



Safer Recruitment and Selection Policy

Recruitment and Selection Policy for school based employees (teaching and non teaching)

ConnectEd Partnership highly recommend the use of this policy. The policy is considered best HR practice, it has been developed in accordance with current employment law and has been negotiated with all recognised professional associations and HR providers across the City of Wolverhampton.

Updated January 2022

Reviewed in September 2022

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Signed (Chair of Governors/Trust):

Key amendments made to the document in September 2021 and January 2022

- Policy updated in line with part three: safer recruitment of the Keeping Children Safe in Education (KCSiE) Guidance September 2021
- Section 7.1 amended to clarify that an Overseas Criminal Records Check is required If an applicant has lived or worked outside of the UK at any time over the past 5 years, subject to specific exceptions.

Recruitment and Selection Policy:

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1. Policy Statement

- 1.1 It is the organisation's policy to recruit the most suitable person for each vacancy, regardless of sex, colour, race, nationality, national or ethnic origins, religion or beliefs, age, sexual orientation or disability.
- 1.2 The aim of this policy is to ensure that any appointments made in schools/academies are made on merit in an effective, efficient, consistent and safe way with due regard for safer recruitment.
- 1.3 Recruitment and selection has been defined as the process of securing employment of the right person, with the right skill set at the right time. The process is governed by extensive legislation, particularly laws relating to discrimination as defined by the Equality Act 2010.
- 1.4 For the purposes of this policy, the employer refers to the LA, Governing Board or Trust.

2. Scope

- 2.1. This policy applies to all school/academy-based employees and employers who are responsible for recruitment and selection within the school/academy.
- 2.2. The employer is committed to safeguarding and promoting the welfare of children and young people and expects all employees and volunteers to share this commitment.

3. Principles

- 3.1. The employer is committed to the following principles which underpin this policy:
 - Prevent unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 on any of the characteristics protected by law.
 - To develop a workforce that is reflective of the local community that it serves.
 - Ensure that recruitment and selection is carried out in an open and transparent manner and that employees are appointed for their abilities and the role that they will carry out.
 - Selection decisions will be carried out using pre-agreed selection criteria required to carry out the role.

- 3.2. Any employee or Governors that are involved in the recruitment of staff in schools/academies must ensure they comply fully with the organisation's equal opportunity policy and the DfE's latest safer recruitment guidance in the "[Keeping Children Safe in Education](#)" (KCSiE) publication, at every stage of the recruitment process. In accordance with the equal opportunity policy, reasonable adjustments will be made to accommodate the particular needs of any person who has notified the organisation that he or she has a disability within the meaning of the Equality Act 2010 at all stages of the recruitment process.

The School Staffing (England) Regulations 2009 and the Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007 require Governing Boards of maintained schools and management committees of pupil referral units (PRUs) to ensure that at least one of the persons who conducts an interview has completed safer recruitment training

4. When to Recruit

- 4.1. A useful checklist which outlines key points to consider throughout the recruitment planning process can be found at Appendix 1.
- 4.2. In normal circumstances recruitment will take place when a vacancy or need for temporary cover arises. This occurs for a variety of reasons:
- An employee leaves an existing post
 - An employee is granted job share or reduced hours
 - An employee is sick for a long period
 - An employee takes maternity/adoption/shared parental leave
 - A new post is created
- 4.3. When a vacancy occurs, it is important for the employer to review if there is a continuing need for the role. If there is a need, it must then be considered whether to make any changes to the role, for example, in duties, levels of responsibility, skill needs or reporting/management arrangements. This could include consideration for the creation of apprenticeship/trainee role as an alternative, as long as it provides a clear career path and opportunities within the school or in the wider Education context.
- 4.4. If it is decided to make significant changes, a new Job Description (JD) and Person Specification (PS) outlining the tasks and responsibilities of the role must be written. Further guidance on how to produce a JD and PS is available from your HR provider, however a recommended template can be found at Appendix 2.
- 4.5. The JD should provide a comprehensive statement of what the role involves and should deliver a clear outline of the duties, responsibilities and functional framework of the role.

- 4.6 The PS should describe the qualities required to perform the role in terms of qualifications, skills, experience, personal characteristics and particular attributes needed. These should be divided into 'essential' and 'desirable' criteria for the role.
- 4.7 Schools/Academies should ensure they have an appropriate job evaluation process for non-teaching roles to ensure equal pay for equal value work and prevent potential equal pay claims. For local authority maintained schools and those schools/academies who have adopted the Single Status collective agreement and City of Wolverhampton local pay model (NJC) any new or substantially amended JD and PS should be sent to the local authority's Job Allocation Team at JobAllocation.Panels@wolverhampton.gov.uk to determine the correct pay grade for the role.
- 4.8 Vacancies may only be advertised once the appropriate approval has been obtained, i.e. from Governors/Trustees (Local Authority for Headteachers roles in maintained schools) in accordance with the agreed scheme of delegation.

5. Advertising

- 5.1 Wherever possible, vacancies must be considered first for those who may be subject to redeployment within the school. Only when redeployment is ruled out can the manager recruit from a wider field. Wherever possible, existing employees will be invited to apply for promotional opportunities when a suitable vacancy arises.
- 5.2 The employer should identify whether they want to advertise internally, externally or both.
- 5.3 Genuine Occupational Requirement's (GOR) should be identified at the beginning of the recruitment process, before a vacancy is advertised. Advertisements and material sent to potential applicants should clearly show that a GOR applies and state the relevant provision of the Equality Act.
- 5.4 Copies of all advertisements (where appropriate) should be placed on internal notice boards (this includes the Schools Intranet). Employees who are on long term absence from work (e.g. Maternity leave) should be informed of any vacancies.

5.5 When a vacancy is identified, the advert text should include:

- Job Title
- Duration of contract
- Reason for vacancy (if temporary)
- Salary details
- Hours of work
- The school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken
- The safeguarding duties of the post as per the job description and person specification
- Whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means that when applying for certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the [DBS filtering guide](#)

5.6 Consideration could be given to offering a recruitment or relocation incentive allowance to assist in recruiting to difficult to recruit posts. For more information refers to the Relocation Allowances Policy or contact your HR provider.

6. Shortlisting and Selection

6.1 Unless otherwise justified, a decision to shortlist, interview, employ or engage the services of any person will be taken without regard to the applicant's gender, marital status, race, colour, nationality, national or ethnic origins, religion or belief, sexual orientation, age, trade union membership, disability. Any person on a prohibited list should not be shortlisted.

6.2 Where possible, it is recommended that the selection panel be race and gender diverse. The selection panel should assess the applicants against the JD and PS. To ensure a fair process a shortlisting matrix should be completed to identify where applicants have evidenced how they meet the essential criteria for the role. Further guidance on shortlisting is available from your HR provider, however a template shortlisting matrix can be found at Appendix 3.

6.3 It is good practice that any applicant who has declared that they are disabled and who meets all of the essential criteria in the PS, is guaranteed an interview under the guaranteed interview scheme.

6.4 Shortlisted applicants should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children, for example:

- if they have a criminal history;
- whether they are included on the barred list;
- whether they are prohibited from teaching;
- whether 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 social care;
- have they been disqualified from providing childcare (see paras 245-249); and,
- any relevant overseas information.

6.5 This information should only be requested from applicants who have been shortlisted. The purpose of a self-declaration is so that applicants will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received.

A template self-declaration and disclosure form can be found at Appendix 4.

6.4 All applicants, whether successful or not, should be informed of the outcome of the shortlisting process. For posts attracting a high number of applicants you may wish to include a line in the advert stating, ‘due to the high levels of applicants if you do not hear from us by DATE you have not been successful’. Feedback should be provided to all unsuccessful applicants upon request.

6.5 Applicants who are invited to an interview will be sent an outline of the form of the interview (and other selection methods if used), and appropriate personnel (receptionist and all those who will be attending the interview) must be informed that they are expected.

6.6 Where appropriate, skills tests, such as lesson observation, will form part of the interview

6.7 Employers should always ask for written information about previous employment history and check that information is not contradictory or incomplete. References should be sought on all short-listed applicants, including internal ones, **before interview**, so that any issues of concern they raise can be explored further with the referee and taken up with the applicant at interview (for more information refer to the DfE’s latest safer recruitment guidance within their publication “[Keeping Children Safe in Education](#)”).

6.8 To be effective, interviews need to be carefully prepared. The interview or selection tasks should assess the merits of each applicant against the JD and PS and explore their suitability to work with children. Using a scoring system to

assess the applicant's suitability will ensure equality and fairness throughout the process. Further guidance on interviewing is available from your HR provider, however an interview matrix template can be found at Appendix 5.

- 6.9 Notes should be taken throughout the selection process by each member of the interview panel; these notes will help monitor the effectiveness and fairness of procedures and help if reasons for appointing or not appointing a particular applicant are challenged. These notes should be kept locally within school for a minimum of 6 months.
- 6.10 Copies of applicant's eligibility to work, professional qualifications and any other documentation needed to be seen as a requirement of the post should be taken at the selection event.
- 6.11 All documents and notes must be kept for all shortlisted applicants, after which all but those relating to the appointee should be destroyed after six months. Schools should be mindful of the General Data Protection Regulation (GDPR) requirements and principles in relation to the retention of documents. Further advice on Information Governance should be obtained from the school's/academy's chosen advisor.

7. Making an Appointment

- 7.1 When a suitable applicant has been identified, a conditional job offer will be made subject to the following satisfactory pre-employment checks being completed:
- **Verification of an applicant's identity**
 - Further identification checking guidelines can be found on the [GOV.UK](https://www.gov.uk) website.
 - **Satisfactory references**
 - Minimum of 2 references required, one of which must be from the current/most recent employer, with the exception of:
 - An existing employee applying for the same role within a different school with the same employer, for example the same role within another school which is part of the same Multi-Academy Trust – in such circumstances only one reference is required.
 - **Proof of qualifications (including originals)**
 - **Completed Pre-Employment Health Assessment Form** (see Appendix 6). It is advised that a medical questionnaire be completed if an existing employee changes role and the new role has different mental and physical demands.

- **Sight of relevant documentation confirming the individual's right to work in the UK, including EU nationals:**
 - As a useful tool, Schools/academies can use the Government's online service to check which type of documents give the applicant the right to work in the UK: <https://www.gov.uk/legal-right-work-uk>. The applicant's right to work can also be checked online if they have provided their share code: <https://www.gov.uk/view-right-to-work>
 - The transition period for the United Kingdom's withdrawal from the European Union ended on 31 December 2020. From this date, EEA nationals require permission to work in the UK. From 30 June 2021 recruiting managers are no longer able to accept EEA national passports and identity cards as proof of right to work.
 - EU employees working in the UK prior to 31 December 2020 must apply for status under the EU Settlement Scheme in order to continue living and working in the UK lawfully beyond 30 June 2021.
 - Employers must hold an immigration sponsor license if they wish to sponsor the visas of EU employees who arrived in the UK to work from January 2021 onwards.
 - For further information and guidance please contact your HR provider.
- **Provision of an enhanced Disclosure and Barring Service (DBS) check** (with a Barred List check for applicant's engaging in regulated activity)
 - A template DBS Portability Risk Assessment can be found at Appendix 7.
 - A template DBS Risk Assessment for someone with previous convictions can be found at Appendix 8.
- **Prohibition from Teaching check:**
 - For anyone that is appointed to teach, Governing Boards must check that they are not prohibited from doing so by the Secretary of State. Your HR provider should conduct this check on your behalf.

- **QTS Check for Teachers:**
 - For anyone that is appointed to teach, Governing Boards must obtain confirmation of qualified teacher status, including confirmation that the statutory induction has been completed. This requirement need not apply in an independent school, including academies and free schools. Your HR provider should conduct this check on your behalf.

- **Prohibition from Management check:**
 - Known as a section 128 check, such a direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. Positions include Headteacher, teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Your HR provider should conduct this check on your behalf.

- **Overseas criminal records check, where applicable:**
 - If an applicant has lived or worked outside of the UK at any time over the past 5 years' then you should check their Criminal Record in that country **unless**, during a period which ended not more than three months before the person's appointment, the applicant worked in a school in England, in a post:
 - which brought the person regularly into contact with children; or
 - to which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young persons; or
 - in another institution within the further education sector in England, or in a 16-19 academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

If any of the above criteria applies to the applicant an overseas criminal records check is not required.

The Home Office provides guidance on applying for criminal records checks for overseas applicants, if applicable:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

- For Teaching posts, you should obtain a letter of professional standing from the professional regulating authority in the country the applicant has worked. Applicants can find contact details of

regulatory bodies in the EU/EEA and Switzerland on the [Regulated Professions database](#). Applicants can also contact the [UK Centre for Professional Qualifications](#) who will signpost them to the appropriate EEA regulatory body.

- Where this information is not available schools should seek alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.
- For further information and guidance contact your HR service provider.

- 7.2 Once an offer of employment has been made and accepted, all unsuccessful applicants should be contacted to be given the outcome of the process and verbal feedback should be offered.
- 7.3 Before a new appointee commences post in a school/academy, all relevant pre-employment checks must be completed in accordance with safer recruitment practice.
- 7.4 Following completion of the necessary pre-employment checks, a confirmation letter/contract of employment will be issued. Under the Good Work Plan, this letter should be sent prior to the employee's start date, therefore, **the school/academy must ensure that all relevant information is provided to their HR service provider with sufficient time for this to be processed.** A copy of the confirmation letter/contract of employment should be held locally by the school/academy.
- 7.5 In exceptional circumstances, where the outcome of the DBS check is still outstanding by the start date of employment, the employer must complete a risk assessment and sign a declaration allowing that person to work in the school/academy. A separate children's barred list check must also be carried out for employees engaging in regulated activity. Further guidance on risk assessments is available from your HR provider.
- 7.6 The employer reserves the right to withdraw a conditional offer of employment should any of the pre-employment checks prove unsatisfactory.
- 7.7 Good practice suggests that schools/academies may want to consider the process to be followed in the event of a complaint being raised. Any such process should ensure that complaints can be reviewed impartially by those who were not involved in the original recruitment process.
- 7.8 Further supporting information is available from your HR provider.

8. Induction and Probationary Period

8.1 Once the start date has been agreed, a local induction programme should be arranged, and appropriate departments notified. These should be completed and retained by the school for future reference.

8.2 Appointments of teaching staff:

- will be made subject to the contract of employment. Early Career Teachers will be required to complete a successful two-year induction period and will then be subject to the yearly Performance Management Procedure adopted by the school.

8.3 Appointments for non-teaching staff:

will be subject to a satisfactory probationary period. New employees' progress should be monitored closely by a designated member of the senior management team during this period. It is recommended that managers carry out a total of three formal probationary meetings at one, three and six monthly intervals. At the six month review meeting, a recommendation should be discussed and agreed as to whether the employment should be confirmed, extended or terminated.

9. Headteacher and Deputy Headteacher Recruitment

9.1 The Education Act (2011) requires all maintained schools to have a Headteacher. The act limits the number of Headteachers in a school to one, however the post may be job shared.

9.2 When a Headteacher resigns the Governing Board must appoint an Acting Headteacher if the outgoing Headteacher leaves before a replacement is in post. This should be for a limited time only to allow for permanent recruitment.

9.3 Governing Boards must recruit a new Headteacher as soon as practically possible; acting Headteacher arrangements cannot be prolonged indefinitely.

9.4 The Governing Boards of maintained schools must notify the local authority as soon as possible in writing of:

- any Headteacher vacancy; and
- any Deputy Headteacher vacancy

to ensure advice is given at the earliest opportunity. It is best practice for the local authority officer to attend all parts of the selection process.

9.5 The Governing Board must advertise any such vacancy or post in such a manner as it considers appropriate, unless it has good reason not to do so.

- 9.6 The Governing Board must appoint a selection panel in keeping with the previously annually agreed appointment of staffing grid (model grid can be seen in Appendix 9). For maintained schools the panel must comprise of at least three of its members. It is possible to have a selection panel of the full Governing Board; however, it is best practice to ensure that the panel is not unnecessarily large. The role of the panel is varied and schools are advised to consult their HR provider.
- 9.7 Non-maintained schools are not subject to the same regulations as maintained schools and, subject to their articles of association, are free to set their own arrangements.
- 9.8 Where the local authority is the employer the panel must:
- send the names of the shortlisted applicants for the post of Headteacher to the local authority. The local authority may then make written representations to the selection panel where it believes an applicant selected for interview for the post of Headteacher is unsuitable.
 - consider the local authority's representations when received within seven days of notification. If the panel chooses to appoint against the recommendations of the local authority, they must notify the local authority in writing of its reasons.
- 9.9 In maintained schools the local authority has a statutory entitlement to send a representative to all proceedings relating to the selection of any teacher (including Headteacher and Deputy Headteacher) and offer advice. If the local authority decides to send a representative they must be allowed to attend (Regulation 14 of the School Staffing Regulations 2009).
- 9.10 In maintained schools, where the person recommended by the selection panel is approved by the Governing Board for appointment then the local authority must appoint the person unless they fail the relevant checks.
- 9.11 If the selection panel does not make a recommendation to the Governing Board, the selection panel may carry out the selection process again.
- 9.12 For the latest guidance refer to the DfE's website for their publication "A guide to the Recruitment and Selection of Headteachers and other Leadership Roles" to be read along side the "Headteacher Recruitment Toolkit" published by National Governance Association (NGA).

10. Temporary Appointments

- 10.1 Before proceeding to recruit someone on a fixed-term contract, the employer should consider whether employment on a fixed-term contract is appropriate. This will be the case only where it is known or thought likely that the need for

someone to perform the work is genuinely temporary. Consideration should be given for the secondment of existing employees into the temporary role in the first instance.

10.2 The school should only recruit staff on fixed-term contracts when:

- it is known that the job, task or project will last for only a temporary period
- it is known in advance that a particular job will come to an end on a specific date
- the employee is engaged to cover for another employee who is absent on leave
- the post is dependent on external funding or other resources and it is known that the funding or resources will come to an end

11 Offer of Employment

11.1 The written offer of employment should make it clear to the prospective employee that the contract is:

- for a specified period of time (i.e. the termination date will be stated) or
- for the purpose of completing a specified job, task or project and that once that job, task or project is complete, the contract will terminate, or
- to cover for another employee who is absent from work, and that when that employee returns to work, the contract will terminate.

12 Duration of Fixed-term Contracts

12.1 The employer may, if circumstances change during the term of the fixed-term employee's contract, offer the person an extension to the original contract. If the need arises for such an extension as agreed by the Headteacher/Governing Board.

12.2 The employer will not normally engage someone on a fixed-term contract for a period of more than one year. In exceptional circumstances, where employment on one or more fixed-term contracts has continued, without any gaps, for four years or more, the employee will have the right (under the Fixed-Term Employees (Preventing Less Favourable Treatment) Regulations 2002) to automatically become a permanent employee.

12.3 There will be provision within the contract for either party to give notice of termination prior to the natural end of the contract. A discussion should take place between the employer and employee to mutually agree on an earlier exit if required.

13 Terms of Employment

- 13.1 The pay and other contractual terms offered to the fixed-term employee will be those applicable to permanent employees performing the same or similar work.
- 13.2 Employees on fixed-term contracts will not be treated less favourably than employees engaged on permanent contracts at the same establishment.
- 13.3 Where employment benefits are dependent on an employee gaining a minimum period of service, the same qualifying period of service will apply to fixed-term employees.
- 13.4 Fixed-term employees will also be given access to opportunities for transfer, training and promotion on the same basis as permanent staff with comparable periods of service. No fixed-term employee will be denied or refused training, transfer or promotion on account of his or her fixed-term status.

14 Access to Opportunities for Permanent Work

- 14.1 Employees on fixed-term contracts will be made aware of any permanent vacancies within the school/academy and will be considered on an equal basis as permanent staff with equivalent periods of service with the school/academy.
- 14.2 If a temporary post subsequently becomes permanent, it must be advertised following normal procedures. Temporary post holders must not be automatically appointed but may apply for the vacancy via the normal recruitment and selection processes.

15 Termination Procedure

- 15.1 In advance of the expected termination date the employee's manager will:
- write to the employee reminding the employee that his or her contract will expire at a specified time in the near future, and invite him or her to come to a meeting to discuss the matter
 - inform the employee that he or she has the right to be accompanied at the meeting by a fellow-worker or trade union official of his or her choice
 - at the meeting, discuss the termination of the contract and consider any alternative work that may be available.

15.2 If, following the meeting, the contract is not renewed or extended, the employee will be informed that he or she has the right of appeal against the decision to terminate employment.

16 Complaints About Unfavourable Treatment

16.1 Should an employee on a fixed-term contract complain that he or she has not been afforded equal treatment as compared to an equivalent permanent employee, the school/academy will respond in writing to the employee's complaint in accordance with the Grievance procedure.

17 Newly Qualified Teachers/Early Career Teachers

17.1 School leaders are advised to refer to the policies for Newly Qualified Teachers and/or Early Career Teachers and seek further advice from their HR Provider if necessary.

18 Meeting Short Term/Ad-Hoc Staffing Requirements

18.1 Ad-Hoc or short-term relief workers have the same employment rights as regular workers, although they may have breaks in their contracts, which affect rights that accrue over time.

18.2 From time to time there may be a necessity to employ a worker on an 'ad-hoc' basis to cover situations where work fluctuates unexpectedly and where consequently the employer cannot guarantee work and also to avoid the costs associated with using agency workers. In these circumstances, an offer of work can be made using workers that fall into three categories ie Employees, Workers (Agency) and Contractors

18.3 An Ad-Hoc or Short Term/Relief Contract is generally understood to be a contract between an employer and a worker where:

- the employer is not obliged to provide any minimum working hours
- the worker is not obliged to accept any work offered

18.4 Ad-Hoc or Short Term/Relief workers are entitled to annual leave, the National Minimum Wage and National Living Wage and pay for work-related travel in the same way as regular workers.

18.5 Protection is given for those workers on Ad-Hoc or Short Term/Relief contracts from an exclusivity clause

- 18.6 All Ad-Hoc or Short Term/Relief workers should receive a written copy of their terms and conditions.
- 18.7 Employers should set out in the contract the employment status of those engaged on Ad-Hoc or Short Term/Relief contracts and conduct regular reviews (at least once a year) of how these contracts are operating in practice. Reviews should include conversations with line managers and staff on Ad-Hoc or Short Term/Relief contracts. If the reality of the employment relationship no longer matches the contract of employment, one or the other should be adjusted to bring them into line.
- 18.8 Ad-Hoc or Short Term/Relief workers will be appointed in accordance with the recruitment procedures outlined previously and will be subject to all relevant pre-employment checks.
- 18.9 For supply teaching staff employed directly by the school/academy, pay will be determined in line with the School Teachers Pay and Conditions Document (STPCD) alongside the schools pay policy.
- 18.10 Pension contributions for Supply Teachers employed directly by the school/academy will automatically be deducted from salary payments unless the Supply teacher has previously opted out of the Teachers' Pension Scheme.
- 18.11 For non-teaching staff, Ad-Hoc or Short Term/Relief workers will be paid in accordance with the pay grades as defined by the single status agreement where adopted and in accordance with the school's pay model. The default pay point for Ad-Hoc or Short Term/Relief workers is the bottom of the grade for the role they are undertaking.
- 18.12 Scheme enrolment to the Local Government Pension Scheme will apply.

19 Employees – Ad-Hoc or Short-Term/Relief Contracts

19.1 Workers (e.g. Agency Contract)

A worker is someone engaged under a “contract for services”. This status is less secure and gives narrower access to employment rights. This category includes supply teachers who obtain their teaching work via supply agencies on a day to day basis with no obligation to work and no guarantee of work. Such teachers have access to rights under the Agency Worker Regulations, either from day one or after a period of 12 weeks in the particular job.

19.2 Off Payroll Workers (e.g. Self Employed/Independent Contractor)

An independent contractor is someone engaged under a contract for services or consultancy services. It is the least secure status and gives very limited

access to employment rights. Independent contractors have less protection from discrimination in the workplace, and are subject to a different tax regime. Supply teachers are often told they can work as independent contractors if they set up and work via limited company arrangements.

- 19.3 Schools/academies that are engaging workers off-payroll who provide services via an 'intermediary' (eg a personal service company, third partner agency or partnership), either directly or through an agency, should be mindful of IR35 tax legislation. In cases where the rules apply, schools have statutory responsibility to ensure that they pay the correct tax.
- 19.4 Agency supply teachers covering for the absence of permanent staff or fixed term staff should be paid as employees of the agency, meaning the agency pays the worker but with PAYE Tax and NI deducted via the agency's payroll. Schools/academies must get assurance in writing from the agency that they are doing this for all current and future supply teachers that they provide to the school/academy.
- 19.5 If a worker says they are self-employed they still must have an IR35 employment status check on their work to determine if they are in scope of IR35. If they are assessed as in scope they must have PAYE tax/NI deducted from their payments.
- 19.6 Schools/academies can determine if the rules apply by using HMRC's online tool, known as the Employment Status Service (ESS). For access click on link: <https://www.tax.service.gov.uk/check-employment-status-for-tax/setup>
- 19.7 For more information visit the HRMC website via the following link <https://www.gov.uk/topic/business-tax/ir35>, or contact you HR provider.

20 **Equality and Diversity**

The employer is committed to equality and fairness for all employees and will not discriminate because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Recruitment Checklist

Event	Notes	Date Completed
Planning	<ul style="list-style-type: none"> • Achievable Timescales. • Person specification/Job Description including expectation to follow all safeguarding procedures. • Application Form (state no CVs accepted). • Include commitment to safeguarding on all recruitment materials, including website. • Applicant Pack created, including safeguarding information. • Statement that DBS/other vetting checks will be completed. • Panels to be diverse where possible – gender and race. 	
Vacancy Advertised	<ul style="list-style-type: none"> • Specify advertising period. 	
Applications received	<ul style="list-style-type: none"> • Scrutiny of dates, gaps, discrepancies and link to Person Spec/JDs qualifications, essentials and desirables. 	
Short-listing	<ul style="list-style-type: none"> • Selection panel minimum at least 3 people in maintained schools. • Shortlist against specified criteria. 	
References requested	<ul style="list-style-type: none"> • Request directly from current/most recent employer. • Minimum of 2 references required for all applicants, with the exception of an existing employee applying for the same role within a different team, in which case only one reference is required. • Ask specific safeguarding questions. 	
References received	<ul style="list-style-type: none"> • Scrutinised against information given on application form. • Note issues of concern to be followed up at interview or with referee. 	
Invitation to interview sent out	<ul style="list-style-type: none"> • Include full instructions for the day, including request to bring along proof(s) of identity, evidence of qualifications and right to work in UK. • For teachers, proof of QTS. 	
Interview day - applicants	<ul style="list-style-type: none"> • Colour copies of documents taken, and any issues noted and shared with interview panel for clarification. 	

	<ul style="list-style-type: none"> Any lack of documents queried, and panel agree whether to interview or not. 	
Interview day – panel	<ul style="list-style-type: none"> All panel members must comply with the organisations equal opportunity policy and the DfE’s Safer Recruitment Guidance (KCSiE). Panel must include people who are authorised to appoint staff. Panel to have met prior to interviewing and have discussed the questions and assessment criteria. The same people interview every applicant. 	
Interview	<ul style="list-style-type: none"> Check any discrepancies in application form/ references/ identity/qualification evidence. Check suitability to work with children. Explore safeguarding/child protection understanding. Individual record made of questions/answers. 	
Conditional offer of employment made	<ul style="list-style-type: none"> Made clear to successful applicant that the offer of employment is conditional on successful vetting and other pre-employment checks (e.g. medical) (and for non-teaching posts, a probationary period) 	
Records of Interview information filed	<ul style="list-style-type: none"> For unsuccessful applicants - kept from date of appointment of successful applicant plus 6 months (include name of interviewers with safer recruitment training). For successful applicant – placed in personnel file and kept until termination of employment plus 6 years (include name of interviewers with safer recruitment training). Evidence of verification of identity - kept on file until termination of employment plus 6 years. Evidence of Right to work in UK – kept until termination of employment plus not less than two years. Copies of other evidence may be kept on file until termination of employment plus 6 years. 	
Enhanced DBS form completed and sent off	<ul style="list-style-type: none"> For all staff and governors. 	
DBS Barred List requested	<ul style="list-style-type: none"> For staff or governors in regulated activity only. 	
Prohibition from teaching check completed	<ul style="list-style-type: none"> Using Teacher Services. 	

Prohibition from management check	<ul style="list-style-type: none"> • (Not needed in maintained schools; only required in independent/academies/free schools). • Known as Section 128 check and completed via Teacher Services. 	
QTS Check for teachers (Need not apply in academies, independent or free schools)	<ul style="list-style-type: none"> • Confirmation of qualified teacher status, including confirmation that where relevant the probationary period has been completed. • Confirmation statutory induction completed. • Checked via Teacher Services. 	
Overseas Checks	<ul style="list-style-type: none"> • Not prohibited or restricted from teaching by another country outside of the UK. • Completed via Teacher Services. • Police check/Certificate of Good Conduct obtained according to school policy. • For overseas trained teachers, letter that NARIC has agreed equivalence of qualification with UK standards. 	
Single Central Record	<ul style="list-style-type: none"> • All relevant checks recorded on the Single Central Record. 	
Induction completed	<ul style="list-style-type: none"> • Including: • Child Protection Training • Code of Conduct or Staff Behaviour Policy • Read 'Keeping children safe in education' 	

[School / Academy]

JOB DESCRIPTION

[name] School / Academy is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share this commitment.

Job title	
Department/Location	
Accountable to	
Salary Grade/Range	
Job Purpose	
<ul style="list-style-type: none"> • <i>(Overarching statement)</i> 	
Work Performed	
<ul style="list-style-type: none"> • <i>(List major tasks and duties)</i> • • • • 	
Responsibilities	
<p>Safeguarding</p> <ul style="list-style-type: none"> • The jobholder must observe their obligations in accordance with the School's / Academy's Child Protection Procedure and the document 'Keeping Children Safe in Education: Information for all school and college staff', and to report any concerns that they may have regarding a child or young person's welfare to the appropriate person. Copies of the above Procedure and document can be obtained from the School / Academy Office. • <i>(Add any further specific responsibilities in relation to safeguarding)</i> <p>People</p> <ul style="list-style-type: none"> • • <i>(If not relevant state 'No specific responsibility for people, however the jobholder must observe their safeguarding, health and safety, confidentiality, data</i> 	

protection and equality and diversity obligations, as set out in this job description and the School's / Academy's relevant Policies.)

Staffing

-
- *(If not relevant state 'No direct reports or staffing responsibility')*

Financial

-
- *(If not relevant state 'No financial responsibility other than a responsibility to report to the Headteacher / Principal or Chair of the Governing Body any financial risks identified e.g cash not secured, potential theft or impropriety')*

Physical and Information Resources

-
- *(All staff will be responsible for some form of physical or information resource)*

Special Conditions of Employment

Rehabilitation of Offenders Act 1974

This job is exempt under the Exceptions Orders to the Rehabilitation of Offenders Act 1974. Appointment to this job is subject to an enhanced DBS disclosure being obtained, and any relevant cautions, convictions, bindover orders and warnings being considered.

If the jobholder is arrested or summonsed for an offence, or they receive a conviction, bindover order or a warning given by a police force, they are required to inform the Headteacher/ Principal of this fact immediately.

Such information will be treated in confidence, so far as is consistent with the safety of children, compliance with statutory safeguarding procedures and the School's / Academy's relevant Procedures. Failure to disclose such information may result in disciplinary action which could lead to the termination of the jobholder's employment.

Health and Safety

The jobholder is required to exercise their duty of care by taking responsibility for their own health and safety, and the health and safety of other people who may be affected by their acts or omissions (failure to act). Full guidance regarding health and safety is set out in the School's / Academy's Health and Safety Policy, and in any risk assessments relevant to the jobholder's role or circumstances. Both can be accessed via the jobholder's line manager and must be observed by the jobholder.

Confidentiality and Data Protection

The job holder is expected to comply with the provisions of the Data Protection Act 1998. Any information that they have access to, or are responsible for, must be managed appropriately and any requirements for confidentiality and security observed. Information must not be disclosed to any person or Authority, for example a parent or the Police, without observing the correct procedure for disclosure as set out in the

School's / Academy's Data Protection Policy. Nothing shall prevent you from disclosing information which you are entitled to disclose under the Public Interest Disclosure Act 1998 (as amended), provided the disclosure is made in accordance with the provisions of the Act. The School's / Academy's Whistleblowing Policy is available from the School / Academy Office.

Equality and Diversity

[name] School / Academy is committed to equality and values diversity. As such the School / Academy is committed to fulfilling its Equality Duty obligations and expects all staff and volunteers to share this commitment. The Duty requires the School / Academy to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share characteristics, such as age, gender, race and faith, and people who do not share them. The jobholder is required to treat all people they come into contact with, with dignity and respect, and is entitled to expect this in return.

Training and Development

[name] School / Academy has a shared responsibility with the jobholder for identifying and satisfying training and development needs. The jobholder is expected to actively contribute to their own continuous professional development, and to attend and participate in any training or development activities required to assist them in undertaking their role and meeting safeguarding and general obligations.

This job description reflects the major tasks to be carried out by the job holder and identifies the level of responsibility at which the jobholder will be required to work, as at the date on which the last review took place.

This job description may be subject to review and / or amendment at any time to reflect the requirements of the job. Any amendments will be made in consultation with any existing jobholder and will be commensurate with the salary grade for the job. The jobholder is expected to comply with any reasonable management requests.

Job description reviewed by	[name]
Date	

[name] School / Academy

PERSON SPECIFICATION

[name] School / Academy is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share this commitment.

Job title			
Department/Location			
Accountable to			
Salary Grade/Range			
	Essential Criteria	Desirable Criteria	Measured By
Education and Qualifications	(or equivalent)		<i>State how each requirement will be measured- Application form, Interview, Test Presentation, References etc</i>
Skills and Abilities			
Experience			
Knowledge			
Other Requirements	<i>e.g. able to work flexibly, and attend meetings and INSET days as required</i>		

Shortlisting Scoring Matrix

APPLICANT NAME:

Criteria	4 Excellent	3 Good	2 Satisfactory	1 Poor	Weighting	Maximum Score	Actual Score

Totals		
--------	--	--

Self-Declaration and Disclosure Form

for roles involving contact with children (under 18 years old)

Private and confidential

All information will be treated as confidential and managed in accordance with relevant data protection legislation and guidance. You have a right of access to information held on you under the Data Protection Act 2018.

Applicant information					
Name					
Address					
Contact number(s)					
Date of birth					
Gender	Female <input type="checkbox"/>	Male <input type="checkbox"/>	Non-binary <input type="checkbox"/>	Another description (please state)	Prefer not to say <input type="checkbox"/>

Note: As the position you have applied for involves work with children and young people it is not covered by the provisions in the Rehabilitation of Offenders Act 1974. When answering questions 1 to 4 you must declare criminal convictions and/or cautions that are not 'protected' under the Exceptions Order (as amended). This includes UK, overseas and armed forces convictions, cautions and relevant service discipline convictions where it would be considered an equivalent offence in England and Wales.

Free, confidential advice can be sought from the organisations below to help you understand whether to disclose certain criminal record information:

Nacro – Tel: 0300 123 1999, or email: helpline@nacro.org.uk

Unlock – Tel: 01634 247350, email advice@unlock.org.uk or complete the online form on the Unlock website.

Declaration of individual

1. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>
2. Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>
3. Have you been formally charged with any other offence in any country which has not yet been disposed of?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>
4. Are you currently subject to any criminal investigations or pending prosecutions by the police in any country which may have a bearing on your suitability for this position?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>
5. Have you ever been known to any Children’s Services department or the police as being a risk or potential risk to children?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>
6. Have you been the subject of any formal action, disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards children?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>
7. Have you ever been dismissed for misconduct from any employment, volunteering, or other position previously held by you, in circumstances which may have bearing on	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>

your suitability for this position?		
8. Are you currently subject to any fitness to practise investigations or proceedings by a regulatory, governing, or licensing body in any country, which may have bearing on your suitability for this position?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>

Please tick the boxes below and then sign this form.

- I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment may be withdrawn or dismissal may result if information is not disclosed by me and subsequently comes to the organisation's attention.
- In accordance with the organisation's procedures, if required I agree to provide a valid DBS certificate and consent to the organisation clarifying any information provided on the disclosure with the agencies providing it.
- I agree to inform the organisation within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards children or young people.
- I understand that the information contained on this form, the results of the DBS check and information supplied by third parties may be supplied by the organisation to other persons or organisations in circumstances where this is considered necessary to safeguard other children.

Signature	
Print name	
Today's date	

Interview Scoring Matrix [Post Title]

Applicant Name		Date	
Interviewer Names		FINAL SCORE	/

Chair of panel to arrange prior to applicant arriving:

- Set up room as required
- Ensure water is available for applicant
- Confirm which member of panel asks each question
- Ask all on panel to make their own notes on the applicant's response
- Scoring and comments to be completed at the end of the interview on an individual basis to ensure fairness (see scoring guide below)
- Bring in applicant

Chair of panel to discuss the following points with the applicant:

- Thank them for coming and introduce the interview panel
- Explain that the panel have viewed the application form, so they are aware of previous role and experience
- Confirm that the interview will last around 45 minutes and is the final stage of the assessment process
- Advise when they are likely to be contacted to find out whether or not they have been successful
- Explain that they will have the opportunity at the end to ask questions if they want to, however, point out that they are not being marked on their questions.
- Explain that the questions are competency based and that we need specific examples.

Scoring:

0	No relevant examples, skills, competencies or explanations provided
1	An example, skill or competency mentioned but weak, poor or unconvincing with no explanation
2	Some examples, skills or competencies covered with minimal explanation
3	Good examples, skills or competencies covered with good explanation. Could have expanded a little further.

4	Excellent response – full examples, skills or competencies covered with thorough explanation and supplementary supporting information		
QUESTION	MODEL EXAMPLES, COMPETENCIES, SKILLS AND EXPLANATIONS	APPLICANT'S RESPONSE	SCORING & COMMENTS

Any questions from the interviewee?

PRE-EMPLOYMENT HEALTH ASSESSMENT FORM – (FOR HR USE ONLY)**TO BE COMPLETED BY HUMAN RESOURCES - (prior to sending to applicant)**

Starting Date: / / Contact Officer: Ext No:

Post / Job Title: F/T P/T CASUAL

Service Area / Directorate:

Will the applicant be required to work in an area requiring Health Surveillance / Fitness to Work Medicals?

Yes No

If YES what type of Health Surveillance is required?

Night Worker Driving for Work Hand Arm Vibration Tools Food Handler Working at Heights Working in a Noisy Environment PSV / LGV Driver Manual Handling duties Ability to detect Colours Contact with Latex Working with Asbestos Working in Confined Spaces

Any other hazards - please specify:

TO BE COMPLETED IN BLOCK CAPITALS BY THE APPLICANT

Surname:

Forename(s):

Address:

Email address:

Date of Birth: / /

Mobile No:

Postcode:

Home Tel:

FITNESS TO WORK DECLARATION

Do you have any health or medical issues that you consider would impact on your ability to undertake the position offered and/or do you require any additional adjustments or support? Please mark the appropriate question below.

No If you have answered **NO**, please return this form to the Hub in your Conditional Offer Pack **Do not complete Part B**

Yes If you answer **YES**, please complete **Part B** on the reverse side of this form and **return it in the envelope marked CONFIDENTIAL to the Hub**. The form will then be sent confidentially to Occupational Health for assessment.

I UNDERSTAND THAT FAILURE TO DISCLOSE RELEVANT INFORMATION OR GIVING FALSE INFORMATION MAY RESULT IN THE TERMINATION OF MY EMPLOYMENT.

Signature: _____

Name printed: _____ **Date** ____/____/____

1. Do you have any physical or mental problem which affect or has affected your ability to work or carry out normal day to day activities? Yes No
If **Yes**, please provide further details:

2. Do you need any special aids/adaptions to assist you at work, whether or not you have a disability? Yes No
If **Yes**, please provide further details:

3. Are you currently having or waiting for any medical treatment from your General Practitioner or Specialist or waiting to see one? Yes No
If **Yes**, please provide further details:

4. Have you any health issues that have been Yes No

caused or could be made worse by work?

If **Yes**, please provide further details:

5. Is there any other health or medical issue that Yes No

you feel we need to be aware of?

If **Yes**, please provide further details:

DECLARATION – Please sign below when you have read and understood the declaration

I declare that all statements, including medical details, are true to the best of my knowledge and I have not withheld any information regarding my health.

I understand that a medical assessment may be required, depending on the answers given, which will be conducted by a member of the Occupational Health Unit. I understand that for certain jobs Health Screening may be required. This will be undertaken by a member of the Occupational Health Unit.

City of Wolverhampton Council may store the information I have given on this form and that I have a right to see a copy of the information held about myself on application to the Council's Data Protection Officer.

The Council's Data Protection Officer can be contacted via e-mail at dataprotection@wolverhampton.gov.uk.

Signed _____ Date ____/____/____

PART B – (FOR OCCUPATIONAL HEALTH USE ONLY)

I consider the above suitable/unsuitable for employment as _____

Signature of Occupational Health Physician/Occupational Health Advisor _____

Name _____ Date ____ / ____ / ____

Notes: _____

DBS Portability Risk Assessment

Risk Assessment Criteria for new starters without City of Wolverhampton Council
DBS check to work with vulnerable adults and/or children

**Part A – to be completed by Manager / Head Teacher undertaking the risk
assessment:**

Date: _____

Manager / Head Teacher: _____

Service: _____

Place of work were the post will be based:

Reasons for urgency to recruit:

**Part B – to be completed by the Manager / Head Teacher undertaking the risk
assessment:**

What is the nature to the post and requirement for contact with vulnerable
adults/children?

Please list all possible sites where the employee is likely to work:

--

Are vulnerable adults/children likely to be at the site whilst he/she is working there?

Yes/No

Is he/she supervised at these sites?

Yes/No

*If yes, please give details of level of supervision:

--

Part C – to be completed by the Manager / Head Teacher undertaking the risk assessment:

Assessment of risk:

High Medium Low
(circle as appropriate)

Basis of assessment (probable contact, venue, frequency etc)	Recommended Safeguards e.g. no lone working pending DBS, training only)

Part D: Other factors (e.g. Details of current DBS Check)

Disclosure no:

Date of Issue:

Place of Previous employment:

Date of submission of DBS for City of Wolverhampton Council

Part E: Manager's / Head Teacher's Recommendations:

--

Manager / Head Teacher Signature: _____

Date: _____

Head of Service / Chair of Governors Signature: _____

Date: _____

Approved by Director (if applicable): Yes No

Director Signature: : _____

Date: _____

Risk Assessment Criteria for someone with previous convictions to work with vulnerable adults and/or children.

This form is to be used for all DBS Risk Assessments including at recruitment stage.

Part A – to be completed at initial meeting with employee or potential employee. **Date of Meeting:** _____

Name: _____ DOB: ___ / ___ / ___ Intended Start Date: _____

Job Title: _____

Place of work: _____

Name of Line Manager / Head Teacher: _____

Name of HR Officer: _____

Q1. Did you declare this/these convictions at interview or on your application form? **Yes / No**

If no, ask reason:

Conviction Details

Nature of Offence	Date occurred	Age when occurred	Tariff	Frequency	Time between offences	Circumstances of offence Employees Response

Part B – to be completed by the Manager / Head Teacher undertaking the risk assessment:

1. What is the nature of the post? _____

2. *Is the offence(s) directly relevant to the work undertaken? If more than 1 different offence, list and assess individually.

Yes / No / Possibly

3. Which site(s) is the employee likely to work at?
(Please list all possible sites)

4. Are vulnerable adults/children likely to be at the site whilst the employee is working there? ***Yes / No**

5. Will the employee be supervised at these sites? ***Yes / No**

*If yes, please give details of the level of supervision.

6. What relationships has the employee established at these sites? (Only applicable to a current employee).

7. What opportunities may exist for the employee to re-offend?

8. Is there a pattern of offending behaviours?

9. What are the alternative work options?

In order to assist employers understand difficult conviction information, a helpline is available to give advice for queries about conviction matters: Jobcheck Helpline 0870 6084567

Part C: - to be completed by the Manager / Head Teacher taking into account information on Parts A and B.

Assessment of Risk: **High / Medium / Low**

(circle as appropriate)

Basis of Assessment	Recommended Safeguards

Part D: Only to be completed if a further meeting takes place - This is the opportunity to discuss the content of the Risk Assessment.

Any further issues identified

--

Part E: Manager's / Head Teacher's Recommendations:

Recommendations

--

Manager / Head Teacher Signature: _____

Date: _____

Head of Service / Chair of Governors Signature: _____

Date: _____

Approved by Director (if applicable): Yes No

Director Signature (if applicable): _____

Date: _____

PART F: HR Actions

Date Form Returned: _____

New Starter

Outcome of Risk Assessment: Continue with Offer of Employment:

Withdraw Offer of Employment:

Current Employer

Outcome of Risk Assessment: Dismissal:

Restrictions Required:

Appendix 9

APPOINTMENT OF STAFF: DELEGATION APPROVED BY THE
GOVERNING BOARD OF
XXXXXXXXXXXXX SCHOOL

(MINUTE No. xxxxxxxx DATED xxxxxxxxxxxx)

	MINIMUM NUMBER OF GOVERNORS								
	PERMANENT			ACTING			TEMPORARY		
	LL	SL	INT	LL	SL	INT	LL	SL	INT
Headteacher *									
Deputy Headteacher *									
Assistant Headteacher									
Mainscale Teacher Plus TLR 1									
Mainscale Teacher PlusTLR 2									
Mainscale Teacher									
Non-Teaching Staff									
Internal Appointments									

Sensitivity: NOT PROTECTIVELY MARKED

* Subject to approval of Full Governing Board. It is expected that applicants for Acting Headteacher Posts will normally be the/a Deputy Headteacher

* Appointment of Supply staff delegated to the Headteacher

Abbreviations: LL - Longlisting SL - Shortlisting

 INT - Interviewing

 FGB - Normal Quorum of Full Governing Body

 CH - Chair HT - Headteacher

Note: a non-Staff Governor to be first contact

Where Governing Board representation is not possible, the Headteacher has delegated power to LL/SL and to appoint.