not automatically come within the scope of the legislation.</p> <p>Schools should exercise their judgement about when and whether other staff fall within scope, liaising with the relevant central service as necessary and ensuring that any risks are evaluated and recorded, and control measures are put in place. The school may wish to take advice from HR, Local Authority Designated Officer (LADO), safeguarding lead officer or other advisers when appropriate. A record of the assessment should be retained on the employee's personnel file.</p> <p>Where other local authority staff are deployed to work in relevant childcare settings in schools (for example peripatetic music teachers or special needs teachers) it is the responsibility of the local authority to ensure that those staff are compliant with the requirements of the legislation explained in the guidance in relation to the relevant early and later years setting described in 2. above.</p>
<b>6. What about anyone involved in any form of health care provision for a child</b>	<p>This includes school nurses and local authority staff such as speech therapists and educational psychologists. These staff are specifically excluded from the statutory definition of childcare, and are not covered by the legislation.</p>
<b>7. What about governors?</b>	<p>School governors and proprietors are not covered by the legislation, unless they volunteer to work in relevant childcare on a regular basis, or they are directly concerned with the day to day management of such provision.</p>
<b>8. What about volunteers and casual workers?</b>	<p>Generally the Childcare (Disqualification) Regulations 2009 do not apply to volunteers; however, volunteers and casual workers who are directly concerned with the management of childcare provision, or who work on a regular basis, whether supervised or not, in relevant childcare, are within the scope of the legislation and are covered by this guidance.</p> <p>It is recommended that schools consider the role that volunteers play in their school. Where the role may, in specific circumstances, be viewed as a relevant setting, schools should apply the same standards of safeguarding checks as they would to staff and should ask the relevant volunteers to complete the school's disqualification process. The DfE has confirmed that they consider this to be the right approach.</p> <p>Ofsted will not consider a waiver application in respect of a volunteer (as the Regulations do not apply) and schools will need to make a decision about whether to allow the individual to continue volunteering. This</p>

	should involve a risk assessment relating to the information provided on the declaration, the nature of the activities they undertake and the level of supervision in place.
<b>9. What about outside contractors and agency staff? (including childcare providers and managers of provision being operated on school premises)</b>	<p>Schools should consider whether these contractors or agency staff will manage, supervise or work in a relevant setting (see definition in 2. above). If they will, then the school will need to obtain confirmation that their employer has complied with the Regulations.</p> <p>Schools should retain records of their consideration of contractor's roles and of any subsequent checking process with the contractor's employer. This will include training suppliers, such as initial teacher training and other providers placing trainees or students at the school.</p> <p>Where the contractor is self-employed, the school must ensure that they are compliant with the requirements of the legislation.</p>
<b>Communicating with staff</b>	
<b>10. Making staff aware of the Regulations</b>	<p>Schools must make the relevant staff aware of what information will be required of them and how it will be used to make decisions about disqualification. Schools are free to decide how to bring the requirements of the Regulations to the attention of their staff. As a means of making staff aware of their duty to provide information the school may, for example, choose to include a section in the school's safeguarding policy, or another policy document, or by means of an addition to new staff members' contracts of employment. Schools must draw this to the attention of their staff, together with information provided by Ofsted and referenced in the statutory guidance.</p>
<b>11. Gathering the relevant information</b>	<p>Schools need to take steps to gather sufficient and accurate information about whether any member of staff in a relevant childcare setting is disqualified by association. The DfE have now advised that it is not necessary for schools to ask staff to complete a self-declaration form to obtain the information; however this remains one option for schools if they choose and the completion of such forms may be a more efficient, consistent and fair way of obtaining the information.</p> <p>Where such a form is used, the school should ensure that the questions posed are relevant and limited to the requirements of the Regulations, e.g. cautions or convictions for a relevant offence; whether the individual has been disqualified from caring for a child (including their own child); or whether they or anyone living or employed in their household is named on the DBS Children's Barred List.</p> <p>Schools can ask the relevant questions verbally and maintain records of the outcomes (e.g. nothing to declare, or details of any declaration given and action taken). This information must be retained securely in line with data protection legislation and may be required during an Ofsted inspection.</p>



	<p>It is important not to ask for information that is not relevant to ensure there is no breach of the DPA. Further, the school should avoid asking for medical records, details about unrelated or spent convictions of household members, DBS certificates from third parties, or copies of a person's criminal record.</p> <p>Schools should inform staff that, when responding to questions about their cautions or convictions, they do not need to provide details about any protected cautions or protected convictions and that they are not required to disclose the spent cautions or convictions of a person who lives or is employed in their household.</p> <p>Any irrelevant information should not be kept and should be destroyed.</p>
<b>12. How often should schools carry out these checks?</b>	<p>Schools are recommended to refresh the declarations annually. It is for individual schools to determine the timetable for doing this, although the start of the school year would seem most appropriate.</p> <p>New staff should be checked as required, as part of the recruitment process.</p>
<b>13. Prohibited requests</b>	<p>Schools must not ask staff or third parties to make requests for their criminal records in connection with employment, as this will amount to an enforced subject access request, which will be an offence under section 56 of the DPA from 10 March 2015 and the Information Commissioners Office (ICO) will seek to make prosecutions against organisations committing this offence (see ICO guidance for further information)</p>
<b>14. Third party Information</b>	<p>It is important that where information is obtained about a third party that individual to whom the information relates is clearly informed about how, and for what purpose, the school will use their information. Schools must be certain that the information provided is adequate, accurate and relevant to their enquiries and whether the information is provided in error, or is not relevant, e.g. an unspent caution or a conviction which is not listed as a relevant offence, it should be destroyed. School should be careful that they do not require staff to breach the requirements of the DPA or the Rehabilitation of Offenders Act.</p>
<b>15. What about new appointments?</b>	<p>If the job applied for falls into the relevant setting criteria, the school is advised to ask shortlisted applicants to comply with the requirements of the Regulations at the earliest opportunity. Depending on the outcome, the school will need to consider whether they proceed with the application. If a declaration is made that would disqualify the applicant, and the school decides to proceed, any employment offer would be conditional on them obtaining a waiver.</p>
<b>Declaration refusals</b>	

<b>16. What do we do if employees refuse to sign/submit a declaration?</b>	<p>It is a criminal offence not to declare that they are disqualified, or are disqualified by association, where this information is known to them. The Regulations state that this information (in relation to offences and criteria listed in 1. above) must be provided. The onus is on the employee to notify the employer of any offences.</p> <p>The law is about knowingly employing someone who is disqualified. Schools who regularly ask staff to confirm there are no changes in their circumstances and act on any information received that brings into doubt any employee's suitability are taking appropriate steps to make sure they do not knowingly employ someone who is disqualified. It is recommended that all staff are told that they must update their school throughout the year, should their circumstances change.</p> <p>If an employee refuses to complete a self-declaration form (where used by the school), our legal advice is that the headteacher writes to them to say <i>"I assume that, because you have not completed a disqualification declaration, you have nothing to declare and fully understand your responsibilities in relation to this. Should it transpire that either you or a member of your household has committed an offence referred to in the Childcare (Disqualification) Regulations 2009 and you were aware of details that, had you completed a disqualification declaration, would have caused you to be automatically disqualified, then this will be treated as a disciplinary matter"</i>.</p>
<b>17. What happens if the employee does not know about a relevant conviction or caution of someone in their household?</b>	<p>Employees are required to declare 'to the best of their knowledge' and are not required to ask members of their household if they have any relevant convictions or cautions. Schools can accept their declarations at face value.</p>
<b>18. Whilst employees in schools are exempt from the Rehabilitation of Offenders Act regarding declaring spent convictions, what about co-habitators with spent convictions?</b>	<p>Employees are not required to disclose spent cautions and convictions relating to individuals who live or are employed in the same household as them and schools should inform them of this. Staff should only respond to questions relating to the criminal record of a person who is living, or is employed in their household, if relevant cautions or convictions are unspent.</p> <p>The majority of staff in schools are exempt from the Rehabilitation of Offenders Act and therefore all relevant cautions or convictions for themselves must be declared, whether spent or unspent.</p>
<b>Action on receipt of declarations</b>	
<b>19. What should I do if I receive a declaration that disqualifies a member of staff?</b>	<p>Where a person is found to be disqualified, this disqualification is automatic and the school does not have the discretion to ignore this. In many cases, it will be appropriate to grant paid leave to the employee while they apply to Ofsted for a waiver (see appendix A for process).</p>

	<p>However, each case is to be judged on its own merits. The headteacher will need to consider any risk that the declaration poses to the school and children. It may be possible to move the employee temporarily to another position where he/she will not be working in a 'relevant setting' (including supervising playground duties, school trips, covering for colleagues, etc), whilst he/she applies to Ofsted for a waiver.</p> <p>Where alternative arrangements cannot be made or it is not appropriate to do so, the school will need to consider whether to grant paid leave or, as a last resort, suspend the member of staff, while the waiver application is under consideration.</p> <p>It is recommended that any temporary arrangement is documented and that the employee agrees not to work outside of the parameters identified. If the situation changes, then the employee must alert a member of the senior leadership team immediately and it may be necessary for them to be given paid leave until the waiver application is resolved.</p>
<b>20. How long will the waiver process take?</b>	The length of time taken by Ofsted to process the waiver application will vary according to the individual circumstances and the volume of requests. It is anticipated that straightforward ones should be processed within 2 weeks. The DfE are liaising with Ofsted to ensure that the process is as speedy as possible.
<b>21. If a waiver is granted, is anything further expected of the school?</b>	<p>Each waiver is granted on its own merits and a waiver may be granted with limitations, e.g. a waiver may apply to one particular type of employment or to a particular premises.</p> <p>If limitations are applied, then it will be for the school to consider whether this is workable. Headteachers are advised to seek advice from their HR casework contact.</p> <p>It is assumed that Ofsted will clarify to the individual the process to be followed when declarations are renewed annually.</p>
<b>22. Where the individual decides not to apply for a waiver</b>	Where an individual who is disqualified under the Regulations, decides not to apply for a waiver then the school will need to consider whether the individual can be redeployed or whether steps should be taken to legitimately terminate their employment.
<b>When a waiver is not granted</b>	
<b>23. What happens if Ofsted will not grant someone a waiver?</b>	If Ofsted do not grant a waiver then the employee remains disqualified and cannot undertake their duties. It is likely that the school will have to dismiss them, unless there are opportunities to redeploy them into another job, which is not covered by the requirements. It is illegal for the school to continue to employ this person in their current post and, in addition, this would affect their registration with Ofsted.

	The reason for dismissal is illegality which is potentially fair under Section 98 of the Employment Act (i.e. it is illegal to continue to employ the individual because it is contrary to a statutory provision). However, to ensure that the school is not open to the challenge of unfair dismissal, the school will need to ensure that the process it has followed to dismiss the employee is fair (see recommended process below)
<b>24. Redeployment</b>	When making decisions about the redeployment of staff schools should take into account the risk of harm to the children concerned and their obligations under the Childcare 2006 Act, the EYFS, KCSIE guidance and any other relevant safeguarding guidance.
<b>Retaining records</b>	
<b>25. How should returned declarations be kept at school?</b>	It is recommended that these are retained securely on the employee's personal file. Records of checks should be recorded on the single central record (see below). Any checks relating to non-employees, e.g. volunteers, should be retained securely by the headteacher. Records should be updated annually, as the declaration process is repeated by the school.
<b>26. What info can Ofsted expect to see as evidence?</b>	<p>It is anticipated that Ofsted will want to see summary information to confirm that checks have been carried out. Where employees have answered yes to any of the relevant offences are covered in Schedules 2 &amp; 3 of the Regulations, for either themselves or a co-habitor, then Ofsted will want to see relevant information which could include confirmation of the waiver and/or any measures put in place by the school in relation to their role and/or Ofsted limitations.</p> <p>All information in relation to declarations should be treated highly confidentially, and retained securely by the headteacher. It is recommended that the completion of the disqualification check is recorded on the single central record, noting whether the result was satisfactory (i.e. nothing to declare) or whether a waiver was recorded and noting any details of this that may be necessary (e.g. limitations imposed).</p>
<b>27. What are the data protection implications?</b>	The DfE expect all information to be processed in accordance with DPA rules. The Childcare (Disqualification) Regulations require employers to pass information to Ofsted and such statutory duties are allowed under the DPA.

## APPENDIX 15.B

Name of school:

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### Keeping Children Safe in Education - Staff suitability declaration

This form is to be completed by all new staff before commencement of employment and all by all staff and volunteers on an annual basis at the commencement of the autumn term.

Name:

Post:

Please answer the questions set out below and sign the declaration to confirm that you are safe to work with and care for children. If there are any parts of the declaration that you are not able to meet, you should disclose this immediately to the headteacher.

Please circle yes or no against each bullet point below:

<p><b>Questions relating to you:</b></p> <p>Are you <i>disqualified for caring for children</i>?</p> <ul style="list-style-type: none"> <li>• Have you been cautioned or convicted of any offences against a child?</li> <li>• Have you been cautioned or convicted of any violent or sexual offences against an adult?</li> <li>• Have you been barred from working with children by the Disclosure and Barring Service (the DBS, this used to be known as the CRB)?</li> <li>• Have you been prohibited from teaching?</li> <li>• If you have children, have your children, at any time, been taken into care?</li> <li>• Have your children been, at any time, the subject of a child protection order?</li> <li>• Has a court order been made, at any time, in respect of a child under your care?</li> <li>• Have you ever been refused registration or had registration cancelled in relation to childcare or a children's home or have you ever been disqualified from private fostering?</li> <li>• Have you ever been cautioned, reprimanded, given a warning or convicted of any similar offence in another country?</li> </ul>	<p>YES/NO YES/NO  YES/NO  YES/NO or N/A YES/NO or N/A YES/NO or N/A YES/NO  YES/NO  YES/NO</p>
<p><b>Questions relating to ALL others in your household ('household' means anyone residing permanently or temporarily with you at the time of signing this declaration):</b></p> <p>Is anyone living in your household <i>disqualified for caring for children</i>?</p> <ul style="list-style-type: none"> <li>• Has anyone living in your household been cautioned or convicted of offences against a child?</li> <li>• Has anyone living in your household been cautioned or convicted of violent or sexual offences against an adult?</li> <li>• Has anyone living in your household been barred from working with children by the Disclosure and Barring Service (DBS)?</li> <li>• Does anyone living in your household have children that have been taken into care?</li> <li>• Has anyone living in your household been the subject of a child protection order?</li> <li>• Has anyone living in your household had a court order made in respect of a child in their care?</li> <li>• Has anyone living in your household been refused registration or had registration cancelled in relation to childcare or a children's home or has anyone been disqualified from private fostering?</li> </ul>	<p>YES/NO  YES/NO  YES/NO  YES/NO YES/NO YES/NO  YES/NO</p>

If you have answered YES to any of the questions above, please provide further information below:

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I understand my responsibility to safeguard children and am aware that I am required to notify the head teacher of anything that may affect my suitability or that of anyone currently living in my household.

I understand that failure to declare any relevant information may result in disciplinary action, which could lead to dismissal.

I will ensure that I notify the head teacher immediately of any changes to my situation or that of anyone living in my household.

I give permission for you to contact any previous settings, local authority staff, the police and the DBS to share information about my suitability to care for children.

Signed (employee).....

Date.....

Name in block capitals.....

Head teacher (signature) .....

Date.....

Name in block capitals.....

*Headteacher – to record action taken, where relevant*

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Headteacher (signature).....

Date action taken.....

Headteacher

## **Appendix 15.C**

### **STRICTLY PRIVATE & CONFIDENTIAL**

Name  
Address

DATE

Dear NAME

#### **Period of temporary leave**

Further to our meeting that you attended at TIME on DATE, I am writing to confirm that you are prohibited from the workplace on period of paid leave with immediate effect and in accordance with the Childcare (Disqualification) Regulations 2009, pending the outcome of your waiver application to Ofsted.

You are prohibited from your duties, as TITLE at SCHOOL, which includes working at the school following your disclosure that you [DETAILS OF DECLARATION]

The law prohibits anyone who is disqualified from working in a childcare setting, including nurseries, schools and before school and after school settings, subject to a successful application of a waiver from Ofsted.

#### **What you must do now**

**You must apply to Ofsted for a waiver without delay.** You should request an application for a waiver by emailing [disqualification@ofsted.gov.uk](mailto:disqualification@ofsted.gov.uk). When you receive the form you must complete it and provide the relevant information in writing to Ofsted. Guidance on applying for the waiver can be found in the 'Applying to Waive Disqualification: Early Years and Childcare Providers' is enclosed.

I will ensure that this situation is kept under review and I will maintain contact with you on a weekly basis for updates in relation to the waiver and prohibition status. It is anticipated that you will have received confirmation from Ofsted in relation to the waiver within 14 days. If there is any delay in receiving this, then you must advise me immediately of any correspondence you receive from Ofsted in relation to the application of the waiver.

**Please note that it is a condition of your employment to obtain a waiver, failure to do so will result in termination of your employment contract. This is because it is an offence for an employer to continue to employ a**



**disqualified person who has not obtained a waiver from Ofsted.  
Therefore please act without delay.**

Please be advised that the paid leave is for you to promptly apply for a waiver whilst you are prohibited. It is a neutral act, without prejudice and will be treated in the strictest confidence.

I must advise you that during this period of leave, you should not return to SCHOOL without prior permission and should not contact any pupils; however, this does not prevent you from communicating informally with friends or colleagues about issues not connected with the case. In addition you must not enter into any other settings where you will be working in the Early Years provision (providing any care for a child up to and including reception age) and Later Years provision (working in childcare outside of school hours for children up to the age of 8, e.g. breakfast clubs and after school clubs).

I do understand that this is a difficult time for you and you may need additional support. If you are a trade union member, you may want to consider contacting your relevant union for support. In addition, the Council's employee assistance programme, provided by PAM Assist, is a free confidential support service available to City Council employees. The service is staffed by experienced advisors who are there 24 hours a day, to offer support on a range of issues.

In the meantime, if you have any questions please do not hesitate to contact me on [TEL. NO.].

Yours sincerely,

Name  
**Head Teacher –SCHOOL**