

Last review: September 2020
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Signed By:
Approval Committee: Governing Body



GILLINGHAM SCHOOL
Hardings Lane, Gillingham
Dorset SP8 4QP

Recruitment and Selection Procedure

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Recruitment and Selection Procedure – (A Framework for Schools)

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1 Introduction

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2.1.1 Employees are a school's most important resource. In serving the needs of its pupils, the school can only be as effective as the people it employs.

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2.1.2 Successful and thorough recruitment and selection has a fundamental role to play in ensuring the people with the right combination of knowledge, competencies and personal attributes are appointed.

2.1.3 Under section 175 of the Education Act 2002, Governing Bodies of maintained schools need to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. It is vital that schools adopt recruitment and selection procedures that help deter, reject or identify people who might abuse children or are otherwise unsuited to work with them, in order to safeguard children.

2 2 Scope

2.1 This procedure is recommended to Governing Bodies for adoption by all schools.

2.2 It is vital that measures described in this guidance are applied thoroughly whenever someone is recruited to work in a school. Those are not only people who regularly come into contact with children or are responsible for children, but who regularly work in a setting where nevertheless, they will be seen as safe and trustworthy because of their regular presence.

2.3 **The Local Authority will not accept liability for any actions, claims, costs or expenses arising out of a school's decision not to follow this recommended policy or procedure, where it is found that the school's Governing Body has been negligent or has acted in an unfair or discriminatory manner.**

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3 3 The Policy

3.1 This policy and procedure has been designed to provide detailed guidance to schools to develop and maintain high standards of professional and effective recruitment practice.

3.2 The policy guides schools in planning, monitoring and carefully undertaking recruitment.

3.3 ~~<School name Gillingham School>~~ is committed to safeguarding and promoting the welfare of children and young people in its recruitment practice and expects all school based employees and volunteers to share this commitment.

3.4 Good practice and equality of opportunity are integral to ~~<school name Gillingham School >~~ recruitment and selection processes. Recruitment and selection in ~~<school name Gillingham School>~~ shall be approached in a fair, consistent, equitable, transparent and effective manner, with due regard for Equal Opportunities legislation.

3.5 In cases of redundancy and redeployment, alternative recruitment practices will apply.

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4 Guiding principles

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5.14.1 Guiding principles, which reflect good employment practice and appropriate employment legislation, are the minimum principles established by the county council, in consultation with Headteachers and the recognised Trade Unions and Professional Associations. These principles must be observed in recruitment and selection in schools.

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5.24.2 These principles are highlighted as key steps in the following procedure summary.

5.34.3 These principles should be viewed as minimum 'must dos' designed to assist schools in making sound, informed employment decisions. The standards ensure measures to safeguard children.

5.44.4 Schools may introduce further standards, providing they do not conflict with these essential requirements.

6.5 Responsibilities

6.15.1 The Headteacher and the <school-nameGillingham School/> Governing Body will be responsible for the management and implementation of this policy.

6.25.2 They will ensure that managers involved in recruitment and selection in <school-nameGillingham School/> are aware of their responsibilities within this policy.

5.3 The Governing Body will ensure that at least one person on an interview panel has received Safer Recruitment training in accordance with the School Staffing (England) Regulations 2009

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Recruitment & Selection Procedure Summary (updated January 2018)

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STEP 1: ESTABLISH THE VACANCY NEED

- The Headteacher should establish whether the vacancy must be filled and if so the nature of the work that will be undertaken. **(Appendix 1)**
- The cost implications on the school's budget will be a consideration as will any changes in workload that are foreseen or any plans for restructuring posts and or work allocation.

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STEP 2: PREPARE THE JOB DESCRIPTION AND PERSON SPECIFICATION

- A job description **(Appendix 2)** should be made available for each vacancy, outlining the job purpose and principal duties and responsibilities. The pay range for the post must be established at this stage ensuring that the pay range reflects the level and responsibility of the post.
- Every job description should make reference to the employee's responsibility for safeguarding and promoting the welfare of children.
- Job descriptions for non teaching employees can be accessed via the schools' JE portfolio. If you cannot find a suitable job description within the portfolio and wish to create a new job description please discuss this with the ER team before advertising the position.
- A person specification **(Appendix 3)** should be drawn up for each vacancy, outlining the essential qualities (i.e: skills, qualifications, experience and personal attributes) required in the post. The person specification should include specific reference to the suitability of the person to work with children and the degree of responsibility they will have for children in the particular role.

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STEP 3: PLAN THE RECRUITMENT TIMETABLE

- Every appointment should be carefully planned and a clear, realistic timetable produced covering each stage of the recruitment process. Ensure enough time is allowed for each stage, incorporating adequate time for potential candidates to serve notice in existing employment.
- Within each stage of the timetable, the following should be included:
 - The methods to be used in the selection process (e.g. psychometric testing, group exercises, lesson observations etc)
 - Who will be involved at each stage of the process and what their responsibilities will be (book the necessary times, dates, room locations in their diary for shortlisting, interview planning, ensure at least one person on the interview panel has successfully completed safer recruitment training, testing and interviews etc)

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STEP 4: ADVERTISE THE VACANCY

- Vacancies should be advertised in appropriate media allowing adequate time for its publication.
- Headteacher and deputy headteacher vacancies should be advertised in National Press unless there is a good reason that has been agreed with the LA as to why not (e.g. a restructure)
- The content of the advertisement should include:-
 - An appropriate headline (e.g. job title and location)
 - A brief summary of the role and person specification
 - The rewards (e.g. pay and other benefits e.g. TLR or SEN)
 - Terms and conditions (e.g. teachers or non teaching pay and conditions, part time, status etc)
 - If the post is fixed term, include reason and duration of the fixed term period (see Appendix 20 for a list of suitable reasons for a fixed term contract)
 - The action necessary to respond
 - The closing date for applications
 - Equal opportunities statement
 - **Safeguarding of Children statement**
 - The disability 'two tick' symbol (optional)
 - The date the interviews will be held
- The school and (if appropriate) the County Council logo
- See **appendix 5 & 6** in the toolkit (sample advertisement and advertising checklist)

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STEP 5: PROVIDE A JOB INFORMATION PACK & CONFIRM ARRANGEMENTS FOR SELECTION PROCESS

- On receipt of application requests, the school should issue a job information pack.
 - The nature of the post to be filled will determine the precise information to be sent. As a minimum the following is recommended:
 - Application form
 - Job description (**Appendix 2**)
 - Person specification (**Appendix 3**)
 - Criminal Records Declaration Form (**see link to [Criminal Records Checking](#) page on Nexus**)
 - Appropriate information about the school
 - Statement of the school's child protection policy
 - Statement of the terms & conditions relating to the post
- NB: if advertising on line please ensure you send attachments electronically so they can be linked to the advert.**

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▲ ----- **STEP 6: SHORTLIST CANDIDATES** -----

- Each applicant should be individually assessed against the criteria specified in the person specification
- Decisions should not be based on assumptions or generalisations about particular groups or categories of people. Care should be taken not to discriminate unfairly in any short listing decision.
- Shortlisting should be carried out by a minimum of 2 people (as nominated by the Chair of the interview panel who may themselves be involved), maintaining a gender balance where practicable.
- Generally, all candidates who meet the essential criteria should be shortlisted for interview unless large numbers are involved, when it may be necessary to shortlist against both essential and desirable criteria in order to produce a suitable final shortlist. **(Appendix 6)**
- Once the shortlisting has been completed, those candidates selected for interview should be written to and invited to attend interview. **(Appendix 7)**
- Also included with the invite to interview letter should be the criminal records self declaration form, HR14 **(Appendix 5)**, a request that the candidate brings appropriate identification with them to enable completion of the employee identity check **(Appendix 13)** and any qualification certificates to be viewed and recorded, as these will be needed for the DBS and single central record. Where the applicant falls under the requirements of the Childcare (Disqualification) Regulations, you should also send the form entitled 'Form to assess suitability of staff and volunteers - Childcare Disqualification Regulations' for completion and for them to bring to interview **(Appendix 5a)**
- Those applicants who have not been shortlisted should be written to and advised that they have been unsuccessful on this occasion. Alternatively, the original advert for the post can state the date by which candidates can assume they haven't been successful if they do not receive a response from the school.
- Records of all applicants (successful and unsuccessful) and the justification for the shortlisting decision must be maintained for up to a year in order to respond to any claims of unfair discrimination.

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▲ ----- **STEP 7: OBTAIN REFERENCES** -----

- Obtain references from two sources for all shortlisted candidates including internal and external applicants, one of which must be a previous employer. **(Appendix 9)**
- References must be in writing and should ask specifically about a candidate's suitability to work with children, as well as their suitability for the post, and should be obtained prior to interview.
- Offers of employment can be made subject to references where not available at interview.

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▲ ----- **STEP 8: ON ARRIVAL FOR INTERVIEW** -----

- Record details on Employee ID check and view original documents for DBS check.
- View and record Right to Work in the UK information and keep a copy of the evidence.
- View and record Qualification certificates for the single central record.
- Give candidate medical questionnaire and ask them to complete and return to Occupational Health asap if they are successful at interview.
- View completed Childcare Disqualification form (where applicable) to ascertain whether they are eligible to work with this group of children.

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STEP 9: INTERVIEW

- The interview panel should consist of at least 2 people, maintaining a gender balance where practicable. At least one member of the interview panel MUST have successfully completed the safer recruitment training.
- The interview should be held in a suitable room where the interviews can take place uninterrupted
- Interview questions should be planned and structured in advance.
- Core questions should be applied consistently and asked of all candidates.
- If a fixed term appointment, explain reasons and duration during interview.
- Notes of each interview should be recorded with due regard to equal opportunities legislation. **(See appendices 10-12)**
- Following interviews, all candidates should be assessed against all aspects of the objective selection criteria.

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STEP 10: THE SELECTION DECISION

- The decision taken should be based on determining who is the most suitable candidate as assessed against the person specification and job description. **(Appendix 14)**
- All candidates should be given equal consideration.
- Reasons for selection/non selection of candidates should be objective, relevant and clearly recorded.

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STEP 11: PRE EMPLOYMENT CHECKS

- Post offer, IT IS ESSENTIAL THAT all pre employment checks should be obtained as quickly as possible to include:
 - Identity checks;
 - Confirmation of the right to work in the UK (retain copies of documents seen);
 - Any outstanding references;
 - DBS with barred list check;
 - Medical clearance (**ONLY** send for clearance once offer has been made and accepted);
 - Verification of qualifications where a requirement of the job;
 - Prohibition from Teaching check;
- Childcare (Disqualification) Regulations 2009 requirements are met (where applicable)
- If the person has lived or worked outside of the UK, make any further checked the schools or college consider appropriate
- For management positions in Independent schools, including academies and free schools a check that a person is not subject to a Section 128 direction is required.
- **SCHOOLS SHOULD NOT START APPOINTEES IN POST**, until all of the appropriate checks have been carried out, in order to ensure that children are safeguarded and that the individual is fit to undertake the role. (See further guidance on pre-employment checks overleaf and full guidance in **Appendix 15**)
- Successful candidates should be advised not to resign from any existing employment prior to clearance being obtained.

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STEP 12: OFFER OF EMPLOYMENT

- A provisional verbal offer will normally be made in the first instance to the successful candidate. It must be explained this offer is subject to pending DBS checks (where appropriate), medical clearance, and references where not already obtained (and anything else, such as sight of original qualifications or work permit) and after the Childcare (Disqualification) Regulations requirements have been checked (where applicable).
- Once a verbal offer has been made this should be followed up in writing:-
 - For support staff see **Appendix 16**, additionally a copy of the supplementary information at **Appendix 17** should be included.
 - For teaching staff see **Appendix 18**, additionally a copy of the supplementary information at **Appendix 19** should be included.
- When offering a fixed term appointment, state the reason and duration of the appointment and follow this up in writing. **(See guidance at Appendix 20)**
- Be careful not to quote full time salary rates for part time work.

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STEP 13: RECRUITMENT FILE / COMPLAINTS PROCEDURE

- A structured recruitment file should be maintained for at least 6 months for each vacancy, including copies of all documents relating to the recruitment process.
- This should be stored for 6 months following the appointment to ensure any claims or requests for information made after the appointment can be appropriately responded to.

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STEP 14: POST APPOINTMENT INDUCTION

- All new appointees must receive an appropriate induction programme regardless of previous experience. (See guidance at Appendix 21)
- The purpose of the induction:
 - Provide training and information about the school's policies and procedures
 - Confirm the conduct expected by the school
 - Provide opportunities for the new employee to discuss any issues or concerns about their role or responsibilities
 - Enable the Headteacher or line manager to identify any concerns or issues about the person's ability or suitability at the outset and address them immediately

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GUIDANCE ON PRE EMPLOYMENT CHECKS

Any offer of employment should be conditional upon:

- Receipt of 2 satisfactory references if not already received
- Satisfactory identity checks, and confirmation of eligibility to work in the UK
- Satisfactory enhanced DBS with barred list check
- Verification of candidate's occupational health clearance to teach / operate in support staff capacity
- Verification of qualifications
- Verification of professional status (e.g.: QTS, QTLS, NPQH, HLTA)
- For teaching posts – verification of a statutory induction period for those who obtained QTS status after 7 May 1999
- Prohibition from Teaching check via the National College for Teaching and Leadership
<https://www.gov.uk/teacher-status-checks-information-for-employers>
- For non teaching posts – satisfactory completion of a 6 month probationary period (no probationary period is required for existing employees changing jobs within local government. However an appropriately structured induction is recommended)

In cases where it is essential, due to the needs of the pupils, to engage a new employee prior to the satisfactory completion of all pre employment checks, a risk assessment MUST be undertaken and a check made of the Children's barred list.

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Further reference documents

Keeping Children Safe in Education 2016

Disqualification under the Childcare Act 2006 Statutory Guidance:

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

Safer Recruitment training (NSPCC elearning course):

http://www.nspcc.org.uk/what-you-can-do/get-expert-training/safer-recruitment-education-course/?t_id=1B2M2Y8AsgTpgAmY7PhCfq%3d%3d&t_q=safer+recruitment+training+for+schools&t_tags=language%3aen%2csiteid%3a7f1b9313-bf5e-4415-abf6-aaf87298c667&t_ip=195.49.180.85&t_hit.id=Nspcc+Web+Models+Pages+ResearchReportsPage/be79e065-1a70-4ae9-b048-acf241f5c9b5_en-GB&t_hit.pos=1

Physical and Mental Fitness to Teach of Teachers and Entrants

Schools' Criminal Records Checking (CRC) Policy

Equal Opportunities Policy

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Other legal considerations

School Standards and Framework Act 1998 & The Education Act 2002

School Staffing (England) (Amendment) Regulations 2013

National College for Teaching and Leadership

Equality Act 2010

The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009

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Should further guidance be required, please contact your Human Resources Adviser

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APPENDIX 15

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1. GUIDANCE ON PRE EMPLOYMENT CHECKS

In all cases, pre employment checks must be completed. Where it is not possible to complete all pre employment checks prior to making an offer of employment to the candidate, the offer made should be **conditional upon satisfactory completion and receipt of the pre employment checks listed below.**

It is a statutory requirement for all schools to maintain single, central record detailing checks undertaken for all people working in or with the school with regular contact with children. The criminal records checking (CRC) policy and procedure includes information on the required records to be maintained by schools plus example formats for storage of the information in spreadsheet format.

Further information can be found at:-

<http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a00216281/disclosure-barring-service/>

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2. PRE EMPLOYMENT CHECKS TO BE CONDUCTED AS A MINIMUM:

- Identity checks - name, address and date of birth (see appendix 13)
- Confirmation of a satisfactory pre employment medical questionnaire
(N.B: Following the introduction of the Equalities Act this can only be undertaken once the successful candidate has been made an offer after the interview)
- A satisfactory Disclosure and Barring Service (DBS) check and number
- Receipt of satisfactory references
- Qualification checks - where a requirement of the job (e.g./QTLs, NPOH, HLTA)
- Confirmation of eligibility to work in the UK
- Prohibition from Teaching check (where applicable)
- Childcare (Disqualification) Regulations 2009 requirements are met (where applicable)
- If the person has lived or worked outside of the UK, make any further checks the schools or college consider appropriate (see paragraph 114 of Keeping Children Safe in Education).
- For management positions in Independent schools, including academies and free schools a check that a person is not subject to a Section 128 direction is required.

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This information must be kept in the schools central record, recording when and by whom these checks were made.

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3 FURTHER INFORMATION ON THE CHECKS LISTED IN 2 ABOVE

3.1. Identity checks

Under the Asylum and Immigration Act 2006 (which repealed the Asylum and Immigration Act 1996), the School may be found guilty of a criminal offence if it employs someone who does not have permission to be, or to work, in the United Kingdom.

Schools should therefore ensure that certain basic checks are undertaken before taking on new employees in order to protect itself. These checks should be built into normal recruitment procedures for **all** staff to prevent any claims of racial discrimination which could happen if information was only requested from those who sound or look like they come from a different country.

Before someone starts working for the School, it is important to see documentary evidence to prove that the person is permitted to work in the UK, this could be a passport or birth certificate or a visa. It is advisable to take a photocopy of the document(s) provided and to retain this with the personal file.

It is important to check that the documents relate to the employee who produces them (ie check that they are current and consistent with the appearance and age of the employee) and whether they have any expiry dates.

Documents can also be checked for the purpose of the DBS at the same time.

An Employee Identity Check form should be completed for all candidates for any Employment – see Appendix 13 or Appendix I of the CRC policy.

The Act specifies a list of documents which are acceptable as proof of permission to work – see Appendix J of the CRC policy.

Nationals of EEA countries and Switzerland are able to work in the UK without restriction but should produce a passport or national identity card. There are separate arrangements in respect of nationals from **Bulgaria** and **Romania**. Further guidance can be found at <http://www.ukba.homeoffice.gov.uk/eucitizens/bulgaria-romania>. **It is advisable that schools check this website when carrying out pre-employment checks as this guidance is regularly updated.**

3.2. Pre employment medical questionnaire

Pre-employment medical checks are required for all external appointments.

Where there are significant differences in job role it may be appropriate for internal candidates also to undergo a pre-employment medical check when offered a new job role within a school.

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In order to undergo a pre-employment medical check the successful candidate must complete a **pre-employment medical questionnaire (see the document store)**. This should be given to the successful candidate to complete once they have been made a verbal conditional job offer. At this stage they need to complete and return the form in the envelope provided to the nominated contact at the School as soon as possible.

The designated contact at the school should forward the successful candidate's unopened questionnaire to the occupational health team based at County Hall **immediately**.

The questionnaire will then be passed for urgent assessment by an occupational health nurse. The occupational health nurse will assess the information on the questionnaire to determine whether the individual can be declared:-

- a) fit for appointment;
- b) unfit for appointment;
- c) temporarily unfit for appointment pending a GP/specialist report;
- d) fit with restrictions (any such restrictions will be explained).

The school will be notified accordingly via HR Support Services.

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Acting on occupational health advice

a) Where there is a recommendation of fit for employment, the school can confirm the offer of employment, and a start date can be arranged.

b) Where there is a recommendation of unfit for appointment, the candidate should be notified of this decision verbally and in exceptional cases where an offer has been made, the offer of employment withdrawn. This should be confirmed in writing – advice should be sought from Human Resources in these cases. If employment has already commenced, notice to terminate employment will need to be given but consideration must be given as to whether suitable redeployment can be found as an alternative to dismissal. In cases where decisions need to be made regarding termination of employment, advice should be sought from Human Resources.

c) Where a candidate is found to be temporarily unfit for appointment pending GP report the candidate's GP will be written to and asked to provide a report. This can introduce significant delay into the clearance process. In these circumstances the school will be advised of the need for a GP report and it will be helpful to speak to the candidate so that they can encourage the candidate to ask their GP to respond speedily for requests for information. Once the GP report has been received, it may be necessary in some cases for candidate to be seen by an occupational health consultant prior to any final decision being taken about fitness for employment.

d) When candidates are declared fit for appointment with restrictions, it will be for management to determine whether any such restrictions can be met, and whether any adjustments are required to accommodate any restrictions. Human Resources advice must be sought prior to any final decision being taken in cases where it is felt that restrictions cannot be met or adjustments

cannot be made. Consideration of these issues will usually require a discussion with the candidate as part of assessment to inform any such decision.

3.3. Disclosure and Barring Check

The following is a brief overview of the checks required. Please refer to the Criminal Records Checking policy for detailed advice and guidance.

The information relating to the requirement for DBS checks in schools is set out in Keeping children safe in education 2016 - statutory guidance for schools and college. In accordance with the Councils Criminal Records Policy all employees in Schools will be required to have an enhanced DBS with barred list check regardless of the role and the level of contact with children.

DBS checks are required when a Teacher or other employee moves a local authority area but not if they move within the Dorset LA area or the school.

Headteachers can allow employees to start work pending a satisfactory DBS check provided that there has been a satisfactory check of the Children's barred list (formally List 99) and completion of all other pre-employment checks. In such cases Headteachers should implement arrangements to ensure that the individual is appropriately supervised so that no risk to children arises and undertake a risk assessment. For those employed in management roles at Independent schools, Academies and Free schools the DBS check should also include a check of Section 128 direction prohibition (see below for more details).

Headteachers should use the criminal records self declaration form (**Appendix 5 of the R&S toolkit or Appendix B of the CRC policy**) which all candidates should complete and bring to the selection interview. Any declared convictions on the form can then be discussed as part of the interview process. Any decision to allow employees to commence pending a satisfactory DBS check can then take into account the individual's declared position. It should be made clear that any false or incomplete declaration may be grounds for dismissal.

Relief or supply teachers employed directly should be subject to normal recruitment procedures including full pre employment checks. If supplied by an agency (e.g. E Teach) the Headteacher is responsible for ensuring that appropriate checks have been carried out by the agency (although they are not required to see original documents unless there is information recorded on the disclosure). The Local Authority's advice is that Headteachers should ensure that they have a satisfactorily completed form from the supplying agency in respect of each individual (**see Appendix C of the CRC policy**). This form should be kept as part of the school's single central record of checks undertaken on people working with children at the school. A satisfactorily completed form should be obtained before the person commences work with children.

3.4. References

See Appendix 9 of the R&S toolkit- Obtaining references including a model reference request.

3.5. Checking Qualifications

Schools should verify qualifications and membership of professional bodies by asking shortlisted candidates to bring the originals of their declared qualifications and memberships to interview. Photocopies of the originals should be taken for all candidates.

Copies of the successful candidate's qualifications and memberships should be retained on the personal file, and a record made to confirm that these have been verified as part of the schools single central record, where a qualification is necessary to undertake the job.

Care should be taken when verifying qualifications to ensure that the date on the certificates match those declared on the application form, and that the name and details of the qualification certificate also match fully the information given.

The quality and finish of the certificate provided should be checked and any watermarks to verify the certificate's authenticity. If there are any concerns, it may be appropriate to contact the awarding body or college or university to confirm the details.

It is important to note that as of 1 April 2012, further education teachers who have been awarded QTLS by the Institute for Learning (IfL) and are members of the IfL are recognised as qualified teachers in schools. This allows them to be appointed to permanent posts in state maintained schools in England and they will be paid on the qualified teachers scale. They will continue to be recognised as qualified school teachers provided they remain a member of the IfL. Schools should check with the IfL that a teacher has QTLS status before they are given a job as a qualified teacher.

In addition to this change, as of the 1 April 2012 qualified teachers from Australia, Canada, New Zealand and the USA can apply to the teaching agency for QTS without undertaking further training or assessment

Please see Appendix L of the Criminal Records Checking (CRC) policy for further advice.

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3.6 Permission to work in the UK

Schools will need to ensure before any job offer is made that a candidate has the right to work in the UK. This can be by reason of nationality or by visa. This is a complex area that is changing all the time and schools are advised to check the up to date advice on the Gov.UK website which can be found at:

<https://www.gov.uk/check-job-applicant-right-to-work>

Use the following link for a step by step guide to checking a candidate's right to work in the UK:

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<https://www.gov.uk/legal-right-work-uk>

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Candidates requiring a work permit must not start working until the work permit has been granted.

3.7 Prohibition from Teaching Checks

The Teacher Services' system should be used to ensure that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State.

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3.8 Section 128 Direction

There is a requirement to undertake an additional check for those in management roles at Independent schools, Academies and Free schools, to ensure they are not prohibited under Section 128 provisions. A Section 128 direction prohibits or restricts a person from taking part in the management of an Independent school, Academy or Free school. This includes Employees in management positions, Governors, Directors and Trustees.

As the term 'management' is not defined in the legislation, it is a decision for the school to determine whether a post requires this check. A school may be asked to justify a decision not to carry out a check, if an issue arises. The following positions may be considered as involved in the Management of the school:

- Any teaching positions on the senior leadership team
- Any teaching positions that carry a department headship
- Any non-teaching staff who are part of the senior leadership team

There are two methods for checking a Section 128 direction:-

- As part of an enhanced DBS check; or
- Separately using the NCTL Teacher Services secure access

If a check for a Section 128 direction is made through a DBS application, you must include on the DBS application form, within the position applied for the words, 'Management of Independent School'. The DBS would then be able to confirm, on the DBS certificate, if a section 128 direction has been made.

If a DBS application form is submitted without this wording and a Section128 check is required, a separate check can be made using the NCTL Teacher Services secure access.

Please seek further advice from the Schools' HR Advisory Service if required.

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