HOLY FAMILY CATHOLIC PRIMARY SCHOOL

Safer Recruitment & Selection Guidelines within Schools

Sefton Adopted

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Sefton Council

We are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment

Safer Recruitment & Selection Guidelines within Schools

September

2026

Produced by the Schools HR Team

www.sefton.gov.uk

School: _____

Signed by the Chair of Governors: _____

Signed by the Headteacher: _____

Date: _____

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Introduction

Recruitment and selection policy statement

Sefton Council's and Holy Family Catholic Primary School is committed to safeguarding and promoting the welfare of children and young people and will recruit and select all employees in a safe, equitable, effective and efficient manner to employ the best person for the job and ensure that high service standards are maintained and the safety and welfare of children and young people is paramount and expects all staff and volunteers to share this commitment.

These guidelines set out the practices and procedures that must be followed in order to enable the Sefton Council's School policy to be achieved.

The guidelines are directed at all those who are involved in the recruitment and selection process at every stage.

It is essential that the guidelines are fully understood and adhered to both in "word and spirit". Training is available through Governors Services.

The Importance of Recruitment & Selection

People are School's greatest asset.

The recruitment of staff is a major investment for school. Mistakes are costly, not just in financial terms but also in terms of the Safety and Welfare of Children and Young People, staff morale, productivity and turnover.

The importance of the Recruitment and Selection procedure cannot therefore be stressed enough. As a School, it is vital that the safety and welfare of children and young people is overriding and that we put in place and follow a strict policy and procedure that will deter, reject or identify people who may abuse children or young people, or who are otherwise unsuited to working with children and young people.

In the process of recruiting staff, you will also be committing the School to many thousands of pounds in expenditure for advertising, interviewing, administering tests/assessment centres, staff time, training and pay.

It is therefore vital that you carry out the process with due consideration to the whole of these guidelines.

These guidelines will help you to recruit the right person for the job in the correct way.

Adherence to them will ensure that:

- Every effort is made to deter, reject, or identify people who may abuse children or young people, or who are otherwise unsuited to working with children and young people.
- Recruitment decisions are made in a fair and equitable manner based on open and relevant objective criteria.

- The most suitable person for the job is appointed and, therefore, high standards of service are maintained.
- Applicants are not unfairly discriminated against.
- The school can demonstrate that it is a good and credible employer that deserves the confidence of the public.
- Allegations of unfair treatment can be successfully resisted.

There is a commitment to keep this policy and the guidelines under review - changes will be made to reflect developments in good practice and in the law or if the guidelines are found to be in need of refinement in the light of operating experience.

Roles and Responsibilities

There are very serious issues around confidentiality and simple privacy, as well as legal requirements such as the Data Protection principles that must be observed in relation to the recruitment process. A professional and thorough approach is always required.

At least one person on the selection panel must have undertaken successful Safer Recruitment, Recruitment and Selection training. (School staffing England Regulations 2009)

Advice and guidance is available from the Schools Human Resources Team and through various other sources. Contact details can be found in Appendix 1.

Monitoring

All applicants are asked to complete an equal opportunities monitoring form.

Effective monitoring of equality and diversity information from applicants will help schools build an accurate picture of the make-up of their workforce, enable schools to measure their performance and progress toward equality and diversity objectives and help determine their compliance with the Public Sector Equality Duty to eliminate unlawful discrimination, promote equal opportunities and foster good relationships.

Monitoring information should be reported to Governing Body on a regular basis to help inform future recruitment policy decisions.

Records

The Freedom of Information Act allows candidates access to all information relied upon in the decision-making process where requested. Thorough notes should be kept of all decisions in order to ensure that information is available if requested and that any issues can be resolved.

Equalities in Recruitment and Selection

Brief Guide to Equality Issues

The School and Sefton Council is committed to providing equality of opportunity to job applicants and those who use its services, and it is the duty of every employee to avoid and eliminate discrimination.

The School's Policy can be viewed at:

https://www.holyfamilyprimary.com/equality-diversity

The Council's Equality Policy states:

Sefton Council is an Equal Opportunities Employer. In pursuance of this policy it is striving to ensure that no job applicant or employee receives less favourable treatment on the grounds of race, sex, disability, age, gender identity, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership, or is disadvantaged by conditions or requirements which cannot be shown to be justifiable. To achieve this the Council will take active and positive steps to eliminate discrimination, reduce the effects of past discrimination and promote equality in employment. Selection criteria and procedures will be reviewed to ensure that individuals are selected, promoted and treated on the basis of their relevant merit and abilities. All employees will be given full opportunity and, where appropriate, special training to progress within the organisation. The Authority is willing to examine any aspect of policy or service where reasonable evidence is presented that discrimination might exist.

It is important that those who are involved in the recruitment and selection process have an understanding of the law relating to equal opportunities and the potential for discrimination if a systematic and objective approach is not applied.

Unlawful discrimination can arise in a number of ways, some of which are not necessarily obvious. It is important to appreciate the distinction between direct and indirect discrimination:

Direct Discrimination

Treating a person unfavourably because of, for example, their race or sex whilst disregarding their ability to do the job, e.g., not appointing a woman because she is married or not appointing an individual because of their religion.

Indirect Discrimination

This occurs when a requirement or condition is applied to everyone, but which, whether intentionally or not, adversely affects women, men, a particular racial or other group, considerably more than others AND cannot be justified.

For example, insisting without good reason that applicants must be over six feet tall would advantage male candidates as generally the condition could be met by significantly fewer women than men. Another example is to add a requirement for a driving licence when it is not strictly necessary as it may discriminate against people with certain disabilities.

Legislation

The following provides a summary of the current law relating to recruitment and discrimination.

The Equality Act 2010

The Equality Act 2010 is the law which bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society.

The act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

The act prohibits unfair treatment in the workplace, when providing goods, facilities, and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).

The Act also ensures that individuals are entitled to equal pay for equal work.

The Equality Act replaced previous anti-discriminatory law including the Race Relations Act 1976, the Sex Discrimination Act 1975, and the Disability Discrimination Act 1995.

Exemption from the Equality Act - Genuine Occupational Qualification (GOQ) / Genuine Occupational Requirement (GOR)

Discrimination in the recruitment process is unlawful **except** in certain specific circumstances.

These circumstances are described in the: -

Equality Act 2010 (Schedule 9, Part 1)

The exemptions allow employers to restrict applications for employment to one group where the job involves providing persons of that particular group with, for example, personal services promoting their welfare, and where those services can most effectively be provided by a person of the same group (e.g. a female care assistant dealing with a woman's physical needs).

Further information can be found on the ACAS website Acas Guidance on the Equality Act and Occupational Requirement

It is advisable to quote the relevant sections of the Acts in advertisements for such posts. **The Schools Team should be consulted before including any statement to this effect in a job advertisement.**

Public Sector Equality Duty

The Equality Act 2010 introduced a single Public Sector Equality Duty (PSED) that applies to public bodies, including maintained schools and Academies, and extends to certain protected

characteristics - race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment.

This combined equality duty came into effect in April 2011 and requires schools to have due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Act,
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it,
- Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

The specific duties under the PSED require schools to publish information to demonstrate how they are complying with the Public Sector Equality Duty, and to prepare and publish equality objectives. Schools are required to update published information at least annually and publish their objectives at least every 4 years. Schools with over 150 employees need to publish information relating to persons who share a relevant protected characteristic who are affected by their policies and practices. Further information regarding the effects of the PSED can be found in the DfE document The Equality Act 2010 & Schools

Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 was introduced to ensure that ex-offenders who have not re-offended for a period of time since the date of their conviction are not discriminated against when applying for jobs. The Act makes it illegal for any organisation to discriminate against an ex-offender on the grounds of a spent conviction. The Act states that after a period of time certain offences can be classified as spent, which means that the person concerned is no longer legally required to disclose to prospective employers the detail of that conviction.

Exemptions from the Rehabilitation of Offenders Act 1974

Under the Rehabilitation of Offenders Act 1974 criminal convictions normally become spent after a period of time. The length of the period is related to the sentence imposed for the offence. However, there are some exceptions to this (defined in the Exceptions Order 1975); that is, some situations in which a person must declare any relevant criminal record when asked to do so even if the conviction, caution or bind-over would be regarded as spent in other circumstances. One of those situations is when someone is applying for work with an exempt employer (which includes schools and other work with children) whether paid or voluntary.

The ROA was amended in 2013, 2020 and 2023 so that applicants for posts no longer have to disclose ALL spent convictions. Amendments were made to the Exceptions Order so that certain old and minor cautions and spent convictions are ‘protected’ and are not subject to disclosure under the Exemptions Order, nor will they appear on a standard or enhanced disclosure certificate used by the Disclosure and Barring Service (DBS). It is unlawful to ask applicants to disclose protected offences or to ask questions about them or take them into consideration even if these are disclosed.

The Ministry of Justice’s guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975, provides information about which convictions must be declared during

job applications and related exceptions and further information about filtering offences can be found in the DBS filtering guide.

Ministry of Justice and DBS policy / guidance requires employers to explain the effect of the 2013, 2020 and 2023 exceptions to the Rehabilitation of Offenders Act to applicants and to signpost applicants to impartial advice on the disclosure of criminal history.

Full guidance on Sefton Council's policy and the handling of disclosures is included at Appendix 2.

All job descriptions for posts within school must include a statement that they are exempt from the Act under the Special Conditions heading.

Human Rights Act 1998

Local Authorities and schools are legally required to consider the impact of people's human rights when setting policies and making decisions.

Prevention of Illegal Working Legislation

The law on preventing illegal working is set out in sections 15 to 25 of the Immigration, Asylum and Nationality Act 2006 (the 2006 Act), section 24B of the Immigration Act 1971, and Schedule 6 of the Immigration Act 2016. Comprehensive guidance has been published by the Home Office for employers to prevent illegal working in the UK. The full guide is available via the attached link: An Employer's Guide to Right to Work Checks. Further information is at Appendix 3

Public Sector Fluency Duty

Part 7 of The Immigration Act 2016 contains a duty on public authorities including schools to ensure that each person who works for them in a public-facing role speaks a level of English which is sufficient to enable them to effectively carry out their role.

The duty applies to employees, casual workers, apprentices, agency staff and self-employed contractors who are required to speak to members of the public, either face-to-face or by telephone, as a regular and intrinsic part of their role. Teachers and Teaching Assistants required to communicate with pupils, and administrative staff required to communicate with parents, would be viewed as operating in a public-facing role.

Schools must ensure that members of staff in such roles, whatever their nationality or origins, are able to speak fluent English. This means that they must have a command of spoken English which is sufficient to enable the effective performance of their role.

The Childcare (Disqualification) Regulations 2018

This sets out the circumstances in which an individual will be disqualified for the purposes of section 75 of the Act. Section 76(2) of the 2006 Act, provides that a person who is disqualified under the 2018 Regulations may not provide relevant childcare provision or be directly concerned in the management of such provision. Under section 76(3) schools are prohibited from employing a disqualified person in connection with relevant childcare provision in specified settings, unless the individual in question has been granted a waiver by Ofsted for

the role. Further information on the staff to whom these Regulations apply, the checks that should be carried out, and the recording of those checks can be found in the Statutory guidance - Disqualification under the Childcare Act 2006.

Safeguarding Vulnerable Groups Act 2006.

This act defines the type of work that is categorised as regulated activity. The Act makes it unlawful for anyone barred from working in regulated activity with a vulnerable group (either children or vulnerable adults), to apply or take up a position working with that vulnerable group. It also makes it unlawful for an employer to employ an individual who is barred.

The School Staffing (England) Regulations 2009

The school staffing regulations require that:

- At least one member of the recruitment panel should have successfully undertaken Safer Recruitment Training.
- Checks be undertaken on all newly appointed staff with regard to their identity, relevant qualifications, right to work in the UK, criminal record including additional checks where applicants have lived outside of the UK.
- Headteacher and Deputy Headteacher vacancies must be advertised, unless the school has a good reason not to

The Education (Health Standards) (England) Regulations 2003

The Education (Health Standards) (England) Regulations 2003 state that it is a statutory responsibility that employers satisfy themselves that individuals have the appropriate level of fitness before any appointment is confirmed.

Education Act 2002 S.157 and S.175

The Education Act 2002, S.157 and S.175 state that schools have a duty to ensure that all activities/regulations conducted in schools are exercised with a view to safeguarding and promoting the welfare of children.

The Education (Specified Work) (England) Regulations 2012

The regulations set out the requirement that a person undertaking Specified Work in a maintained school in England must hold Qualified Teacher Status, unless they satisfy one of the requirements or conditions specified in the schedule to the regulations, such as for example instructors with special qualifications or experience, overseas trained teachers or unqualified teachers on employment-based teacher training schemes.

Freedom of Information Act 2000

The Freedom of Information Act grants public access to information and documents held by public authorities including schools.

Data Protection Act 2018/UK General Data Protection Regulation

Data protection legislation controls the way in which organisations gather, use, and manage personal data. The DPA 2018 sets out the framework for data protection in the UK and updates and replaces the DPA 1998. The DPA 2018 came into effect on the 25th May 2018 and was amended on 1st Jan 2021 by the UK GDPR. Some of the main principles include that the processing of information should be adequate, relevant, and limited to what is necessary, data is accurate and up to date and stored for a limited minimum period and be protected from unauthorised access and loss.

Applications from Disabled People

Best practice in recruitment means finding the best person for the job. This means taking care with all the arrangements made so that the potential offered by people with disabilities and health conditions is not missed.

We are all different and following best practice will help to accurately recognise the potential of everyone who applies to work for the school. To avoid discrimination all applicants must be assessed on their individual merits.

There is no requirement to treat someone with a disability or health issue more favourably than other candidates except that reasonable adjustments must be made for disabled individuals if required. These adjustments may be applicable all through the recruitment process e.g. supplying an application form in large print or providing a loop system in the interview room.

Translation, Interpretation & Access to Information

Members of Sefton's communities use the services of the school and therefore do need access to information. Effective communication is vital in breaking down barriers that prevent service users from accessing services. This applies equally to the recruitment and selection process as job packs and application forms may be requested in alternative formats.

Formats will depend upon an individual's needs, personal preferences and access to technology and may include large print, audio, email, Braille, MP3 or CD. Alternative format applications should ask for the same information as standard format applications. No application should ask for unnecessary information that could put an individual at a disadvantage. For example, questions about health conditions, unless these are very specifically relevant to the job, as identified in the person specification.

Before Recruiting

Decision to Fill a Vacancy

When a vacancy arises, it should not be an automatic assumption that the post will be advertised, or filled in the same way as it was previously. Consideration should be given to whether or not the job still needs to be done, or if the work can be allocated elsewhere. Authorisation to progress with the vacancy should therefore be obtained from the Schools Staffing Committee.

If the vacancy is to be filled, then some time spent on examining the key features of the vacancy will reap long-term benefits if carried out correctly. It is recommended that a job analysis is carried out as the next step in the process.

Another consideration will be to look at the nature of the work associated with the vacancy, and it may be considered appropriate to fill it on a temporary/fixed term/casual basis to which specific provisions apply.

Guidance on non-permanent contracts of employment can be obtained by contacting the Schools Team.

Job Analysis

A careful analysis of the duties and responsibilities of the post should be carried out in order to ensure that they remain relevant. In the case of new posts, such an examination will have been conducted in determining the need for the job.

Job analysis is the process of conducting a detailed examination of the context of the job and the tasks and responsibilities that should properly be associated with it.

A thorough job analysis will enable the production of an accurate job description and person specification.

The job analysis should be undertaken by people with a thorough knowledge of the work area and may involve the current post holder or another employee in a similar position. Assistance is available from the Schools HR Team.

In conducting a job analysis, typical considerations are:

- Does the vacancy need to be filled?
- Is the job title correct?
- Have the duties/responsibilities changed/increased/decreased?
- Is the grading still appropriate?
- Has the relationship with other posts changed?
- Does the post have a high turnover? If so, why? Was anything identified in exit interviews?
- Does the job description or person specification in any way discriminate against any group as detailed in the School's Equality Policy?
- Can the job be offered on a job share basis?
- Is the post exempted from the Rehabilitation of Offenders Act?
- Is the post customer facing and therefore covered by the "Fluency Duty"? (Appendix 4)

Any Post under NJC terms and conditions that have not undergone the Job Evaluation process must do so before advertising, along with any posts where any alterations as above have been made.

Job Description

Following the job analysis, the
job description should be confirmed, amended or rewritten, as appropriate.

Substantially revised job descriptions should only be issued with the approval of the Headteacher/Schools Staffing Committee and following consultation with the appropriate member of the Schools Human Resources Team. Where substantial changes are proposed these should be referred to the Job Evaluation Team in the Corporate HR Team for re-evaluation as there may be implications for the grading of the post (see Job Evaluation)

A good job description is useful for drawing up the person specification, helping to identify the skills profile and aptitudes considered essential and desirable. It forms the basis of induction and training plans and provides a benchmark for judging achievements. It also enables prospective applicants to assess themselves for the job.

The format to be used when preparing a job description can be found at Appendix 5.

Job descriptions must include the safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children and should include the following statement:

'We are committed to promoting the safeguarding and welfare of children and Young People and expect all staff and volunteers to share this commitment'.

Person Specification

A person specification must be available for each post in the school, and it must be completed at the time the job description is prepared or reviewed and before the job is advertised. It is recommended that all selection panel members are involved in the preparation of the person specification to ensure they agree the criteria against which candidates are to be assessed.

The purpose of having a person specification is that it complements the job description and describes the skills, abilities, experience, attitudes and behaviours required for the post.

It specifies the requirements which are **essential** i.e. the minimum standard required on appointment to the post without which the person would be unable to do the job, and those which are **desirable** i.e. could be obtained by training/experience but would be available in an "ideal" candidate.

The person specification should make it clear that the ability to contribute to safeguarding and promoting welfare is an essential attribute.

Any requirement that is included on the person specification must be capable of being assessed and an indication must be given of the stage at which it will be assessed, and the method of assessment to be used e.g. application form/interview/presentation/test.

Extreme care must be taken when deciding what attributes are essential to the job.

Unnecessary requirements must not be used to avoid any possibility of discrimination against particular groups of potential applicants, for example the requirement to possess a driving licence is likely to preclude some disabled people. **Attributes that cannot be wholly justified must not be included.**

All the required personal attributes must be stated clearly and concisely and not phrased in general or vague terms capable of misinterpretation.

Suitable wording should be used to reflect the skills and competencies required and words such as ‘literate’, numerate’ and ‘relevant experience’ should be used with an indication as to what extent.

‘Blanket’ requirements such as reference to holding three GCSE’s, must not be used. In some cases holding a GCSE qualification (or equivalent) will be relevant as evidence that an applicant has the knowledge or skill required to fulfil certain duties of a post. However, equally, where an applicant does not have a GCSE qualification but can show relevant experience, they may justify consideration.

Requirements such as “four years experience” must not be used, as they could be deemed as discriminatory towards younger workers. The type of experience required must be spelt out so that the candidates can determine exactly what is required of them.

Terms such as 'an appropriate recognised qualification'; 'substantial relevant experience' or 'experience in an office environment' must not be used. Such statements are vague and imply uncertainty about the skills/knowledge/experience required to do the job.

It must be emphasised, however, that this requirement does not impact on the stipulation of relevant professional qualifications as essential requirements of the posts. For example, professional posts such as Teacher etc will still carry their respective professional qualifications as essential criteria. The important factor is that the qualifications are relevant to the requirements of the post. Consider also other qualifications that may demonstrate suitability for the role, i.e. NVQs, ECDL.

Posts which are customer facing must include the requirement for the candidate to have the ability to fulfil all spoken aspects of the role in English (Appendix 4).

It may be helpful to rank or weight the desirable criteria to assist in the shortlisting process.

Applicants have to demonstrate that they have the appropriate experience, skills, competencies and knowledge relevant for the job, and that they meet the criteria. Positive consideration should be given to all applicants who can demonstrate that they meet the criteria.

The person specification is also important in relation to assessing training needs and in dealing with matters of performance and competence.

Under no circumstances is the person specification to be completed or revised after the Selection Panel has had access to applications.

Help in preparing person specifications may be obtained from the Schools Human Resources Team.

The format for person specifications can be found in Appendix 6.

All Person Specifications must have the following essential criteria:

1. Ability to Contribute to Safeguarding and Promoting the Welfare of Children and Young People.

2. Committed to safeguarding and promoting the welfare of children and young people.

3. Satisfactory Enhanced Disclosure and Barring Services Check (DBS) including barred list check.

Job Evaluation

Job Evaluation is a systematic process that ensures a fair, non-discriminatory and objective method of grading jobs. It measures the job **not** the performance of the individual. Details of the National Joint Council (NJC) Job Evaluation scheme can be found within the "Green Book" Terms and Conditions of Service. The Job Evaluation scheme allocates a points score to all support staff roles. The points score equates to a grade, and this will dictate the salary that can be paid for that role. Undertaking Job Evaluation ensures that jobs of equal value receive equal pay and can be used to defend any potential equal pay claims.

All NJC staff in schools that hold a Sefton Contract of Employment (ie support staff in Community and Voluntary controlled schools), must have their posts graded in accordance with the NJC Job Evaluation scheme. All new support staff roles in these schools or roles that have been altered significantly, must go through the Job evaluation process prior to the role being advertised to ensure that the correct grade is applied.

Voluntary Aided (VA) schools who directly employ staff on NJC terms and conditions of employment, have also adopted the Job evaluation scheme to help avoid any future equal pay challenges.

Considerations before Advertising

Once approval has been given to fill the post, but before going to the advertising stage, there are other considerations that should be considered which may result in the post being successfully filled.

Suitable Alternative Employment for Staff at Risk of Redundancy

Staff with over 2 years continuous service and at risk of redundancy due to the ending of their fixed term contract should be considered for any vacant posts that could be considered by the employee to be a suitable alternative post. If there is more than one employee at risk and interested in the position, then a competitive selection process must be followed which should include an application and interview process.

Recruitment during Secondments and Acting up Arrangements

Where a vacancy is open to secondments/acting up arrangements, all employees within the appropriate schools must be informed of the opportunity. If there is more than one employee interested in the opportunity, then a competitive selection process must be followed which should include an application and interview process.

Recruitment During Establishment Reviews

Vacancies may arise as part of an establishment review. In these cases, vacancies should not be advertised outside of the area until the review is complete and current post holders are

redeployed where possible. Further guidance is available from the Schools Human Resources Team.

Non-Permanent Appointments

The appointment of non-permanent employees may be a cost–effective means of acquiring specific skills and abilities when these are only needed for a short period of time e.g., during a specific project. They may also be used to cover the absence of a permanent employee or to deal with peak periods. The length of the contract term should be decided in advance where possible.

The circumstances and particular requirements facing the school will impact on the choice of contract to use. The use of any non-permanent contract should be kept to a minimum and, wherever possible, be of the 'fixed term' type. Schools must however have regard to the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 when considering using a fixed-term contract as it is essential that schools can demonstrate that there are transparent, necessary and objective reasons for placing a post on a fixed-term contract.

Guidance on non-permanent contracts of employment can be obtained by contacting the Schools Human Resources Team.

Agency Staff

The use of agency staff should be avoided where possible, as the costs associated with agency staff are high. Agency staff should only be used where a vacancy is likely to be short term and can be covered with minimal training. Please contact the Schools Human Resources Team for further information.

Schools looking to use teaching agency staff are advised to contact the Sefton Supply Team in the first instance.

Employees on Maternity Leave or Long -Term Absence

Employees away from school should be given access to the same opportunities as those at work. It is recommended that Headteachers/Governors liaise with employees whilst they are away from work to ensure that they have access to school vacancies/advertisements.

Advertising The Vacancy

The recruitment of staff must always follow a fair and equitable process

Recruitment solely by word of mouth should never be considered, it does not allow for selection to occur in a fair and equitable manner. Failure to advertise a role could lead to accusations of favouritism and, in the worst case, a tribunal claim for discrimination.

All vacant roles should be advertised externally unless there is good reason not to. Where schools advertise roles internally, applicants should be signposted to where and how to apply along with external applicants, and any staff that are absent due to sickness or maternity leave should be informed about the vacancies. Where advertising is limited to internal adverts only this will limit the potential pool of candidates, this in turn can lead to discrimination and lack of

diversity. It is therefore important to advertise widely so schools can select staff from a wider and more diverse pool.

It should be noted that agency workers are entitled to the same opportunities as other staff to find permanent work within the organisation.

Adverts

The advertisement for the vacancy is a public statement and a visual representation of the School and Authority designed to attract suitable applicants to the post in the most cost-effective way. Adverts should help deter unsuitable people from applying for the job.

Adverts should be clear and unambiguous. Short sentences and paragraphs should be used ensuring the advertisement is not discriminatory, offensive or in any way off-putting to any person or group

Advertisements can be uploaded by schools to the Jobs Go Public website. Adverts should include information relating to the specific role –

- School/Post location
- Post title
- Contract type (e.g. permanent, temporary, fixed term, casual)
- If fixed term – the dates from and to and the reason for the role being fixed term
- Hours (e.g. full-time, part-time, term-time)
- Salary grade and scale (If Term Time – the pro rata salary should be clear)
- Main elements of job content
- Essential Skills, Experience and Qualifications Required
- Post is open to Jobshare" Statement (unless exempted by the Governors of the school)
- How and to whom to apply
- Closing date - closing dates should be at least 2 weeks after the date of advertisement

It is vital that the details in the advert are correct as this information will form part of the employment contract.

In addition to the details specific to the role, all adverts must include the following –

- The school's commitment to the Welfare and Safeguarding of Children and Young People and the expectation of all staff and volunteers to share this commitment.
- The safeguarding responsibilities of the post as per the job description and personal specification
- Whether the post is exempt from the Rehabilitation of Offenders Act and therefore subject to an enhanced DBS
- Whether the role is in regulated activity and requires a children's barred list check
- "School name and Sefton is an equal opportunities employer and welcomes applications from all sections of the community" Statement.

Supporting Documents

The level of a post will influence the amount of information provided to applicants. The question that should be asked is what does an applicant need to know and what additional information should reasonably be provided to enable him/her to come to a view on whether or not he/she would wish to work for the school. In all cases, it is good practice to provide applicants relevant supporting information with the application form.

The following information should be provided to all applicants:

- Job Description and Person Specification
- Application Form with Guidance Notes.
- Equal Opportunities Monitoring Form
- Summary of Conditions of Service
- Where and to whom Application Forms should be returned
- Reminder of closing date
- Details of any Selection Tests and Assessment Methods.
- Information on the Schools Safeguarding and Child Protections Policies and Procedures
- An explanation of the effects of the exemptions from the Rehabilitation of Offenders Act & signposting to impartial advice on the disclosure of criminal history
- A copy of the school's policy on employment of ex-offenders
- Information about the filtering of criminal offences and the need to complete a self-disclosure if they are invited to interview.
- Applicants must be advised that an online search may be conducted if they are shortlisted.

As a matter of good practice, Schools may also wish to consider enclosing details on:

- Selection process including dates of interview etc.
- Aid to Recruitment Scheme (where applicable)
- Disclosure and Barring Service process
- School/ Sefton Council information
- Relevant Conditions of Service

There is a wide range of media from which to choose if a post is to be advertised externally. In addition to national and local newspapers, websites and professional journals, full consideration should be given to using media that serve minority groups. Cost effectiveness, the external perception of the School/Council and compliance with the Council's Equalities Strategies are influencing factors.

Application Form

All applicants must complete the appropriate School standard application form that is accompanied by guidance notes. CV's alone must not be accepted. The Translation, Interpretation and Access to Information Guidelines on Sefton Councils Intranet provide details of how to handle requests for an application pack in alternative format e.g. Braille, audio tape.

As a minimum, applicants are required to provide:

- Personal details, current and former names, current address and national insurance number

- Details of their present (or last) employment and reason for leaving
- Full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment.
- Qualifications, the awarding body and date of award
- Details of referees/references (see below for further information), and
- A statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

Late Applications

Any applications received after the closing date should not be considered unless exceptional circumstances apply.

The Selection Process

Selection is a two-way process, when the candidate is being assessed, he/she will also be assessing the School/Sefton as a potential place to work and possibly live.

It is vital that every potential employee is able to feel confident that their application has been treated fairly and that they have been given a full and proper opportunity to demonstrate their abilities relative to the requirements of the job.

Approaching any Councillor or employee of the Council/School with a view to influencing employment opportunities, speculative or otherwise, will disqualify the applicant from the selection process

The Selection Panel

Who Should be Included on the Selection Panel

With the exception of the Headteacher and Deputy Headteacher posts (see below), all selection panels should consist of a minimum of two people, one of whom should be the line manager/supervisor of the post concerned. For more senior posts, additional panel members may be involved, and it may be considered appropriate to include a representative from the Schools Human Resources Team. **In all cases, at least one panel member must have successfully completed training in Safer Recruitment and Selection**. There is no specific requirement, under legislation or the School's/Authority's policy, for a panel to be made up of a combination of male and female staff.

Headteacher, and Deputy Headteachers, are appointed by a Governors Appointment Committee consisting of a minimum of three Governors from the school.

In community, voluntary-controlled and community special schools, the local authority, as the employer, has the right to attend all proceedings of the selection panel (including interviews) and provide advice. The governing board will need to consider any advice provided by the Local Authority.

Sefton Council supports the general principles of the United Nations Convention on the Rights of the Child and the principle that Children and Young People (C&YP) should be involved in decisions that affect their lives. In order to champion this principle, Headteachers and

Governors should consider whether, or not, a vacant post falls into this category and, if so, look at the various mechanisms available for taking into account the views of C&YP. It is important to note that the level of engagement of the C&YP is a judgement decision left to the discretion of the Headteacher/Governing Body. Guidance is detailed at Appendix 12 to this document and includes contact details should you wish to discuss this initiative further.

At What Stage Should the Panel become Involved?

It is recommended that **all** Panel Members should be involved in the key stages of the procedure, particularly the preparation of the person specification. Panel members who have been trained in Safer Recruitment and Selection should ensure that other panel members are familiar with the procedure.

The Panel should agree the criteria and rating system for selection upon which the decision will be made.

Complying with this will ensure that the Panel agrees and is committed to the criteria against which candidates are to be assessed. It will also ensure that Panel members are party to the same information and share the same evidence on which to assess candidates.

The next task for the Panel is to agree a shortlist.

Shortlisting Candidates

The Selection Panel should agree the shortlist as soon after the closing date as possible.

Only those applicants who have completed an approved School application form can be considered unless arrangements have been made to receive information in an alternative format e.g., visually impaired applicants.

Preparing a Shortlist

The Person Specification will detail the essential and desirable criteria and the methods, which will be used to assess candidates relative to those criteria.

At the shortlisting stage it is only those criteria that are to be assessed from the application form that must be considered.

Members of the selection panel should **individually** read and assess **each** application form against the person specification and record their findings on the Schools **Shortlisting Form R/S 2** (Appendix 7).

At this stage, if a panel member discovers that he/she knows personally or is related to an applicant, he/she must declare the matter to the Chair of the Panel. Where the panel member is related to the applicant, he/she must withdraw from the process. In any other cases, the panel members must consult fully with the Chair in order that the nature of the relationship and, whether or not it may impact on the making of an objective decision, can be considered. The general rule should always be to act on the side of caution and withdraw from the process if there is any doubt. Where withdrawal takes place, it may be necessary to identify a substitute panel member for the remainder of the process. In such cases, the substitute member must take a full part in the shortlisting and all remaining stages.

There should be no comparison of candidates – candidates are compared only to the specification for the job.

The first step of the shortlisting should be to eliminate all those applicants who do not meet all of the **essential** criteria.

Essential requirements should not be rated at this stage: the question is simply whether or not the candidate can comply with the requirement, (e.g. if it is essential that the candidate must possess GCSE Maths he/she either does or does not meet the requirement - "extra credits" cannot be awarded to those applicants who exceed the Person Specification criteria e.g. have A-Level Maths).

If there are a large number of applicants who satisfy all the essential criteria it will then become necessary to examine the **desirable criteria** with the objective of arriving at a manageable shortlist.

At the time of writing the person specification, or before examining any application forms, the Panel should discuss and agree the relative importance of each of the desirable criteria and rank or weight them. The panel should now apply the weighting given to the desirable criteria. This will lead to the building of a profile of each applicant's knowledge, skills, experience etc in comparison with the person specification and facilitate the formation of the shortlist.

Those applicants who satisfy the essential criteria should be rated according to how well they meet the **desirable** criteria of the person specification in the following way:

3 - Comprehensively meets essential and all desirable requirements
2 - Partially meets desirable requirements
1 - Does not meet desirable requirements at all

The object is to identify a manageable number of candidates for further assessment who:

(a) meet all the essential criteria, and;
(b) represent the closest match with the desirable criteria

Once the shortlisting panel members have individually assessed each application form they will discuss their individual findings with the objective of coming to an overall consensus view. The consensus must then be recorded using **Shortlisting Form R/S 2** (Appendix 7) again but clearly marking it at the top "Consensus View of Panel". This information may be used to provide feedback to applicants and support the School's case in the event of allegations of unfairness.

The panel should look for and consider any inconsistencies and gaps in employment and reasons given for them, and explore all potential concerns.

Records of the shortlisting process must be retained on file for at least 12 months after the exercise.

Criminal/Suitability Self-Declaration

Shortlisted Applicants should be given the opportunity to disclose any relevant criminal history prior to their interview. This should be via a criminal record / suitability self-disclosure completed by shortlisted candidates prior to interview.

The self-declaration should include the following information:

- If they have a criminal history
- If they are included on the children's barred list
- If they are prohibited from teaching
- If they are prohibited from taking part in the management of an independent school
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted.
- If they are known to the police and children's local authority social care
- If they have been disqualified from providing childcare
- Any relevant overseas information.

The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received. Relevant disclosed information should be discussed with the candidate at interview or in a separate suitability meeting.

References – Shortlisted Candidates

KCSIE states that, wherever possible, schools should obtain references on short-listed candidates before interviewing them so that any concerns or issues are identified and can be explored with the candidate at interview before a final decision is made.

All references should be confirmed with the person who provided them (by telephone, for example) and all electronic references must be verified for authenticity.

Schools should:

- Not accept open references e.g. To whom it may concern
- Not rely on applicants to obtain their reference.
- Ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect of any disciplinary investigations)
- Obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed.
- Secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer.
- Always verify any information with the person who provided the reference.
- Ensure electronic references originate from a legitimate source.
- Contact referees to clarify content where information is vague or insufficient information is provided.
- Compare the information on the application form with that in the reference and take up any discrepancies with the candidate.

- Establish the reason for the candidate leaving their current or most recent post, and
- Ensure any concerns are resolved satisfactorily before appointment is confirmed

The Equality Act 2010 prevents employers from asking health related questions prior to the job offer being made to the successful applicant, therefore requests for references prior to interview should not ask for information relating to sickness absence.

Online Searches

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

Where schools undertake online searches, these should be limited to websites where information is intended to be publicly available. Social media platforms are intended for individuals to share personal information. Searching an applicant's social media presence can introduce discrimination and bias and could potentially be a breach of data protection legislation, particularly if the search is done covertly.

Online searches should be undertaken by someone not on the appointment panel and only information that is of concern and is relevant to the applicant's suitability to work with children should be shared.

Any information recorded as a result of an online search would be disclosable under a Subject Access Request and therefore schools must ensure that the information is fair, factual and does not introduce personal bias.

Any information found as a result of online searches should be compared with the candidate's application form, employment history and criminal / suitability self-disclosure and then discussed with the applicant at interview – the questions asked, and responses provided by the applicant should be recorded on the interview notes.

Selection Tools

The selection process should always include a face-to-face interview using agreed structured questions to find out the following:

- What attracted the candidate to the post being applied for and their motivation for working with children.
- What skills and experience the applicant has of working with children
- About any gaps in employment or where the candidate has changed employment or location frequently, and the reasons for this.

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

- Implication that adults and children are equal.
- Lack of recognition and/or understanding of the vulnerability of children

- Inappropriate idealisation of children
- Inadequate understanding of appropriate boundaries between adults and children, and,
- Indicators of negative safeguarding behaviours.

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

Pupils/students should be involved in the recruitment process in a meaningful way. Observing short listed candidates and appropriately supervised interaction with pupils/students is common and recognised as good practice.

All information considered in decision making should be clearly recorded along with decisions made.

Schools should use a range of selection techniques to identify the most suitable person for the post, which could include:

Assessment Centres

This is a programme over 1 to 2 days that assesses candidates over a range of tests and activities that are relevant to the post. It is often a combination of methods that reflect aspects of the job and individual including for example selection tests, in-tray exercises, report writing, teaching observations and presentations.

Selection Tests

Selection testing provides selection panels with more objective information to supplement the information provided by application forms and interviews and thus, enables a more informed selection decision to be made. You should not make a selection decision using only test results.

To ensure that the school fulfils its legal obligations, tests must be objective, standardised, statistically valid and reliable and must not unfairly disadvantage certain groups of people, such as those who have a protected characteristic.

Presentations

Presentations are frequently used as a selection tool, particularly in senior jobs. The applicant is provided with a topic and given a strict timeframe to deliver a presentation on that topic. The method of doing this can vary as part of the testing process. The presentation topic can be sent with the interview letter, or it can be given to the applicants on the day of the interview and a set period given to prepare the presentation before the interview.

Which methods are suitable for a particular job?

When determining which selection method is most appropriate, it is necessary to consider the requirements of the job, through analysis of the job description and person specification, and what skills, experience and aptitudes are being sought. More than one selection method may be appropriate for any aspect of a particular job and the person specification should identify what those methods of selection are going to be. Depending on the role, the following selection methods may be applicable for school posts:

- Presentations to the selection panel
- Leading a discussion with pupils
- Teaching a lesson
- Role play exercise
- In tray exercise
- Financial or budgeting task
- Psychometric testing
- Personality profiling
- Group exercises with all other candidates
- Case studies
- Leading an assembly
- Observing a lesson and providing feedback to the teacher
- Learning walks

Preparing for the Interview/Selection Tests

Informing the Candidates

(i) Give candidates at least seven working days notice of the interview/selection tests.

(ii) Write to all candidates informing them of:

- Date, time and venue of interview (enclose map of location and access details, if appropriate)
- Any selection methods which are to be used in addition to the interview including, where appropriate the areas that will explore their suitability of working with children and test information.
- The requirement to complete and return the criminal/suitability self-declaration form prior to the interview.
- Names and post titles of selection panel
- Estimate of how long the interview, selection tests, etc will take.
- Dates reserved for any further stages of the process if necessary (e.g. Second interview)
- The need for qualification certificates and other documents (e.g. Driving licence) relevant to the job to be presented at interview
- A person to contact if they have any particular individual requirements to enable them to take part in the recruitment process e.g. Wheelchair access, communicator, mentor.
- Remind candidates those identity checks that will be completed on any successful candidates, e.g. identity, pre-employment medical, DBS etc.

Administration for Interview

Decide whether the interview will be 'in person' or held virtually using Microsoft Teams.

For 'In-Person' Interviews:

i) Book accommodation - ensure that it will be free from interruptions. Ensure that the room has the required equipment e.g. powerpoint, and is set up in an appropriate manner.
ii) Ensure that there are reception and waiting facilities and, where possible, that these are in a quiet area.

iii) Book refreshments (water as a minimum)
iv) Ensure that the Interview Panel has a copy of all application forms, the advertisement, a list of candidates, person specification, job description and the schedule of arrangements.
v) Ensure there is a qualified/approved person available to administer selection tests.
vi) Ensure interview expenses forms are available (where applicable).
vii) If appropriate, arrange for car parking space to be available for candidates.
viii) Ensure the venue is accessible to disabled candidates and that any adjustments that have been requested are available e.g. hearing loop.

For Virtual Interviews:

i) Send email invitations to the candidates and other participants.
ii) Provide clear instructions on how to access the virtual meeting.
iii) Pick a quiet, well-lit location.
iv) Prepare for the interview – ensure you have reliable technology and have all the information and materials you will need in front of you.
v) Establish ground rules in advance with the interview panel regarding, structure, roles, participation, note taking and muting of microphones when not talking.
vi) Demonstrate professionalism – virtual interviews are no less important that in-person interviews.

If a candidate is not available on the day of the interview it is good practice to rearrange the interview. However, if you cannot agree a date for the interview within a reasonable timeframe you may feel that you have to disregard the candidate in the selection procedure.

Conducting the Selection Interview

The Panel should each have a copy of the job description, person specification and interview assessment sheets. **Preparation for the interview is essential** and the Panel should meet in advance and allow sufficient time to plan the structure, conduct and content of the interview, agreeing questions and reminding themselves of the rating method to be used.

It is recommended that those who shortlist carry out the interviews for a consistent approach. All the Panel members should be involved in each interview to ensure consistency.

In the interests of equity, all candidates must be asked to respond to the same range of pre-determined questions that relate to the criteria on the person specification. **These questions will, however, need to be followed up by additional relevant questions which will probe or clarify** a response or statement made by a candidate to enable the Panel to thoroughly assess each candidate's suitability and to probe more deeply into a candidate's skills and experiences. The panel may also ask questions about information on the application form, which supplements the response made by the candidate.

The panel should ask candidates about any issues or concerns raised by the criminal self-disclosure, (bearing in mind that old convictions may be filtered and should not be taken into account) information that has come to light online or issues raised in the references.

If there are any gaps in the employment history, the panel should explore the applicant's explanation of such gaps along with the reasons behind a history of repeated change of employment and short periods in roles without any obvious reason, e.g. progression.

Questions based on assumptions regarding personal circumstance must not be asked. If it is considered necessary to assess whether personal circumstances will affect performance (e.g. jobs involving unsociable hours or requiring mobility etc) questions should be objective, related to the job requirements and the applicant's ability to meet those requirements. Such questions must be asked of all applicants.

Attendance records must not be discussed with applicants at the interview stage. Once a person has passed the interview and they have been offered the job (subject to satisfactory checks), appropriate health-related questions are then permitted, i.e. reference request /pre-employment questionnaire.

Issues should be explored during interview relating to safeguarding and promoting the welfare of children and young people including where appropriate:

Motivation to work with children and/or young people; ability to form and maintain appropriate relationships and personal boundaries with children and young people; emotional resilience in working with challenging behaviours; and attitudes to use authority and maintaining discipline.

It is recognised that where a school leaver has brought along his/her exam/qualification certificates, it may not be possible to fully examine it during the interview. Therefore, arrangements should be made for it to be examined once the interview has ended but before a selection decision has been made ensuring that it is returned to the candidate as soon as possible.

Applicants may also wish to bring other information into the interview with them such as notes and aide memoir etc to assist them in telling you about their experiences.

Where an applicant has identified themselves as disabled, the interview must still be solely concerned with the candidates' aptitude for the job and their ability to carry out the tasks required. If there is uncertainty about how a candidate might carry out a particular aspect of a job because of a disability, it is reasonable to ask the candidate, providing such questions are not used to make disabled candidates give a greater proof of their abilities. Possible adjustments can be discussed; be open to suggestions about how jobs or working arrangements might be done differently. Disabled people will usually be the experts on the effects of their impairment and how these can be overcome.

If the role is customer facing, then the candidate must be fluent in spoken English. The Panel must be satisfied that the candidate can demonstrate that they are fluent by competently answering interview questions in English.

When the Panel has concluded its questioning, the candidate should be given the opportunity to ask questions and/or make a short statement in support of their application.

Following the conclusion of each interview, individual members of the Panel should each assess the candidate using the School's **Interview Assessment Form R/S3** (see Appendix 8). The panel should not discuss individual candidates until all candidates have been interviewed.

Making The Decision

Once all the individual assessments have been recorded the panel will discuss their ratings with the objective of reaching an overall consensus on the final ratings to be awarded to each candidate. These must then be recorded separately using the Interview Assessment Form R/S 3 again but marking clearly on the top of the form" **Agreed Interview Assessment**".

Where a presentation has been part of the assessment, panel members will need to share their assessments of this at this stage. These will have been recorded on the **Presentation Assessment Form R/S4** (Appendix 9).

The findings from all selection methods used, including the interview, should be considered collectively and then, based on all the evidence, the Panel should reach their final decision.

Candidates should be ranked in an order relative to the outcome of the interview/selection tests: should the successful candidate decline the offer of appointment; the Panel may wish to offer the post to the next candidate in the rank order.

Once a decision has been made a conditional offer of employment should be made to the employee verbally and once verbally accepted, followed up in writing.

All records of the interview process must be retained on file for twelve months (unless the person appointed to the post is a migrant worker in which case refer to section on Record Keeping)

After the Selection Process

Offer Of Appointment

The selected candidate should be offered the post verbally as soon after the decision as possible. It should be made clear that the offer is conditional on satisfactory completion of the necessary pre-recruitment checks. The conditional offer must then be confirmed in writing. All offers of appointment must be made subject to verification of identity, Disclosure and Barring Service check including barred list check where applicable, verification of mental and physical fitness, eligibility to work in the UK, further appropriate checks for applicants that have lived outside of the UK, verification of professional qualifications, Secretary of State section 128 direction check (for academies), checks that those employed to undertake teaching work have not been prohibited from teaching or have any sanctions or restrictions imposed on them by the GTCE, and for those that will be working in Early years settings or wraparound care for children up to 8, that they have not been disqualified from working in these settings under the 2018 Childcare disqualification Regulations. Offers of appointment will also be conditional on the school receiving satisfactory references and satisfactory online check. The candidate must be advised not to give notice to terminate their current job until confirmation of satisfactory checks has been given.

Proof of Identity

It is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available. Further identification checking guidelines can be found on the GOV.UK

Candidates should be asked to bring to their interview documentary evidence of their Identity, right to work in the UK, and qualifications, so that the interview panel can satisfy themselves that the person presenting themselves for the interview is who they say they are and that the documents are bona fide.

Conducting a face-to-face meeting is an important part of the recruitment process, providing an opportunity to compare any photographic and other information provided (such as date of birth) with the likeness of the person presenting themselves. It is not sufficient to accept documents without undertaking reasonable checks to validate that they are bona fide, and that the person is the person referred to in those documents.

Applicants should be asked to provide evidence of identity as prescribed by the Disclosure and Barring Service (ID checking guidelines for standard/enhanced DBS check applications from 22 April 2025) and can include a current driving licence or passport including a photograph, or a birth certificate, and a document such as a utility bill or financial statement that shows the candidate's current name and address (please note that these latter two are time-limited and must be no more than 3 months old), and where appropriate change of name documentation. Some form of photographic ID must be seen.

Schools must make a record that an identity check has been undertaken and record the date that the check or evidence has been seen, on their single central record.

Disclosure and Barring Service Check

There are three types of checks available for those working with children:

- **Standard**: this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out.

- **Enhanced**: this provides the same information as a standard check, plus any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed; and

- **Enhanced** with barred list check: where people are working or seeking to work in regulated activity with children, this allows an additional check to be made as to whether the person appears on the children's barred list.

A more detailed description of the three types of DBS checks is provided on the DBS website https://www.gov.uk/government/organisations/disclosure-and-barring-service

For most school appointments an enhanced DBS certificate, which includes barred list information, will be required as the majority of staff will be engaging in regulated activity.

In summary, a person will be engaging in regulated activity with children they work on a frequent basis in a specified establishment, such as a school, or in connection with the purposes of the establishment, where the work gives opportunity for contact with children. A person will also be in regulated activity if, as a result of their work or volunteering, they:

- will be responsible, on a frequent basis in a school or college, for teaching, training instructing, caring for or supervising children, providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children, or

- engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

A more detailed description of regulated activity is provided at Appendix 15.

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

The recruiting manager must see the original paper DBS certificate before the applicant takes up post, or as soon as practicable afterwards. Schools will be able to compare any information disclosed on the certificate with any information shared by the applicant during the recruitment process.

Schools must make a record of the date that they have seen the original DBS certificate on their single central record (SCR) in respect of staff they employ to work with children. Where schools undertake DBS rechecks for existing staff, information on the SCR relating to the original DBS must not be replaced. In the case of supply staff the school should record whether the supply agency has shared the DBS with them and the date it was shared.

Commencement in Role Prior to DBS

KCSIE states that where an enhanced DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment.

Ideally, a DBS check should be obtained before an individual begins work. However, Head Teachers have discretion to allow an individual to begin work pending receipt of the Disclosure. Where it is necessary to engage a member of staff where the DBS check remains outstanding, the Head Teacher must ensure that all other checks have been completed, that the employee is appropriately supervised, and the request for the DBS has been submitted in advance of the individual starting work. When starting someone in advance of receiving their DBS check, the school should undertake a written risk assessment and keep a copy.

Someone who has not obtained an enhanced Disclosure **must not** be left unsupervised with children.

Separate Children's Barred List Check

There is a statutory requirement for staff engaging in regulated activity to be checked against the Children's Barred List before they commence work in a school. The DBS Disclosure includes this check.

Should an employee start work pending a DBS check the Head Teacher must ensure that a separate Children's Barred List check is carried out before the member of staff starts in post.

You should only check the children's barred list if a candidate or volunteer:

- will start working with children while waiting for the DBS
- does not need an enhanced DBS check because they've worked with children in a school or college within the last 3 months. **NB - this will be the case where an applicant is moving from one Sefton school to another, and the DBS is accepted as portable,** or
- where a DBS without barred list check was undertaken for a volunteer that was previously exempt from regulated activity due to being supervised and is now considered to be in regulated activity under the new definition of regulated activity which came into force on 1st September 2026.

A DfE Sign-in account is required to check the children's barred list. (For further information on the children's barred list & DfE Sign-in see Appendix 14)

School must include a date relating to the check of the barred list on their SCR, where schools have started a member of staff in post prior to receipt of the DBS then the date recorded on the SCR should be the date the separate barred list check was undertaken, otherwise it should be the date that the original DBS certificate including barred list information was seen.

Volunteers in regulated activity

Any person volunteering in a school or college in a role that involves teaching, training, instructing or supervising children frequently or on more than 3 days in a 30-day period or overnight is now in regulated activity (see paragraph 315 for more information on regulated activity). Where this applies, schools or colleges should obtain an enhanced DBS check with children's barred list information.

Where an individual meets the period condition (more than 3 days in a 30-day period) by volunteering at multiple settings, the school or college should work with the other settings to decide who should apply for the enhanced DBS check with barred list information, and that information should then be supplied by the individual to each setting. Volunteers may also choose to join the DBS Update Service at the point that a DBS check is applied for. This is free for volunteers and allows portability of a DBS check across different education settings.

N.B. Where an existing volunteer was previously exempt from regulated activity due to being supervised and is considered to be in regulated activity under the new definition of regulated activity which came into force on 1st September 2026 a DBS with barred list check is required, where a recent DBS has been undertaken without a barred list check, a separate barred list check is required (see separate children's barred list check above)

Volunteers not in regulated activity – risk assessments

KCSIE advises that schools undertake a risk assessment and use their professional judgement and experience when deciding what checks, if any are required on volunteers.

The risk assessment should consider:

- The nature of the work with children

- What the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers
- Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability, and
- where the role is not regulated activity, whether another level of DBS check might be appropriate, such as:

    - an enhanced DBS check without barred list information, for volunteers who would be in regulated activity but do not volunteer frequently, or
    - a basic DBS check for any other volunteer who may have access to children.

Details of the risk assessment should be recorded, it is up to schools to decide where to store this information, this information could be included in the SCR.

The DBS Update Service

For an annual subscription applicants can have their DBS Disclosure kept up-to-date and take it with them from role to role, within the same workforce, where the same type and level of check is required.

When someone is required to complete a DBS check, before they complete a new application they should be asked if they are subscribed to the DBS update service. If the applicant is subscribed to the update service, then the certificate should be seen. To use the update service the DBS certificate must be at exactly the same level as required for the role. e.g. if an individual has an Enhanced certificate with a check of both Child and Adults barred lists and the new role requires only Enhanced with a check of the DBS Children's Barred List, then it will be necessary to apply for a new DBS check. This is regardless of whether the individual consents to the employer or organisation using the Update Service.
If the applicant needs a DBS certificate for a paid role but are subscribed to the Update Service as a volunteer, then it will be necessary to apply for a new DBS certificate.

DBS Checks for Existing Staff

There are occasions (in addition to regular scheduled re-checks) where it may be necessary to undertake a new DBS check for an existing member of staff, this could include –

- If there are concerns about a member of staff's suitability to work with children
- Where an individual moves from a post that is not regulated activity to one that is
- Where a volunteer moves into a paid position
- Where a volunteer was previously exempt from regulated activity due to being supervised and is considered to be in regulated activity under the new definition of regulated activity which came into force on 1st September 2026.
- There has been a break in service of 12 weeks or more

Mental and Physical Fitness

Maintained schools are legally required to ensure that teachers and other school staff have a sufficient standard of health and physical capacity to undertake a range of relevant activities required of teachers and wider school staff, this is intended to help ensure pupils' welfare.

Medical fitness must be verified **after** an offer of employment has been made but before the appointment is confirmed. Without exception pre-employment medical clearance must be sought and obtained prior to taking up employment/appointment.

Schools are responsible for ensuring that new employees receive the appropriate forms.

Right to Work in the UK

The Immigration, Asylum and Nationality Act 2006 sets out the law on the prevention of illegal working. It makes it a criminal offence to employ someone who has no right to work in the UK or no right to do the work you are offering.

All employers in the UK have a responsibility to prevent illegal working. This can be done by conducting Right to work checks before employing someone, to make sure an individual is not disqualified from carrying out the work in question by reason of their immigration status.

If an employer is found to be employing someone illegally and has not carried out the prescribed checks, it may face a penalty up to £60,000 and in serious cases a criminal conviction carrying a prison sentence up to 5 years and an unlimited fine.

If appropriate checks are carried out in line with the Home Office document "An Employer's Guide to Right to Work Checks" and appropriate records are kept then a "statutory excuse" will be established. This means that even if it is found that an individual has been working illegally, if right to work checks have been correctly undertaken, the employer will not be liable for civil penalty fines.

In order to establish a statutory excuse against a civil penalty in the event that an employee is found to be working illegally, you must ask all prospective employees to demonstrate their right to work through a manual document check, using the services of an IDSP, or by using the Home Office online right to work checking service before the employee commences employment.
If checks have been carried out and it has been established that the potential employee is not permitted to work then employment must be refused to that person. It is up to the potential employee to demonstrate that they are permitted to do the work that you are offering.

Further details on the right to work checks and the UK points-based immigration system can be found at Appendix 3.

Schools must record the date that Right to Work checks have been undertaken and evidence seen on their SCR.

Checks for Applicants that Have Lived Outside of the UK.

Where applicants are from abroad or have lived or worked abroad DBS checks are unlikely to provide a full picture of criminal history. KCSIE says that where individuals have lived or worked outside the UK schools must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Schools are required to make every effort to obtain additional criminal record information.

There is no statutory definition of when overseas checks should be obtained; this is because overseas checks are not possible in every country in the world. It is advised that additional further checks should be undertaken, whenever possible, for new appointees who have lived

or worked outside the UK in one country/location for 3 months or longer in the last 5 years and/or for 12 months or more in the last 10 years.

The requirement to carry out additional checks can be identified from the self-disclosure declaration, or 5-year address history given on the DBS form if it has not been disclosed earlier.

There is no statutory requirement for a school to carry out checks for events that may have occurred outside the UK if in the three months prior to their appointment, the applicant has worked in a school in England (in a post that would have required an enhanced DBS check), however schools may consider it appropriate to do so.

Where applicants satisfy the criteria for additional checks they should apply for a criminal records check, or 'Certificate of Good Character' from their country of origin or the relevant embassy in the UK. Processes for getting criminal records checks abroad vary between countries, the Home Office has provided an A-Z guidance on the application process in different countries. For countries not on the list the individual should contact the relevant embassy or consulate for advice.

For teaching positions schools should make efforts to obtain a letter (via the applicant) from the professional regulating authority (this is often the Department/Ministry of Education but varies across the world) in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Whilst the safeguarding and qualified teacher status (QTS) processes are different it is likely that this information will be obtained from the same place therefore applicants can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body.

Sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

Where evidence is available, this can be considered together with information obtained through other pre-appointment checks to help assess their suitability. In some cases, it might be that despite best efforts enquiries from some sources may not produce the necessary information. Applicants should not start in post and appointments should not be confirmed where appropriate criminal records clearance has not been received. However, there may be circumstances where it is not possible to obtain information or occasions where every effort has been made to request the information without success, where an appointment may be appropriate subject to receipt of additional references, a stringent risk assessment and approval by the Chair of Governors.

The cost of certificates will vary by country, it is recommended that the applicant pays for this portable certificate; however, it is at the school's discretion as to whether they or the individual bears the cost. Where the certificate is in a language other than English, a certified translation of the certificate should be obtained.

Schools must record on their SCR whether further overseas checks are required and where deemed to be appropriate the date that the check has been undertaken and evidence seen.

Verification of Professional Qualifications

Proof of relevant qualifications should be obtained prior to a new employee/appointee commencing their employment/appointment.

For posts that require professional registration, evidence that the employee is registered to the relevant body, should be obtained prior to their commencement of employment/appointment.

Schools must record on their SCR whether professional qualifications are required and where they are necessary the date that the check has been undertaken and evidence seen.

QTS

Individuals must have Qualified Teacher Status to legally take up a teaching post in maintained primary schools, maintained secondary schools, maintained special schools and non-maintained special schools in England.
The Teaching Regulation Agency (TRA) is the competent authority in England for the teaching profession. On behalf of the Secretary of State they are responsible for the award of QTS.

Schools can verify the award of QTS by viewing a Teachers through the online checking system service, by logging onto the DfE online Service/DfE Sign-in Portal which can also be accessed via the Teacher Services' web page (See Guidance on how to check a teachers record and DfE Sign-in Appendix 14)

Teachers that have trained and qualified outside of the UK can work as a teacher in state-maintained schools and non-maintained special schools in England as unqualified teachers for four calendar years. They are not permitted to teach in Pupil Referral Units unless they have been awarded qualified teacher status (QTS). After 4 years they will need QTS to teach in many schools in England.

For information on routes into teaching and QTS for those with teaching experience outside the UK refer to the gov.uk information for international teachers and trainees

Statutory Induction

All qualified teachers who are employed in relevant schools (i.e. maintained schools, non-maintained special schools, maintained nursery schools, nursery schools that forms part of a maintained school, a local authority maintained children's centre; or a pupil referral unit (PRU)) in England must, by law, have completed an induction period satisfactorily, subject to specified exemptions.

Common exemptions include where teachers qualified before May 7, 1999, and teachers employed on a short-term supply basis working periods of less than a month (in the first 5 years after being awarded QTS) (for a full list of exemptions see DfE document Induction for Newly Qualified Teachers - Annex B).

Schools can verify the award of Statutory Induction by viewing the teachers record using the DfE online services using their DfE Sign-in or via the Teacher Services' web page using their DfE Sign-in (See Guidance and access to Teacher Records and DfE Sign-in Appendix 14)

QTLS

A teacher who is qualified to teach in Further Education with QTLS is entitled to work as a qualified teacher in maintained schools in England without Qualified Teacher Status (QTS), provided he or she maintains membership with the Society for Education and Training (SET) It is for schools and local authorities to decide whether teachers with QTLS status are suitable for a post and to teach a particular subject. Those with QTLS are exempt from serving a statutory induction period in schools.
An employer can check whether someone is a registered member https://set.et-foundation.co.uk/professionalism/qtls/the-qtls-register/
The Society for Education and Training (SET) have provided guidance for Headteachers about QTLS and the recruitment of teachers with QTLS https://set.et-foundation.co.uk/professionalism/qtls/guidance-for-headteachers-and-initial-teacher-educators/guidance-for-headteachers/

Other Non-Statutory Qualifications

Applicants should be asked to provide evidence of other non-statutory qualifications where these have been identified as essential or desirable criteria for the role (for example PGCE or degree certificates for teachers). Certificates of other qualifications should be treated in the same way as statutory professional qualifications, however there is no requirement to record details of the checks of these other qualifications on the Schools Single Central Record, although schools can if they wish.

Overseas Qualifications

In order for applicants to evidence the level of their overseas qualification for employment they will need to obtain a certificate of comparability from UK ENIC who are a leading information service provider offering impartial, trusted judgement on international qualifications. There is a fee for this service, payable by the applicant. They offer a 24 or 48 hour fast track service. UK ENIC's services have been developed to ensure that the skills, competencies and qualifications of those coming to the UK to work, study, practice or settle are recognised at the appropriate level. Qualifications obtained overseas can be checked for equivalence in the UK by contacting the UK National Information Centre for global qualifications and skills or National Reference Point.

Prohibitions, Directions, Sanctions and Restrictions

Secretary of State section 128 direction

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

- A management position in an independent school, academy, or free school as an employee:
- A trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or

- A governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

The Secretary of State is able to make directions prohibiting individuals from taking part in independent school management under section 128 of the Education and Skills Act 2008. Individuals taking part in 'management" may include individuals who are members of proprietor bodies (including governors if the governing body is the proprietor body for the school), and such staff positions as follows: head teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case.

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

Access to an alphabetical list of individuals who are subject to a section 128 direction made by the Secretary of State for Education is available on the gov.uk website Individuals prohibited from managing or governing schools - GOV.UK

For Academies, a section 128 direction will be disclosed on the DBS certificate where an enhanced DBS check with barred list information is requested, provided that 'children's workforce independent schools' is specified in the parameters for the barred list check.

Schools must record the date that the section 128 check has been undertaken in respect of staff governors on their SCR.

Teacher Prohibition

Teacher Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA. A prohibition order is likely to be appropriate when the behaviour of the person concerned has been fundamentally incompatible with being a teacher. The primary purpose of a prohibition order is to protect pupils, maintain public confidence in the teaching profession and uphold proper standards of conduct, referred to as public interest.

In line with KCSIE any member of staff appointed to carry out teaching work will require a check to ensure that they are not prohibited from teaching.

Teaching work (also known as "specified work") is defined as:

- Planning and preparing lessons and courses for pupils
- Delivering lessons to pupils
- Assessing the development, progress and attainment of pupils
- Reporting on the development, progress and attainment of pupils

It is not 'teaching work' if the person carrying out the work does so under the direction and supervision of a teacher, for example, work undertaken by teaching assistants or volunteers.

In maintained schools, it is a requirement that those undertaking teaching work are qualified teachers (unless certain specific criteria apply that allow maintained schools to employ unqualified teachers/instructors to undertake teaching work) however support staff can

undertake elements of specified work under the supervision of a qualified teacher. It is not a requirement to undertake a prohibition check in a maintained school on a member of support staff due to this work being supervised.

In Academies it is not a requirement that those appointed to undertake teaching work have QTS, therefore members of support staff or volunteers can undertake what may be considered as teaching work. Anyone appointed to a role that involves undertaking unsupervised teaching work (as detailed above) should be subject to a prohibition check.

Being prohibited from teaching does not prevent an individual from applying for or undertaking a support staff or volunteer role in a school. However, schools may want to consider the circumstances of a case where an applicant to a support or volunteer role has been prohibited from teaching before appointing them. Schools are permitted to undertake prohibition checks on support staff and volunteers even where there is no statutory requirement to do so provided the applicant has been informed that the check will be undertaken.

GTCE Sanctions and Restrictions

A check should be made to ensure a teacher does not have any sanctions or restrictions placed on them by the GTCE prior to abolition in 2012.

Schools can check whether a teacher has been prohibited from teaching or been found guilty of serious misconduct but not prohibited from teaching or have had a sanction or restriction placed on them by the GTCE by viewing the teachers record using the DfE online services using their DfE Sign-in or via the Teacher Services' web page using their DfE Sign-in (See Guidance and access to Teacher Records and DfE Sign-in Appendix 14)

Schools must record the date that the teachers record was checked in respect of Teacher Prohibition and GTCE sanctions/restrictions on their SCR.

European Economic Area (EEA) teacher sanctions

Between 18th January 2016 and 31st December 2020, schools had a statutory responsibility to check that applicants for teaching posts had not been sanctioned in any other EEA nation. From the 1st of January 2021 (post Brexit) the EEA Sanctions and Restrictions check changed. Professional regulators in the EEA no longer share information with the TRA about sanctions imposed on EEA teachers. Whilst, the EEA Sanctions and Restrictions check is no longer a requirement for new staff schools are advised to keep this section on their SCR to demonstrate that the checks were done for staff appointed from 2016 to 2020.

Disqualification From Childcare

Under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, some individuals are disqualified from providing childcare or being "directly concerned" in the management of childcare provision. An individual may be disqualified from working in childcare for example, if they have committed certain violent and sexual offences against children and adults for example and/or been placed on the DBS children's barred list.
School's are prohibited from employing a disqualified person in roles covered by the legislation, unless the individual in question has been granted a waiver by Ofsted for the role they wish to undertake.

The Department for Education have provided statutory guidance on the application of the regulations and obligations under the Childcare Act 2006 in schools Disqualification under the Childcare Act

The childcare disqualification arrangements apply to staff that are work in these areas:

- Early years provision - any staff who provide any care for a child up to and including reception age. This includes education in nurseries and reception classes or any supervised activity - such as breakfast clubs, lunchtime supervision and after school care provided by the school, both during the normal school day and outside of school hours.

- Later years provision – any staff that are employed to work in childcare provided by the school with children who are above reception age but under 8 outside of the normal school day. Staff involved in co-curricular learning activities such as the school's choir or sports teams are not included, but staff that work in before school settings such as breakfast clubs and after school provision are included.

- Staff directly concerned in the management of early or later years provision, this will include the Headteacher and may include other members of the school leadership team and any manager, supervisor, leader or volunteer responsible for the day-to-day management of the provision.

The criteria for disqualification under the 2006 act and the 2018 regulations include:

- Inclusion on the Children's Barred List
- Being found to have committed certain violent and sexual criminal offences against children and adults.
- Certain orders made in relation to the care of children.
- Refusal or cancellation of registration relating to childcare or children's homes or being prohibited from private fostering.
- Being found to have committed an offence overseas, which would constitute an offence regarding disqualification under the 2018 regulations if it had been committed in any part of the United Kingdom.
- Any offence resulting in the death of or bodily injury of a child is considered a relevant offence under the legislation and must be disclosed.

The above list is only a summary of the criteria that lead to disqualification. Further details about the specific orders and offences, which will lead to disqualification, can be found in Appendix A & B of the Statutory guidance "Disqualification under the Childcare Act 2006"

Schools must ensure that anyone who falls within the relevant categories of staff described in the staff covered and staff who may be covered sections is made aware of the legislation.

Schools must keep a record of those staff who are employed to work in or manage relevant childcare provision, this should record the date on which the information about disqualification was provided. These details don't have to be recorded on the SCR but schools could choose to do this.

References (please also refer to earlier information References – Shortlisted Candidates)

A person's past behaviour may be the most reliable way of predicting future behaviour. Consequently, the information obtained from referees can be very important. If for some reason references were not received or sought before the interview, they must be obtained or followed up before the person is allowed to start work.

A minimum of two written references should be requested (one must be latest/current employer). Where such references do not cover **all employment** within the last 2 years, further references should be obtained to cover this period. Any gaps in employment should be clarified.

If the candidate has previously worked with children and does not currently, one reference should be obtained from the most recent employment that involved working with children even if this employment is not covered within the last two years.

Reference requests should seek to obtain verifiable objective and factual information. To get the best value from the reference source you must provide the referee with information about the vacancy, the duties involved, and the personal characteristics sought, i.e. the job description, person specification. The schools standardised **Request for Reference** (Appendix 11) should be used together with a covering letter.

Verbal references must not be sought or accepted unless confirmed in writing.

If an applicant asks (or names) someone currently employed by the school to be a referee and that person is a member of the selection panel, he/she must refuse and/or ask the applicant to seek another referee.

References should be checked upon receipt to ensure that all specific questions have been answered satisfactorily. Should all questions have not been answered or the answers are vague, confusing or nonspecific. The referee should be contacted and asked to provide written answers or amplification as appropriate. You are advised to retain written records of any verbal discussions that you may have with referees.

Unsatisfactory References

There is no contractual obligation to employ the person if one or more of the references turns out to be unsatisfactory. There is also nothing restraining the employer from making further and appropriate enquiries of the provider of the reference, the applicant, or anyone else. Any further information supplied should be confirmed in writing.

A job offer can be withdrawn if the conditions on which employment were offered e.g. satisfactory references, DBS clearance or medical etc. have not been met. In these circumstances the candidate should be told that the job offer has been withdrawn and the reason for the withdrawal. If the withdrawal is due to unsatisfactory references and the candidate requires further information, then they should be referred back to their previous employer. The school has no further obligation towards them.

Refusal to Supply a Reference / Non-Return of Reference

Where a request has not been responded to, every effort should be made to obtain references including contacting previous employers by telephone. If a reference cannot be obtained then

the applicant must be asked to contact their previous employer themselves. If there if still no response, ask the applicant for an alternative referee in the same organisation.

If all options have been exhausted, then it is down to the school's discretion as to whether to employ the applicant. If all other references are positive then it may be that an applicant is employed, however, if there is any doubt then the school may decide that they are unable to employ the applicant.

Unsuccessful Candidates

It is good practice to notify candidates that they have been unsuccessful as soon as possible and to offer them constructive feedback, including feedback on how they performed in any selection tests used.

Feedback on the whole selection process should be available from the Chair of the Selection Panel. Feedback must be factual and based on the candidate's performance on the day. Include both areas where the candidate performed well, and areas where further improvement could be made. It is not helpful to simply say someone performed better on the day, and recruiting managers should consider what was 'better' about the candidate they selected and how the unsuccessful candidates could improve for any future similar applications. Information about other candidate's' applications must not be given.

What if There Are no Suitable Candidates?

There may be occasions where the recruitment and selection procedure has been carried out but there are no candidates that fit the criteria. In these cases, there must be a thorough review of the process to identify issues that could have been approached in a different manner. For example, the wording of the person specification may need revising, or the role may need advertising in specialist publications.

Another alternative maybe to look into the capabilities of existing employees to determine if extra training could fill the skills gap caused by the vacant post. A selection procedure must be followed if there are a number of employees who could potentially fulfil the role.

Record Keeping

Recruitment information must be kept securely for a twelve-month period after the selection process). Keeping the recruitment documents for this period of time will help protect the school against any potential claims.

The recruitment and selection paperwork relating to the successful candidate should be kept on their personnel file.

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

Details of the successful applicant and all the checks carried out, should also be held on the Schools Single Central Record.

Under the Points Based Immigration System, there are record keeping requirements over and above these in the case of the recruitment of a migrant worker; further details can be found on Sponsor guidance appendix D: keeping records for sponsorship

The New Recruit

Commencing Employment

As soon as the relevant 'offer' conditions have been met, a start date should be agreed with the successful candidate. Written confirmation of this including the date, time and place of reporting and name of the person who will meet the successful candidate should be sent. Ideally, as a matter of good practice, some indication should be given of how the first day/week will be spent including induction arrangements and mandatory training. An external appointee will also need to be sent details of the Local Government Pension Scheme/Teachers Pension Scheme, Bank Authority Credit Form, with a request for Income Tax Form P45 and a copy of their birth certificate to be submitted as soon after appointment as possible.

Transactional HR is responsible for ensuring that all relevant employee details are placed on the Personnel System Schools are responsible for ensuring that the appropriate paperwork is sent to Transactional HR within the required timescales.

Schools are responsible for ensuring that the relevant employment details are place on the Schools Information Management System (SIMS)

Every encouragement should be given to the new employee for them to also supply relevant equality monitoring information.

Arrangements should be made for the reception and induction of the new employee.

Statement of Particulars

A written statement of particulars must be issued to a new recruit prior to or on their start date. The statement outlines the basis of the employment contract and includes specific and general information.

The Transactional HR Schools Team is responsible for providing Statement of Terms and Conditions of Employment for staff employed by Sefton Council (ie staff employed to work in Community, or Voluntary Controlled schools or Children's Centres)

Voluntary Aided, Trust Schools and Academies are responsible for providing staff employed by them with a written statement of particulars prior to or on their start date in accordance with the Employment Rights Act.

Reasonable Adjustments for Disabled People

Reasonable adjustments may be required for new employees with a disability. For example, a specific computer keyboard or voice-activated software may be required to enable an employee to perform their duties. Funding maybe available from Access to Work on 0345 268 8489.

Induction

Good Induction of all new entrants (and job movers) is essential. Without proper induction staff are less likely to work as efficiently as they otherwise could, not because they do not try or want to, but because they do not have the necessary information, knowledge, skills and confidence.

Induction should be used to set clear expectations and boundaries of the role and ensure that the individual is clear on what is acceptable and unacceptable behaviour. It should also cover their responsibilities for safeguarding and protecting children and other key policies such as the organisation's child protection policy, whistle-blowing policy and any reporting procedures if they have concerns.

The Line Manager/Supervisor will be responsible for ensuring that an appropriate induction programme is organised for each new recruit/job mover.

Induction should always include information about, and written statements of:

- Policies and procedures in relation to safeguarding and promoting welfare e.g. child protection, whistleblowing, Code of Conduct, anti-bullying, anti-racism, physical intervention or restraint, intimate care, internet safety and any local child protection and safeguarding procedures;
- Safe practice and the standards of conduct and behaviour expected of staff and pupils in the establishment.
- How and with whom any concerns about those issues should be raised; and
- Other relevant personnel procedures
- Child protection training is also required if relevant.

Probation

Non-teaching staff.

New entrants to the local government service are required to complete a six-month probationary period. Regular meetings between the Manager/Supervisor and new recruit during the induction period are essential in order to enable the individual's performance to be monitored and for him/her to raise any queries/concerns or seek assistance in adapting to his/her new employment. Where there are concerns about unacceptable behaviour with children these should be dealt with as early as possible. It is much easier to resolve issues during this period than after a number of years in post.

As a minimum, review meetings should be held and documented at least once every month in line with the school's probation policy.

At the end of the probationary period, the new recruit should be informed of whether or not he/she has been successful. This should be confirmed in writing.

In cases where the new employee during the probationary period is proving unsuccessful, advice should be sought from the Human Resources Schools Team at **the earliest possible stage**.

Please see the Schools Non-teaching Probationary Policy for further details.

Teaching staff

All qualified teachers who are employed in a maintained school or non-maintained special school in England including a maintained nursery school or PRU, must be, by law, have completed an induction period satisfactorily subject to specified exceptions. (for further information please refer to Induction for Early Careers Teachers

Sponsored Migrant Workers

If a sponsored migrant worker does not report for work on his/her first day, this must be reported to the Border Agency within 10 working days and any reason given by the migrant worker for his/her non-attendance should be included.

Review The Process

Review

A candidate accepting a job offer does not automatically signify that the recruitment and selection process has been a success. It is good practice to examine every recruitment exercise with a view to assessing whether anything could have been done better. Following from this, it may be possible to identify training needs or changes that need to be made to current practices. Any suggestions for improvements to the Guidelines will be welcome.

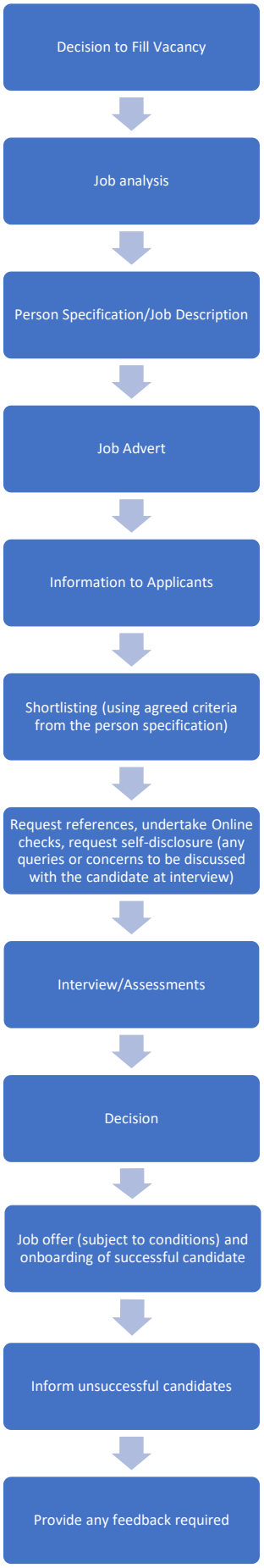
Complaints

Any candidate who has reason to believe that he/she has been treated unfairly or discriminated against at any stage of the recruitment and selection process will be requested to submit their complaint, in writing, to the School's Clerk to Governors.

Quality Checks

It is good practice for the schools Staffing Committee to consider staffing information on a regular basis, including information such as turnover and new starters. Governors can use this information to monitor the success of the recruitment process. Information from Exit Interviews can also be used to monitor the recruitment process

The recruitment and selection process



Appendices

Appendix 1- Contacts

The Schools HR Team

Annmarie Maloney
HR Team Manager
0151 934 3287
07812776363
annmarie.maloney@sefton.gov.uk

Gail Jennings
HR Business Partner
0151 934 2964
gail.jennings@sefton.gov.uk

Julie Holt
Part time HR Business Partner
07816116154
Julie.holt@sefton.gov.uk

Elle Davison
Assistant HR Business Partner
0151 934 3206
elle.davison@sefton.gov.uk

schools.team@sefton.gov.uk

The Transactional HR Team

Recruitment/Starters Team

Abbie Mullin
Senior THR Officer
Abbie.mullin@sefton.gov.uk
0151 943 3401

Mike Johnson
Recruitment Adviser
mike.johnson@sefton.gov.uk
0151 934 3203

Jessica Dyson
Recruitment Adviser
Jessica.dyson@sefton.gov.uk
0151 934 2267

Schools.Adverts@sefton.gov.uk

SchoolsStarters@sefton.gov.uk

THR/Changes Team -

Kate Marshall
Senior THR Officer
kate.marshall@sefton.gov.uk
0151 934 3640

Brian Reilly
THR Officer
Brian.reilly@sefton.gov.uk
0151 934 3168

Jane Gibson
THR Officer
Jane.gibson@sefton.gov.uk
0151 934 3736

Natalie Smith
THR Officer
natalie.smith@sefton.gov.uk
0151 934 3284

Rachel Harcombe
THR Officer
Rachel.harcombe@sefton.gov.uk
0151 934 4165

Jean O'Hanlon
DBS Co-ordinator
jean.ohanlon@sefton.gov.uk
0151 934 4735

Schoolschanges@sefton.gov.uk

SchoolsDBS@sefton.gov.uk

Other Useful Contacts:

Health Unit	healthunit@sefton.gov.uk
Payroll	Payroll@sefton.gov.uk
Pensions (support staff)	Centralpensions@sefton.gov.uk
Pensions (teachers)	SchoolPensions@sefton.gov.uk
Job Evaluation	Kevinbrookes@sefton.gov.uk
LADO	safeguardingunitadmin@sefton.gov.uk
The Schools Supply Team	THR.Supply@sefton.gov.uk
Governor Services	governor.services@sefton.gov.uk

Appendix 2 - Sefton Council Policy on the Recruitment of People with a Criminal Record

Introduction

As a matter of good practice, all employers should have a policy and guidance on the Rehabilitation of Offenders, the contents of which should be known to all staff making recruitment decisions. In addition, the Disclosure and Barring Service stipulates that all organisations registered with it must adhere to the Code of Practice which is designed to ensure that information regarding convictions is used fairly. Registered organisations must also have a written policy on the recruitment of people with a criminal record.

Sefton Council supports the Rehabilitation of Offenders, and the possession of a conviction will not necessarily mean unsuitability of employment. All cases will be examined on an individual basis and given full and fair consideration. A key element in considering the recruitment of an ex-offender will be the undertaking of a risk assessment – comparing the applicants' skills, experience and conviction circumstances with the risk criteria identified for the job – and the extent to which the Authority is bound by legal constraints.

We are committed to equal opportunity for all job applicants.

We select people for employment based on their:

- individual skills
- abilities
- experience
- knowledge
- qualifications
- training

We treat all applicants for positions fairly and working accordance with:

- Rehabilitation of Offenders Act 1974
- Disclosure Barring Service (DBS) Code of Practice.

In line with good practice and the DBS Code of Practice, this policy can be made available to prospective employees on request.

Legislative Background

The Rehabilitation of Offenders Act 1974 was introduced to ensure that ex-offenders who have not been reconvicted for a period of time since the date of their conviction are not discriminated against when applying for jobs. The Act makes it illegal for any organisation to discriminate against an ex-offender on the grounds of a "spent" conviction. The Act states that after a period of time certain offences can be classified as "spent", which means that the person concerned is no longer legally required to disclose to prospective employers the detail of that conviction, **unless** the vacancy is in one of the types of employment listed in the ROA, the ROA (Exceptions) Order 1975 and the ROA (Exceptions) (Amendment) Order 2001. These occupations include Solicitors, those administering the law, Chartered Accountants, registered teachers, jobs involving contact with children and jobs involving access to other vulnerable groups and those with a serious illness, disability or addiction. Organisations who employ people in these categories are legally entitled to ask exempted questions about criminal records and require candidates to disclose spent convictions.

Under the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000, it is an offence to offer employment that involves regular contact with young people under the age of 18 to anyone who has been convicted of certain specified offences or included on lists of people considered unsuitable for such work held by the Department for Education and Employment and the Department of Health. It is also an offence for people convicted of such offences to apply for work with young people. Specified offences include murder or manslaughter, rape, grievous bodily harm, and a number of sexual offences involving children.

Under the Safeguarding and Vulnerable Groups Act, it is an offence for a person to work (either on a paid basis or as a volunteer) in a regulated activity while on the barred list. It will also be an offence for an employer to employ a person in a regulated activity without having checked his or her status. Checks against the barred lists can be made as part of an Enhanced Check for those carrying out certain activities or working in regulated activity with children and adults.

The Protection of Freedoms Act 2012 contains legislation which made changes to the DBS checking process.

Rehabilitation of Offenders

We will not automatically refuse to employ someone with a previous criminal conviction.

Job adverts and recruitment information will state if a disclosure is needed. If disclosure is to form part of the recruitment process, applicants will:

- Self-disclose all unprotected spent and unspent convictions (dependent on the level required)

- Not be entitled to withhold information about convictions which, for other purposes, would be 'spent'.

Spent Convictions

In law, a conviction becomes 'spent' after the elapse of a defined period. The individual is then 'rehabilitated'. The amount of time depends on the type of offence they commit.

A table of rehabilitation periods is available for the most common sentences and disposals, and example scenarios.

People whose convictions are 'spent' must be treated as if their conviction had never occurred. Job applicants are therefore entitled to conceal details relating to spent convictions.

If we find out about a job applicant's spent conviction, we must disregard it when making the employment decision. A refusal to employ a rehabilitated person on the grounds of a spent conviction is unlawful.

The length of time before a sentence becomes spent depends on the sentence received and the age when convicted. Once the defined period has lapsed the conviction is “spent”. Cautions, reprimands and final warnings are not considered to be criminal convictions but do form part of an individual’s criminal record. They would only be considered in relation to exempted posts.

Exempt Positions

We have a duty of care to protect the well-being of:

- the public
- service users
- children and adults in our care who are especially vulnerable or at risk

If the job advertised is on the exempt list in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, the applicant must disclose all convictions.

Disclosure is needed whether or not the convictions are 'spent'. Protected cautions and protected convictions do not need to be disclosed, depending on the job concerned. Additional information which explains the filtering of old and minor offences which are now ‘protected’ (so not subject to disclosure to employers) is available at https://www.gov.uk/government/collections/dbs-filtering-guidance

We may ask applicants to disclose:

- All unspent and unprotected spent convictions
- Cautions
- Warnings
- Reprimands
- Binding over or other orders
- Pending prosecutions
- Criminal investigations

Failure to disclose this information could result in:

- Withdrawal of a job offer.
- Dismissal
- Disciplinary action

Failure to reveal information that is directly relevant to the position sought could lead to:

- Withdrawal of an offer of employment
- A review of employment with us

We will keep any information given to us confidential. We will only consider it with an application for positions to which an order applies.

If the job is exempt, we will ask for written evidence about the successful applicant's criminal convictions. We will submit an application to the Disclosure Barring Service (DBS) for a DBS check in the event of the individual being offered the position.

Where a job is exempt, we may lawfully decide to reject the individual due to a conviction. It does not need to be 'spent'.

We will discuss any matter revealed with the individual before withdrawing a conditional offer of employment.

Sefton Council ensures that all those involved in the recruitment decision making process, where a criminal offence is involved have been suitably trained to identify and assess the relevance and circumstances of offences.

We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

The suitability for the individual's employment will be assessed proportionally, through a risk assessment. A risk assessment will be carried out by the recruiting manager and will involve the relevant HR team.

DBS Code of Practice

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Sefton MBC complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

The DBS code of Practice can be found here:
https://www.gov.uk/government/publications/dbs-code-of-practice

Sefton Council can only ask an individual about convictions and cautions that are not protected.
An application for a criminal record check is only submitted to DBS after a thorough eligibility assessment has indicated that one is both proportionate and relevant to the position concerned.

For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being conditionally offered the position.

Recruitment

It is recognised that in order to appoint on merit, and to comply with legislation, it is important to consider candidates for employment from the broadest range possible, which includes ex-offenders. Obtaining a job is an essential part of successful rehabilitation.

Sefton Council is committed to the fair treatment of its workforce and potential workforce, regardless of race, sex, disability, age, gender identity, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership, offending background, or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

Sefton Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of candidates for interview based on skills, competencies, qualifications and experience.

Offers of Employment

An offer of employment to regulated and exempt posts will be subject to the receipt of a satisfactory disclosure via the Disclosure and Barring Service and must also satisfy our usual pre-employment checks for employment. Job advertisements and job descriptions will make reference to whether the position is regulated and exempt from the provisions of the Rehabilitation of Offenders Act.

Information in relation to obtaining a disclosure will be provided in recruitment documentation.

Having a conviction will not necessarily bar someone from employment with us. We will only take a criminal record into account when the conviction is relevant. We must weigh the protection of the applicant's rights and interests against the rights and interests of service users and employees, including our responsibilities to these groups, and the public.

Individuals Recruited from Overseas

The DBS can only check applicants from the date they arrive in the UK, or the time the applicant has lived in the UK. The DBS cannot currently access overseas criminal records or other relevant information held overseas as part of its Disclosure service. Therefore, a DBS check will not, in most cases, reveal if an individual has a criminal record held in another country.

Anyone appointed to a post requiring an enhanced DBS check must have one. A check is needed regardless of their length of stay in the UK, even if they have never been resident. Note that a DBS check can only be performed if the applicant can submit proof of right to work, for example a visa.

If a recruiting manager wishes to appoint an individual from overseas, or an individual who has lived abroad in recent years prior to the appointment, and the post requires a DBS disclosure, it is the responsibility of the applicant to obtain their overseas criminal records check from the relevant country or countries.

Statutory Requirements for UK employers

The overseas criminal record certificate requirement applies to applications for entry clearance in certain specific visa routes (see below).

Under the UK Immigration rules, individuals aged 18 or over applying for a UK visa as a Tier 1 (Entrepreneur), Tier 1 (Investor) and Skilled Worker in education, health or social care sectors must provide a criminal record certificate from any country (except the UK) where they have lived for 12 months or more in the previous 10 years. The 12 month period does not need to be continuous.

Furthermore, a dependent partner (over 18 years old) of the main applicant in any of the above routes, must also provide a criminal record certificate.

The requirement for Skilled Worker entry clearance applicants to produce a criminal record certificate is determined by the standard occupational classification (SOC) code attributed to their employment role in the UK. The SOC codes subject to this requirement can be found in guidance produced by the Home Office. The occupations include social services managers and directors, social workers, occupational therapists, etc.

Availability of Criminal Record Certificates

The majority of countries have procedures for the issuing of criminal record certificates to their own citizens and to third country nationals living there.

Separate guidance on the availability of a criminal record certificate for individual countries can be found at: criminal record checks for overseas applicants.

A criminal record certificate should be no more than 6 months old at the day of the visa application.

Where the requirement applies, an applicant must provide a scanned copy of a criminal record certificate. If the certificate is not in English, a translated copy of the certificate must be provided. The translation should be a certified translation.

The Council is committed to doing all it can to ensure that every individual appointed to relevant posts is suitable to work with vulnerable people, including children.

Types of Checks

There are different levels of criminal records check that we use:

Basic Check – This level of check will contain details of convictions and cautions from the Police National Computer (PNC) that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974. Spent convictions will not show on a Basic DBS certificate. If a prospective employee is subject to a DBS check as a requirement of the post, then a basic disclosure will not be required.

Spent convictions and cautions will be disclosed on Standard, Enhanced, and Enhanced with Barred Lists DBS certificates, subject to filtering rules.

Standard Check – This level of check is not used in the Council.

A standard DBS check is undertaken as part of an individual's application for a Security Industry Authority (SIA) licence.

Enhanced disclosure - In addition to the basic disclosure, this includes local police records. It is needed for positions that are exempt from the provisions of the Rehabilitation of Offenders Act 1974.

Enhanced disclosure with barred list check - In addition to the enhanced disclosure as detailed above, this includes whether the individual is on the Children's or Adult barred lists. The Disclosure and Barring Service (DBS) hold these lists.

This check is needed mainly for positions that involve working with children or vulnerable adults in a regulated activity. It is defined by the Safeguarding Vulnerable Groups Act 2006.

Appendix 3 - Guidance on the Immigration, Asylum and Nationality Act & Undertaking Right to Work Checks

The Immigration, Asylum and Nationality Act 2006 places a legal responsibility on employers to only recruit new staff from those eligible to work in the United Kingdom. An employer who does not comply will be committing a criminal offence and could be subject to civil penalty of up to £60,000 per illegal worker.

It is, therefore, very important for an employer to obtain information which will demonstrate that all its new employees meet the eligibility rules. The information that will be required is very basic, but it is essential that decisions in this area are not based on assumptions or stereotypes or any other type of discrimination. The information needs to be in a form which can be recorded for future demonstration that the employer has complied with the Act in its recruitment practices and decisions.

In practice this means that every candidate who receives an offer of appointment is required to provide documentary or digital evidence which confirms their eligibility to work in the United Kingdom.

A statutory excuse is an employer's defence against a civil penalty. In order to establish a statutory excuse against a civil penalty in the event that an employee is found to be working illegally, employers must do one of the following before the employee commences employment:

1. A manual right to work check

2. A right to work check using IDVT via the services of an IDSP (British and Irish citizens only)

3. A Home Office online right to work check (non-British and non-Irish citizens)

A summary of the rules for checking a person's right to work in the UK An Employer's Guide to Right to Work Checks has been issued by the Home Office.

Conducting a manual document-based right to work check

There are three steps to conducting a manual document-based right to work check. You need to complete all three steps before employment commences to ensure you have conducted a check in the prescribed manner, in order to establish a statutory excuse.

1. Obtain officially recognised original documents from List A or B.

2. Check that the documents are genuine and that the person presenting them is the prospective or existing employee, the rightful holder and allowed to do the type of work you are offering.

3. Make a clear copy of each document in a format which cannot manually be altered and retain the copy securely: electronically or in hardcopy. You must also retain a secure record of the date on which you made the check. Further information can be found under 'Retaining Evidence' below.

Types of documents

In order to comply with the Immigration, Asylum and Nationality Act 2006 and to establish an individual's right to work in the UK, employees are required to provide original documents as specified in either List A or List B.

List A – acceptable documents to establish a continuous statutory excuse

1. A passport (current or expired) showing the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK

2. A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.

3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.

4. A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK[1].

5. A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

6. A birth or adoption certificate issued in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer[2].

7. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

8. A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

[1] 'Definition includes those with a document which shows that the holder is entitled to readmission to the UK (RUK endorsement)'.

[2] Definition includes a full birth certificate issued by a UK diplomatic mission (British Embassy or British High Commission).

List B Group 1 – documents where a time-limited statutory excuse lasts until the expiry date of permission to enter or permission to stay

1. A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question[3]

2. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.

3. A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

List B Group 2 – documents where a time-limited statutory excuse lasts for six months

1. A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.

2. A Certificate of Application (non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service.

3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration Rules (Bailiwick of Guernsey) Rules 2008, or Appendix EU to the Isle of Man Immigration Rules together with a Positive Verification Notice from the Home Office Employer Checking Service.

4. An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.

[3] This includes a current passport endorsed with a stamp showing an individual has been granted leave to enter and there are no work-related conditions attached. If, under the conditions of the individual's leave, work was restricted or prohibited the endorsement placed in the individual's passport would explicitly set that out as a condition.

5. A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

Checking the Documents

In order to establish that a person has the right to work in the UK, you need to check:

- The documents are genuine, original, and unchanged and belong to the person who has given them to you
- Any photographs look like the applicant, and are the same across all documents
- That the dates of birth listed are consistent with the appearance of the potential employee, and are the same across all documents
- If 2 documents give different names, check that the applicant has supporting documents showing why they are different, such as a marriage certificate or divorce decree.

If the applicant is not a British or Irish Citizen, you'll also need to check that:

- The dates of the applicants right to work in the UK have not expired.
- The applicant has permission to do the type of work you're offering (including any limit on the number of hours they can work)

Validity of documents

When undertaking manual right to work checks only original documents should be accepted, and documents should be checked for any obvious signs that they have been tampered with. Reasonable steps must be carried out to check that the documents are valid and that the person named in the document is the potential employee.

The validity of documents should be checked in the presence of the holder, this can be a physical presence in person or via a live video link. In both cases you must be in physical possession of the original documents, you may not rely on the inspection of documents via a live video link or by checking a fixed or scanned copy of the document.

Using an Identity Service Provider (IDSP)

Since 6 April 2022, employers have been able to use Identity Document Validation Technology (IDVT) via the services of an IDSP to complete the digital identity verification element of right to work checks for British and Irish citizens who hold a valid passport (including Irish passport cards).

Digital identity verification conducted by IDSPs is the process of obtaining evidence of the prospective employee's identity, checking that it is valid and belongs to the person who is claiming it.

If you use the services of an IDSP for digital identity verification, holders of valid British or Irish passports (or Irish passport cards) can demonstrate their right to work using this method. This will provide you with a continuous statutory excuse. It is your responsibility to obtain evidence of the IDVT check from the IDSP. You will only have a statutory excuse if you reasonably believe that the IDSP has carried out their checks in accordance with this guidance.

For a detailed guide on how to complete a right to work check using an IDSP, please refer to Annex C of Employer's guide to right to work checks

Conducting a Home Office online right to work check

A Home Office online right to work check will provide employers with a statutory excuse against a civil penalty in the event of illegal working involving the subject of the check. You can do an online check by using the online service, entitled 'Check a job applicant's right to work: use their share code' on GOV.UK.

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

To enable an online check to be undertaken the individual will provide a share code which will be valid for 90 days. The share code may be provided directly or in an email from right.to.work.service@notifications.service.gov.uk. To check the person's right to work you will need to access the service via GOV.UK. enter the share code and enter the individual's date of birth.

Employers must check that the photograph on the online right to work check is of the individual presenting themselves for work, this can be done in person or by video call. The online check will confirm if the individual has the right to work and are not subject to a condition preventing them from doing the work in question.

Retaining evidence

You must keep a record of every document you have checked when undertaking a manual check. This can be a hardcopy or a scanned copy in a format which cannot be manually altered, such as a jpeg or pdf document.

You must also make a note of the date on which you conducted the check. This can be by either making a dated declaration on the copy or by holding a separate record, securely, which can be shown to us upon request. This date may be written on the document copy as follows: 'the date on which this right to work check was made: [insert date]' or a manual or digital record may be made at the time you conduct and copy the documents which includes this information.

If you have undertaken a right to work check using an Identity Service Provider (IDSP) you must retain a clear copy of the Identity Document Validation Technology (IDVT) identity check output.

If you have undertaken an online right to work check then you should retain a copy of the 'profile' page confirming the individual's right to work. This page includes the individual's photo and date on which the check was conducted. You can print and retain a hard copy of the profile page or save electronically as a PDF or HTML file.

You should keep any hard copies of documents or electronic records securely for the duration of the person's employment and for a further two years after they stop working for you. The file must then be securely destroyed.

Employer Checking Service

You can use the Employer Checking Service where an individual has an outstanding application, administrative review or appeal and their digital profile is not yet enabled to evidence this, or if their immigration status requires verification by the Home Office, for example in the case of Crown Dependencies.

Follow up Right to Work Checks

Where a manual right to work check is conducted relying on relevant List A documents before employment begins, this will provide a continuous statutory excuse relating to that individual's Right to Work for the duration of their employment. This means no further checks will need to be conducted on this individual while they remain employed.
When relying on documents from List B only a time-limited statutory excuse will be established, and it will be necessary to conduct a follow-up check in order to retain protection against civil liability.

Additional Requirement for Students

For students who have permission to work for a limited number of hours per week during term-times, an employer must also obtain, copy and retain details of their academic term and vacation times covering the duration of their period of study in the UK for which they will be employed.

Transfer of Undertakings

Employers who acquire staff as a result of a Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) transfer are provided with a grace period of 60 days from the date of the transfer of the business to correctly carry out their first statutory right to work checks in respect of these acquired employees. There is no such grace period for any follow-up checks to retain the excuse, where applicable.

The Points Based Immigration System

Under the points-based immigration system, with the exception of Irish citizens, anyone coming to the UK for work must meet a specific set of requirements for which they will score points. Visas are then awarded to those who gain enough points. There are a number of different types of visas that cover

different types of work including a Skilled Worker Visa and a Health and Care Worker visa which replace the previous Tier 2 worker category.

All applicants coming to the UK to work will need both a job offer from an approved sponsor at the required skill level and demonstrate that they can speak English. Applicants will also need to have a total of 70 points to be able to apply to work in the UK. Some of these characteristics are tradeable.

The 'skilled worker' route will be the main route through which employers recruit overseas workers.

Employers need to have a sponsorship licence to recruit any non-UK citizens from overseas if they are not a 'settled worker' or do not otherwise have the appropriate immigration permission to work for in the UK. For an overview of the requirements for a sponsor licence, see 'UKVI Visa sponsorship for employers on GOV.UK'.

EEA Citizens

Following the UK's exit from the EU, the Immigration and Social Security Coordination (EU Withdrawal) Act 2020 ended free movement law in the UK on 31 December 2020 at 23:00 (11pm) GMT. There followed a grace period of six-months during which relevant aspects of free movement law were saved to allow eligible EEA citizens and their family members resident in the UK by 31 December 2020 to apply to the EUSS. This period ended on 30 June 2021.

EEA citizens and their family members are required to have immigration status in the UK. They can no longer rely on an EEA passport or national identity card to prove their right to work as this only confirms their nationality. They are required to provide evidence of lawful immigration status in the UK, in the same way as other foreign nationals. The majority of EEA citizens will be provided with an eVisa. However, this will be dependent upon the immigration route and how they made their application. Some EEA citizens will have a Biometric Residence Permit (BRP). Those with a valid BRP must use the online right to work service.

Discrimination

You should ask all prospective employees to demonstrate their right to work through a manual document check, using the services of an IDSP, or by using the Home Office online right to work checking service. You cannot mandate how an individual proves their right to work. To ensure that you do not discriminate against anyone, you should provide every opportunity to enable an individual to prove their right to work.

You should not discriminate when conducting right to work checks. You should:

- Be consistent in how you conduct right to work checks on all prospective employees, including British citizens Ages of the children, including whether their ages differ widely.
- Ensure job selections are made on the basis of suitability for the post
- Ensure that no prospective job applicants are discouraged or excluded, either directly or indirectly, because of known or perceived protected characteristics.

You should not:

- Discriminate when conducting right to work checks

- Only check the status of those who appear to you likely to be migrants
- Make assumptions about a person's right to work in the UK or their immigration status on the basis of their colour, nationality, ethnic or national origins, accent, surname or the length of time they have been resident in the UK.

Otherwise, you may be acting in a discriminatory manner, and it could be used as evidence against you in proceedings under the Equality Act 2010

The Code of practice for employers: Avoiding unlawful discrimination while preventing illegal working provides practical guidance on how to avoid unlawful discrimination when employing individuals and conducting right to work checks

What to do if the job applicant cannot show you their documents

You must ask the Home Office to check an employee's or potential employee's immigration status if they cannot show their documents or online immigration status.

The Home Office will send you a 'Positive Verification Notice' to confirm that the applicant has the right to work. You must keep this document.

Appendix 4 - Immigration Act 2016: English Speaking Requirement (Fluency Duty)

The Immigration Act 2016 requires staff who are customer facing to have the ability to fulfil all spoken aspects of the role with confidence through the medium of spoken English. The requirement is referred to as the "Fluency Duty".

Customer Facing is defined as those who deal with the general public, either face to face, by telephone or through written correspondence as a regular and intrinsic part of their role. This would include roles such as a Customer Advisor, Teaching Assistant or Social Worker.

Roles such as a Street Cleaner would not be included as the main duties due not require regular interaction with the public. Roles providing internal support such as a Clerical Officer or HR Assistant would also not be included.

Fluency

Fluency relates to a person's language proficiency and their ability to speak with confidence and accuracy, using accurate sentence structures and vocabulary. In the context of a customer facing role, a person should be able to choose the right kind of vocabulary for the situation at hand without a great deal of hesitation. They should listen to their customer and understand their needs. They should tailor their approach to each conversation appropriate to their customer, responding clearly with fine shades of meaning, even in complex situations.

Setting the Standard

Setting the necessary standard of English spoken language proficiency will depend on the type of customer facing role. The following factors may be relevant when considering the standard required:

- Qualification and Tests The frequency of spoken interaction.
- The topic of spoken interaction
- Whether the communication is likely to include technical, profession-specific or specialist vocabulary.
- The typical duration of spoken interaction
- Whether the communication is repeated in or supplemented by, written material provided to customers.
- The significance of the spoken interaction for service delivery

Applicants will need to be assessed on their ability to speak the English language as part of the interview process. The interviewing manager needs to be sure that the job applicant demonstrates their fluency relative to the role as part of the interview process.
The recruiting manager may also take into account the possession of a relevant qualification for the role attained as part of education in the UK or fully taught in English by a recognised institution abroad.

There is also a range of external assessment tools available to determine English language competency. Further information can be found on the gov.uk website.

Agency Staff

Agency staff who are engaged to work in schools will also be required to fulfil the requirement to have the ability to fulfil all spoken aspects of the role with confidence through the medium of spoken English. Employment agencies should only supply candidates who meet the necessary standard.

Further information

Further information can be found on the gov.uk website or by contacting Corporate HR.

Job Description

School:

Post: **Job Evaluation Number:**

Grade:

Location:

Responsible To: (The designation and grade to whom the postholder reports)

Responsible For: (The designation and grades of posts supervised by the postholder)

Job Purpose

The main aims and objectives of the job, each summarised in one sentence, if possible

Main Duties

List of statements briefly describing the main duties of the job, each item normally consisting of one sentence, in the following form:

ACTION VERB	Develop……
OBJECT OF ACTION	…… systems and procedures
END RESULT	…… to process all incoming invoices

Below is a list of useful **Action Verbs**

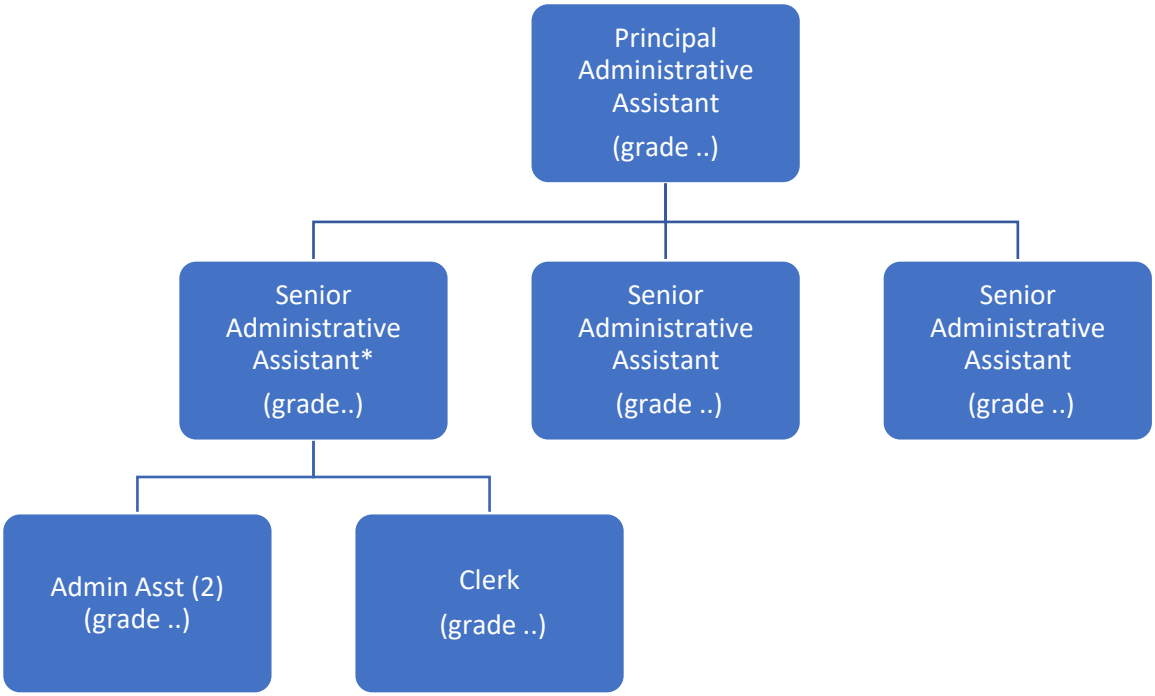
Policy Jobs	**Management**	**Specialist**	**Specific**	**General***
Approve	Achieve	Analyse	Check	Administer
Authorise	Assess	Appraise	Collate	Assist
Define	Attain	Enable	Distribute	Control
Determine	Ensure	Forecast	Issue	Co-ordinate
Develop	Identify	Interpret	Obtain	Liaise
Direct	Implement	Justify	Operate	Supervise
Establish	Improve	Propose	Perform	
Plan	Increase	Recommend	Process	
Prepare	Maintain	Support	Provide	
	Monitor		Submit	
	Review		Supply	

Main Duties (Continued)

Organisation Chart

Describe, in the form of a diagram, the reporting relationships in the Section in which the job is located. (The diagram should be restricted to the supervisor and the immediate subordinates of the post). Job titles and grades must be shown. The post to which this job outline relates should be identified with an asterisk.

For example



*This Post

Special Conditions <u>(to be deleted as appropriate)</u>

E.g. car allowance, requirements to work outside normal office hours, shift allowance etc.

The post is customer facing therefore you must have the ability to fulfil all spoken aspects of the role with confidence through the medium of English.

The post you are applying for is exempt from the Rehabilitation of Offenders Act 1974 and therefore you are required to declare any convictions, cautions, reprimands and final warnings that are not 'protected' (i.e., filtered out) as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.

For further information, please refer to DBS filtering guidance at www.gov.uk/dbs.

These statements must appear in all job descriptions

General:

This job description is a representative document. Other reasonably similar duties may be allocated from time to time commensurate with the general character of the post and its grading.

All staff are responsible for the implementation of the Health & Safety Policy as far as it affects them, colleagues and others who may be affected by their work. The postholder is also expected to monitor the effectiveness of the health and safety arrangements and systems to ensure appropriate improvements are made where necessary.

The School has an approved equality policy in employment and copies are freely available to all employees. The post holder will be expected to comply, observe and promote the equality policies of the school.

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

Note:
Where the postholder is disabled, every effort will be made to support all necessary aids, adaptations or equipment to allow them to carry out all the duties of the job.

Other optional paragraphs

Since confidential information is involved with the duties of this post, the postholder will be required to exercise discretion at all times and to observe relevant codes of practice and legislation in relation to data protection and personal information.

Undertake, and participate in training, coaching and development activities, as appropriate.

The person appointed will be expected to work flexibly and the exact nature of the duties described above is subject to periodic review and is liable to change.

Prepared by: **Name**

Designation

Date

(It is important that all job descriptions are dated and indicate the author)

NOTE: Advice and assistance is available from the Schools HR Team on the preparation of job description

Person specification

School:_____
Post: _____ **Grade**: _____

Personal Attributes Required (considerations)	Essential (E) Or Desirable (D)	Method of Assessment (suggested)
Qualifications/Training General/technical/professional – consider standard that the job requires, and can the need be justified? Training – consider job related/vocational requirements		AF/Certificate of Attainment
Experience/Knowledge What experience, if any, is relevant? Consider quantify and quality, what previous duties, tasks, activities would be useful preparation for the post. Quality is frequently more important than the actual length of experience Knowledge - consider type, depth relevant to the post level		
Skills/Abilities Skills - and type of e.g. supervisory/management, keyboard oral/written, planning/organising Abilities -		
Attitude/Behaviour What positive attitudes and behaviours are needed in the role, and demonstrate an applicant's motives and suitability to work with children		
Special Requirements Conditions of service which differ from the norm and with which the postholder must comply eg shift working, attendance of meetings outside normal hours, driving, physical activity, restrictions under certain legislation eg Rehabilitation of Offenders Act 1974, uniform requirements, residential **NB the following must be included:** Satisfactory Enhanced Disclosure and Barring Services Check including the Barred List Check.	E	AF/I

Please note this post is exempt from the Rehabilitation of offenders Act		AF/I
Ability to Contribute to Safeguarding and Promoting the Welfare of Children and Young People.	E	AF/I
Commitment to safeguarding and promoting the welfare of children and young people.	E	

AF = Application From I= Interview T=Test P=Presentation

Be extremely careful with criteria such as 'Current Driving Licence Required'. This would be used only if essential to the job (a genuine occupational requirement)/Essential car user post). Otherwise, state 'must travel independently over a wide geographical area'.

Prepared by_____

Date_____

Appendix 7 - Shortlisting Form R/S 2 - Explanatory Notes

Shortlisting Form R/S 2 - Explanatory Notes

This form must be used by the Shortlisting Panel.

Before examining any application forms, the Panel should discuss and agree the relative importance of each of the desirable criteria and rate them. The essential and desirable criteria should be taken from the person specification and listed at the top of the shortlisting form in the spaces provided. Only criteria which can be assessed from the application form must be considered.

Stage 1 - Individual Assessments

Members of the Shortlisting Panel must **individually** read and assess each application form against the person specification and record their findings on this form.

(i) Eliminate all applicants who do not meet the essential criteria set out in the person specification - in relation to the essential criteria an applicant must meet all these requirements in order to proceed any further.

Essential requirements should not be rated - the question is simply whether or not the candidate does or does not comply with the requirements. Panel members should indicate this by placing a tick or cross in the box provided.

(ii) Where applicants meet the minimum criteria and apply under the positive about disabled people symbol, they must not be subject to any further shortlisting.

(iii) Where there is a large number of applicants who satisfy the essential criteria, it will be necessary to examine the desirable criteria. The desirable criteria will have been rated, by the Panel, to draw up a profile which best matches the job description.

Applicants should be rated according to how well they meet the desirable requirements of the post in the following way:

A/2	=	Comprehensively meets requirements
B/1	=	Partially meets requirements
C/0	=	Does not meet requirements at all

Scoring can be numerical or alphabetical as long as the scoring system is used consistently. Those applicants whose profile is a closest match will be recommended for the shortlist.

Stage 2 - Consensus View of the Panel

Once the shortlisting panel members have individually assessed each application form, they will only then discuss their individual findings with the objective of coming to an overall consensus view. The Panel Chair should complete a new Shortlisting Form R/S2, deleting the word "individual" from the top of the form.

Shortlisting form r/s 2 - individual consensus
(delete as appropriate)

	ESSENTIAL CRITERIA					DESIRABLE CRITERIA					
	/ = Satisfied: X = Not Satisfied					2 = Completely Meets Requirements: 1 =Partially: 0= Not At All					
	RANGE OF CRITERIA TAKEN FROM PERSON SPECIFICATION										
APPLICANT											**SHORTLIST**
											Y **N**

Appendix 8 - Interview Assessment Form R/S3

Interview Assessment Form R/S3

Individual/Consensus (Delete as Appropriate)

Important: Please study explanatory notes overleaf before using this form

Post: _____ Dept: _____

Candidate: _____

Panel Member: _____

Date/Time of Interview: _____

Question No.	Comments/Notes	Score

CANDIDATE ASSESSMENT FORM R/S3 **CANDIDATE:** _

Question No.	Comments/Notes	Score

Overall assessment:

Candidate Assessment Form r/s3 - Explanatory Notes

1 Score

This is an indication of the extent to which the candidate satisfies each attribute in the opinion of the interviewer.

The interviewing panel should agree a recording scheme **before** the interviews take place. Scoring can be alphabetical or numerical as follows, as long as it is used consistently:

A/2	Candidate fully satisfies the specified attribute
B/1	Candidate possesses the attribute but not to the extend specified
C/0	Candidate does not satisfy/possess attribute or unable to assess from information provided

2 Comments

A brief note should be made to support each assessment.

3 Overall Assessment

Each interviewer should make a brief note under this heading of his/her overall assessment of the candidate in terms of whether or not the candidate has demonstrated from the interview the ability to do the job.

4 Consensus View

At the conclusion of the interview process, the panel should determine which, if any, of the candidates is the best person for the job by evaluating the outcome of the interviews together with the assessment exercises that may have been undertaken, e.g. in-tray, presentation.

Candidates who do not satisfy all the essential attributes identified on the person specification **must** be rejected.

Appendix 9 - Presentation Assessment Form R/S4

Presentation Assessment Form R/S4
Individual/Consensus (Delete as Appropriate)

Important: Please study explanatory notes overleaf before using this form

Post: _____ Dept: _____

Candidate: _____

Consensus/Panel Member: _____

Topic: _____

Assessment: A/3 =
Fully satisfies the specified criteria
B/2 =
Possesses the attribute but not to the extent specified
C/1 =
Does not satisfy/possess attribute
D/0 =
Unable to assess from information sought/provided

NB: The panel must agree the purpose of the presentation before seeing any candidates. The attributes to be assessed should be listed below.

To be measured	Comments
Plan and structure *(clear beginning, middle and end)*	
Style *(voice, body language, eye contact)*	
Effectively communicate information verbally *(clear, reinforced points)*	
Response to Brief *(was the topic addressed?)*	
Influence/Persuasiveness *(were you convinced by the presentation including response to any questions asked?)*	
Timekeeping of presentation	

OVERALL SCORE/COMMENTS:

Presentation Assessment Form R/S4 - Explanatory Notes

Why use a Presentation as part of the Selection Process?

Presentations are a useful method of assessing attributes that cannot easily be identified/assessed from the application form/interview etc. For example, the ability to:

- effectively communicate information verbally
- plan and structure information
- manage time
- represent the Authority at external meetings
- represent the Department at Committee/Council meetings
- influence/persuade

The presentation will also assess a candidate's knowledge and understanding of a particular issue. In addition to the above, an assessment on the use of audio/visual aids, body language, voice, evidence of preparation, presentation style, structure is typical.

NB: When deciding to use a presentation as an assessment method, the panel must decide what attributes they will be looking to assess in relation to the person specification.

Choosing the Topic

The choice of topic must be closely related to the post in question. The length of time to be allocated will vary (10-15 minutes would usually be sufficient).

Giving Prior Notice to Candidates

Candidates must be given equal and adequate notice of the presentation, the topic to be addressed and the time to be allocated. They must also be advised of what visual/audio aids will be available, e.g. PowerPoint, OHP, flipchart.

Assessing the Presentations

The presentation assessment form has been loosely designed **in recognition of the fact that presentations will not always be used to assess the same attributes**. For example, if the purpose of the presentation is to test the candidates' knowledge and understanding of a particular issue, the panel will be focusing more on the content rather than the candidates' voice or body language.

Individual Assessments

The Presentation Assessment Panel must individually assess each candidate against the agreed list of attributes. Scoring can be alphabetical or numerical as follows as long as it is used consistently:

A/3 = Fully satisfies the specified attribute B/2 = Possesses the attribute not the extent specified

C/1 = Does not satisfy/possess attribute D/ 0 = Unable to assess from information provided

Panel Consensus

Once members of the Presentation Panel have individually assessed each presentation, they will only then discuss their individual findings with the objective of coming to an overall consensus view. The Panel Chair should complete a new Presentation Assessment R/S4, deleting the word "individual" from the top of the form.

Appendix 10 - Reference request letter

Dear

Re:
Home Address:

The above named person has applied for the post of <insert post> within <School name> and has given your name as a referee.

Please find enclosed a copy of the Job Description and Person Specification in relation to this position. I have also enclosed a Pro forma, which I would be grateful if you would complete and return in the envelope provided by <date>

When completing the pro forma, please be aware that my school is exempt form the restrictions of the Rehabilitation of Offenders Act 1974 and due to our commitment to safeguarding and promoting the welfare of children and young people, we follow at minimum the guidance set out by the Department for Education, with regards to Safer Recruitment.

Please ensure that any information provided is accurate and does not contain any material misstatement or omission. Any factual content of the reference may be discussed with the applicant.

To avoid any delays in the selection process, you may send your reply by email to <email address> and return the original copy in the envelope provided.

I would like to thank you for your assistance in this matter. The information you provide will be kept strictly confidential.

Yours sincerely,

Appendix 11 – Schools Request for Reference

Request for Reference

Pro Forma for Roles working with Children

Reference for:	
Post applied for:	
Location:	

Section 1. Relationship with the Applicant.

1. How long have you known the applicant?		**Years**		**Months**	
2. In what capacity do you know the applicant?					
a) As an employee reporting to me					
b) As a current/past work colleague (please specify)					
c) As a fellow member of a professional association					
d) As a friend/socially					
e) We are related (please state the relationship)					
f) Other (please specify)					
3. If you have selected 'employee reporting to me' please answer the following questions:					
a) When did the period of employment start and end?	Started:	Ended:(or state 'current')			
b) What was his/her reason for leaving the organisation?					
c) What is/was his or her position?					
d) Did his/her role involve working with children or young people in regulated activity?		Yes		No	
e) Please provide details of applicant's current salary:					
f) Please provide a brief outline of his/her duties and responsibilities:					
g) Would you re-employ the applicant in a role commensurate with their previous one?		Yes		No	

If no, please specify why.	

Section 2. Suitability of applicant

Important: Please ensure that you have fully read the attached Job Description and Person Specification before completing this section,

4. Do you believe the applicant is suitable for this role?		Yes		No
If no, please specify why:				

5. How would you rate the applicant for the following:

	Excellent	V. Good	Good	Average	Poor	V. Poor
Work performance						
Timekeeping						
Honesty & Integrity						
Relationship with Colleagues						

6. Do you believe that the applicant is suitable to work with children, young people and/or vulnerable adults?

	Yes		No		Not applicable
If no, please specify in detail why.					

7. Considering the Job description and Person Specification, please comment on the applicants:

a) Skills and Competencies**,** and how these have been demonstrated	

b) Strengths, and how these have been demonstrated	
c) Weaknesses, and how these have been demonstrated	

8. Do you know of any reason why we should not employ this applicant?			
	Yes		No
If yes, please specify why.			

Section 3. Sickness absence record of the applicant.

9. Please provide detail of the applicant's sickness absence record for the previous 2 years

From	To	Reason

Important Note - Sections 4 and 5

Only to be completed by employers that answered **yes** to question 3d in Section 1; the person you are providing the reference for was involved in working with children or young people in regulated activity.

If Section 4 and 5 is **not** applicable, please go to Section 6 and finally Section 7 to complete the declaration.

Section 4. Applicant's conduct and performance (See note above)

10. Please provide verifiable comments on the applicants previous :	
a) Performance	
b) Conduct	

Section 5. Applicant's disciplinary/allegation history (See note above)

11. Please provide details of disciplinary procedures that the applicant has been subject to and which is current.				
Date of offence Dd/mm/yyyy	Offence	Action Taken	Sanction	Date of Sanction Dd/mm/yyyy

12. Please provide details of disciplinary procedures that the applicant has been subject to involving issues relating to the welfare of children, young people or vulnerable adults for which the disciplinary sanction has expired.

Offence	Detail of Sanction	Date Sanction expired	Additional Information

13. Please provide details of any allegations raised about the applicant that relate to the safety and welfare or behaviour towards children, young people or vulnerable adults.

Date of allegation Dd/mm/yyyy	Detail of allegation	Detail of investigation	Details of conclusions of investigations	Details of resolution.

Section 6. Additional comments

Please provide any other comments regarding the applicant that you feel are relevant

Section 7. Declaration.

I declare that the information provided in this reference is to my knowledge accurate and does not contain any material misstatement or omission.

Name (in capital Letters):	
Signature:	
Date:	
Position in Organisation:	
Tel No. & Extension:	
Organisation Name:	
Organisation Stamp:	

Please be aware that any factual information disclosed in this reference may be discussed with the applicant.

Thank you

Please return the completed reference as soon as possible via email

For Office Use Only
This reference has been verbally confirmed:

Date:	Time:
Name:	Signature:

Appendix 12 - Guidelines for Involving Children and Young People in Recruitment and Selection

Sefton Children's Services Directorate fully supports the United Nations Convention on the Rights of the Child article 12 which states that every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously

In relation to the recruitment and selection of staff, this means that where staff are employed to deliver front line services for Children and Young People (C&YP) either directly, or as managers, C&YP should be involved in some part of the selection process. All posts in schools do affect C&YP and so, the extent of their involvement should be assessed.

Key points to consider

When involving C&YP in recruitment and selection the following points have to be taken into account:

- C&YP should be involved at the very initial stages, as they can contribute immensely to the recruitment and selection process

- C&YP need support, training and time. Involvement may require parental agreement so their involvement should be organised as early in the process as possible.

- Recruitment and selection panels need to recognise that in involving C&YP, there are issues such as equalities and accessibility to consider. In choosing an interview venue, consideration should be given to its accessibility and the resources available in order to ensure C&YP can get there, as most C&YP do not drive. The timing of the interviews is another factor to be considered as the professional working day often excludes C&YP. Also parental consent forms for their involvement may be required.

- C&YP's experiences of being involved in recruitment and selection shows that they value having a range of opportunities to get involved, having support from professionals and structures to work in, being able to learn new things, gain experience and be respected for their contribution.

Recruitment

As with all aspects of appointing new members of staff, the recruitment process should begin with a review of the vacant role or, in the case of a new post, consideration and re-defining the purpose of its role and key duties.

Headteachers and Managers can ensure they gain the views and ideas about the role, from the C&YP who will directly receive the service, in a number of ways. C&YP can be asked to contribute to aspects of the job description and the wording of

an advert. School Governors should ensure C&YP are fully, and appropriately, involved in the appointment of teaching and support staff.

Selection - The Person Specification

In drawing up the 'essential' and 'desirable' criteria of the person specification, C&YP can be invited to contribute in three ways:

- Informal conversations - As with recruitment, informal conversations can take place between Headteachers or Managers and C&YP about the key aspects of the role and the qualities and skills that C&YP think the post require. These contributions can be written into the person specification.

- Generic work - Schools may want to consider working with a focus group of C&YP once a year to agree some generic qualities that should go into the person specification for all posts that impact on C&YP.

- Formal involvement - For senior posts in particular, a group of C&YP should be consulted on the person specification. This is a very effective way, for example, for School Councils to be involved when appointing Head-teachers and staff to the schools leadership teams.

Selection - The Interview Process

Headteachers and Managers have to assess how best to involve C&YP in the interview. There are three types of involvement, passive, active and fully participating.

Passive - C&YP are involved at the "meeting and greeting" stage of the interview process, acting as ambassadors and hosts to the candidates. Generally there is no further involvement in decision-making, although individual members of the Selection Panel do sometimes seek value judgements from the C&YP involved.

Active engagement 1 - C&YP are asked to formulate two or three questions, which are submitted to the Panel. The Panel chooses and asks the questions on the C&YP's behalf. Good practice would be to give feedback on how the questions were answered and why the successful candidate was appointed. As part of their learning, C&YP need to understand that their questions form one part of the selection criteria and other aspects may influence the decisions.

Active engagement 2 - In certain formal settings staff, are asked to give demonstrations lessons or invited to meet C&YP in their own environment, e.g. in a youth club or residential home.

The Selection Panel need to consider how the views of the C&YP are fed into the decision-making process. In the case of demonstration lessons, often professionals observe. Assessment of candidates' abilities should not only include a 'good lesson taught', but also an evaluation of what was learnt by involving pupil feedback.

Active engagement 3 - Conversational Panels – normally used when a large group of C&YP wish to be involved. Candidates are asked to meet for 5-10 minutes with a carousel of small panels in an informal social setting, e.g. with refreshments. Panels should have themes for discussion, but no formal questions. The Conversational Panel feeds the information to a member of the Selection Panel as views and comments, the panels may make some judgements and these can be used in the decision making process in the same way as any group exercise.

Fully Participative - C&YP are recruited and trained to take part in the selection process. This requires an appropriate panel of C&YP being identified who have experience of the service in which the vacant post sits. As with the formal panel they are provided with all information concerning the job. In some cases it may be appropriate for involvement in the short-listing of the candidates. With the support of a professional, the group devises its own set of questions and has a formal role on the selection day as part of the main selection process.

The responses from this Panel form part of the main selection process. The weight and significance of the C&YP Panel will vary given the emphasis of the work. For managers and senior professionals, the C&YP panel will provide a perspective. With frontline professionals, the C&YP's judgement should have significant weighting; for Youth Worker/Social Workers/Voluntary sector appointments, then the views of the C&YP Panel should be the key factor.

Very good practice in active engagement would see the Chair of the C&YP Panel involved in the final selection. This would ensure that not only the views of the C&YP Panel are taken into account, but also in the final selection, that there is a C&YP perspective in the final decision.

In certain instances, it may be preferable for the "adult" panel to select two or three suitable candidates and present the C&YP Panel with choices for the appointment from the short-list.

Feedback to the C&YP

Following involvement in the recruitment process, C&YP should be offered the opportunity to discuss the final outcomes with a Panel member, ideally the Panel Chair. It would be considered good practice to facilitate an evaluation session with the C&YP following involvement in the recruitment process to ensure any areas for improvement are highlighted.

Summary

The ideal model is that C&YP are involved in the job description, person specification, short-listing exercises and trained to be able to contribute in the formal Selection Panel. However, recognising that for various posts, and with certain C&YP, this will not always be possible, Headteachers and Managers need to ensure that they involve C&YP as appropriately as they can.

Payment Incentives

Consideration should be given as to whether C&YP should be rewarded on the final day of their involvement in the recruitment process. An appropriate example of a reward is a £5 "High Street" voucher for up to 2 hours input and a £10 "High Street" voucher for up to 4 hours input (See CSF Remuneration and Reward Good Practice Guidance for further information) C&YP should also be reimbursed for any transport costs incurred. Payment will be made by the school. Any incentive should be registered (with the appropriate Corporate HR/Business Support Unit) and be sent formally from the school.

Getting Started

In the first instance a Headteacher or Manager should liaise with one of the following Contact Officers, who will provide advice and assistance on involving C&YP in the recruitment and selection process:

Children's Participation Officer, Cheryl Yates
Email: Cheryl.yates@sefton.gov.uk
Tel: 0151 934 4167

Note:
The above Contact Officers will also provide the necessary advice and support regarding Safeguarding issues relative to DBS (Disclosure and Barring Scheme) clearance and/or cover in respect of contact with C&YP.

Rights Respecting Schools

The UK Committee for UNICEF (UNICEF UK) uses the United Nations Convention on the Rights of the Child (UNCRC) as their guide to work with schools in the UK to create safe and inspiring places to learn, where children are respected, their talents are nurtured and they are able to thrive. The Rights Respecting Schools Award embeds these values in daily school life and gives children the best chance to lead happy, healthy lives and to be responsible, active citizens. The Award recognises a school's achievement in putting the United Nations Convention on the Rights of the Child into practice within the school and beyond.

If you have any queries, or would like further advice and support on Rights Respecting Schools, please do not hesitate to get in touch with the RRSA Team at **rrsa@unicef.org.uk** or your **Regional Professional Adviser**.

Appendix 13 - Example Self Declaration

Congratulations on being shortlisted. Please return this disclosure to the school **at least one day prior to interview**. If we have not received this, we reserve the right to withdraw the offer of interview.

Post applied for:	Date:

Surname:		Previous name(s) (if any):	
Forename(s):		Preferred title:	Date of birth
National Insurance No:	Teacher Ref. No (if applicable):	Date of recognition as qualified teacher, QTS (if applicable):	

(NAME) School is committed to safeguarding and promoting the welfare of children and we expect all staff to share this commitment. This post is exempt from the Rehabilitation of Offenders Act 1974; pre-employment checks will be carried out, references will be sought and successful candidates will be subject to an enhanced DBS check and other relevant checks with statutory bodies.

We comply with the Disclosure & Barring Service (DBS) code of practice and have a written policy on the recruitment of ex-offenders, both of which are available on request. As you have been shortlisted, you are required to declare any relevant convictions, adult cautions or other matters which may affect your suitability to work with children. As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2020 and 2023, some minor offences are now protected (filtered) and should not be disclosed to potential employers, and employers cannot take these offences into account.

Please read the information here before answering the following questions. If you are unsure whether you need to disclose criminal information, you should seek legal advice or you may wish to contact Nacro or Unlock for impartial advice. There is more information on filtering and protected offences on the Ministry of Justice website.

Nacro - https://www.nacro.org.uk/criminal-record-support-service/
or email helpline@nacro.org.uk or phone 0300 123 1999

Unlock – http://hub.unlock.org.uk/contact/ phone 01634 247350 text 07824 113848

1. Do you have any convictions or adult cautions that are unspent? Yes / No
If yes, please provide details here
2. Do you have any other cautions or convictions that would not be filtered? Yes / No
If yes, please provide details here
3. Do you have any cautions or convictions for offences committed in another country which would be relevant to your suitability for this post in line with the law in England / Wales? Yes / No
If yes, please provide details here
4. Are you currently being investigated by the police or have you been charged with an offence which has not yet reached court? Yes / No
If yes, please provide details here
5. Are you known to the police or children's social care for any other reason that could affect your suitability for this post? Yes / No
If yes, please provide details here
6. *Only ask if you are recruiting for a post working in regulated activity with children Are you included on the DBS children's barred list? Yes / No
If yes, please provide details here
7. *Only ask if you are recruiting for a post working in regulated activity with adults over the age of 18 years Are you included on the DBS adult barred list? Yes / No
If yes, please provide details here

8. (Teaching posts only) Are you, or have you ever been, prohibited from teaching by the TRA or sanctioned by the GTCE? Yes / No / Not applicable
If yes, please provide details here
9. *Management posts in independent schools / academies only Have you been prohibited from management of an independent school (s128)? Yes / No / Not applicable
If yes, please provide details here
10. Have you lived or worked outside the UK for more than 3 months in the last 5 years and/or 12 months in the last 10 years Yes / No *This should be amended to reflect your school policy if school policy differs to this
If yes, please provide details here
11. Are you subject to any sanctions relating to work with children in any country outside the UK? Yes / No
If yes, please provide details here
12. *Applicants for posts in early years or later years childcare (wrap around care) only The Disqualification under the Childcare Act 2006 Regulations (2018) state that anyone employed to care for children in early years (children under the age of 5) or later years (wrap-around care for children under the age of 8) is disqualified from that work if they meet certain criteria. These criteria include (this is not an exhaustive list): • Certain serious criminal offences • Court orders relating to the care of your own child • Being prohibited from private fostering Do you have any reason to believe you are disqualified from working in childcare? Yes / No

If yes, please contact us for more information on the Regulations.

Please complete the declaration below:

I declare that all the information I have provided in this disclosure is full and correct at the time of application and that I have not omitted anything that could be relevant to the appointment of someone who will work with children. I understand that the recruitment panel may be made aware of any relevant information that I have disclosed in order to discuss the matter(s) with me as part of the recruitment process and that, if my application is successful, a risk assessment of the disclosed information will be held securely on my personnel file. I understand that the declaration of a criminal record will not necessarily prevent me from being offered this role.

Signed:
Date:

Please return this form to: [insert name] (HT, bursar)

Please note that, if you are unsuccessful, this disclosure form will be securely destroyed within 6 months of your application.

Appendix 14 - Department for Education Sign-in

Schools can use Department for Education (DfE) Sign-in to access DfE online services to -

- Check a teachers record
- Check the children's barred list

You will need an existing DfE Sign-in account to access DfE online service. If you haven't used DfE Sign-in before you will need to create a DfE Sign-in account to access the above records - Access the DfE Sign-in

Use DfE sign-in to Check a Teachers Record

https://check-a-teachers-record.education.gov.uk

You must check a teacher's record before they start working for you in as part of your safeguarding checks.

This service allows you to search for a teacher using their last name and date of birth. You do not need their teacher reference number (TRN).

You can check a record for anyone with a teacher reference number (TRN), including:

- Teachers and former teachers
- Teaching assistants and higher level teaching assistants

You can use this service to check the records of multiple teachers at once.
A teacher's record tells you whether they have:

- Qualified teacher status (QTS) or early years teacher status (EYTS)
- Passed their induction
- National professional qualifications (NPQ) or mandatory qualifications for teaching pupils with sensory impairments
- Been prohibited from teaching by the Teaching Regulation Agency
- Had sanctions or restrictions placed on them by the General Teaching Council for England (GTCE)
- Been found guilty of serious misconduct but not prohibited from teaching

If you need to check a teacher's record while you wait for your DfE Sign-in account, email employer.access@education.gov.uk and say 'urgent query' in the subject line.

Use DfE sign-in to Check the children's barred list

https://check-the-childrens-barred-list.education.gov.uk

You can use the online service to check the children's barred list

The children's barred list contains details of people who are not allowed to work with children.

The list is usually checked as part of an enhanced Disclosure and Barring Service (DBS) check.

You should only check the children's barred list separately if a new employee either:

- Will start working with children while waiting for the result of an enhanced DBS check

- Does not need an enhanced DBS check because they've worked with children in a school or college within the last 3 months

Get help

Email employer.access@education.gov.uk if you have questions about these services.

Appendix 15 – Regulated Activity

Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012 and The Crime and Policing Act 2026.

Regulated activity includes:

a) paid and unpaid work that involves teaching, training, instructing, caring for or supervising children, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;

b) any other type of paid work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children.

Work under (a) or (b) is regulated activity only if done frequently, on more than 3 days in a 30-day period or overnight. [4]Some activities are always regulated activities, regardless of frequency. This includes:

c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:

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

Regulated activity will not be:

- paid work in specified places which is occasional and temporary and does not involve any of the activities in (a) above.

[4] The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if "it is carried out frequently by the same person" or if "the period condition is satisfied". Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, for the purposes of the work referred to at (a), apart from driving vehicle only for children, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children.