

Recruitment & Selection Policy

Version Number	1.0
Location	Guidance for Schools Volume 1 Section 4
Author	HR Advisory – Support Services for Education (SSE)
Published	October 2017
SSE Review Date	September 2018
Effective Date	October 2017
Consultation	<p>The Recruitment & Selection Policy is in-line with Somerset County Council’s Policy and has been subject to consultation and agreement with the recognised trade unions.</p> <p>In addition we include a number of template documents that schools may wish to adopt / amend / consider when using the recruitment & selection process (see Section 4b)</p>
Updates	<p>Small additions/amendments made:</p> <ul style="list-style-type: none"> • Information on Prohibition Checks added • Further information on DBS checks added & where re-checks are required • Reference to Safer Recruitment Toolkit

CONTENTS

1. [Introduction](#)
2. [Statutory Framework](#)
3. [Equalities](#)
4. [Identifying a Vacancy](#)
5. [Advertising a Vacancy](#)
6. [The Application pack](#)

7. [Selection](#)
8. [Successful Candidate- Post Interview and Job Offer.](#)
9. [Unsuccessful Candidates](#)
10. [Monitoring of Information](#)
11. [Student Teachers and Volunteers in Schools](#)

[**Appendix 1 - Flowchart of Disclosure and Barring Service criminal record checks**](#)

This policy should be read in conjunction with Section 4a (Safer Recruitment), Section 4e (Safer Recruitment Toolkit) and Section 23a-e (Safeguarding), Volume 1, Guidance for Schools on iPost

1. Introduction

- 1.1 Staff are the most important and valuable resource and play a major role in the delivery of quality teaching and learning in our schools. The purpose of this policy (and those associated with it) is to support safe and fair recruitment practices that are rigorously enforced by schools and academies allowing you to adopt a coherent and consistent approach to recruiting and retaining staff of the highest caliber.
- 1.2 The Governing Body has overall responsibility for all staff appointments in its school. However, it may delegate responsibility for any or all appointments, with the exception of the posts of Head Teacher and Deputy Head Teacher, to the Head Teacher, an individual Governor or a group of Governors. Each Governing Body is required to specify these arrangements in the School's Standing Orders which should be reviewed annually (see Section 2 & 2a, Volume 1, Guidance for Schools, on iPost for further information regarding school governance) - ([Section 2](#) / [Section 2a](#)).
- 1.3 Where the Head Teacher is exercising delegated responsibility, this cannot be delegated to another person by the Head Teacher.

2. Statutory Framework

The statutory requirements for appointing staff in maintained schools are set out in the School Staffing (England) Regulations 2009. Further information can be found by clicking on the following link: [School Staffing \(England\) Regulations](#)

Keeping Children Safe in Education is statutory guidance issued by the Department of Education (2016). Schools and colleges (including academies) must have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children. Further information can be found by clicking on the following link: [Keeping Children Safe in Education](#)

It is a statutory requirement that Governing Bodies of maintained schools ensure that at least 1 person on any appointment panel has undertaken safer recruitment training. Although the same statutory requirement does not apply in academies, it is strongly recommended and implied in Keeping Children Safe in Education that this should be the case.

3. Equalities

- 3.1 It is important throughout every stage of the recruitment process to ensure that no applicant receives less favorable treatment than another as a result of any protected characteristic as defined within the Equalities Act 2010. All recruitment procedures and practices should reflect these values.

- 3.2 Discrimination claims may arise at any point during the recruitment and selection process from the wording of an advert to the formal interview process so it is crucial that Head Teachers and Governors are trained and are confident that no discrimination, direct or indirect, takes place at any stage of the process.

This recruitment & selection policy has been broken down into the key stages of the process for ease of reference. A checklist can be found at Section 4b which schools may find useful when planning a recruitment exercise.

4. **Identifying a Vacancy**

- 4.1 A staff vacancy can occur for a number of reasons, e.g. staff resignation, school re-organisation, identification of a specific project. The most common occurrence will be staff resignation.
- 4.2 On receipt of a staff resignation, the Head Teacher/Governing Body should consider whether there is a need to replace the post in exactly the same way as the previous appointment or whether the creation of the vacant post provides an opportunity to review the school staffing structure and how tasks and responsibilities are allocated.
- 4.3 Consideration should be given to the following:
- Does the school need to replace the post?
 - Can the school afford to replace the post and if so what are the required contracted hours to meet the operational needs of the school?
 - What type of contract does the school wish to offer – permanent, fixed term or flexible? (see Section 6, Volume 1, Guidance for Schools, iPost for further information regarding contracts [Section 6](#))
 - Has the nature of the role changed since the previous post-holder was appointed?
 - Does the Job Description need updating in line with the required changes of the post?
- 4.4 If schools are appointing to provide tuition/coaching as part of enrichment activities, consideration needs to be given to the employment status of the individual (see Section 6, Volume 1, Guidance for Schools, iPost for further information regarding contracts [Section 6](#)).

5. **Advertising a Vacancy**

5.1 **Head Teacher/Deputy Head Teacher Vacancies**

Advice regarding the recruitment and selection process for Head Teacher/ Deputy Head Teacher appointments can be obtained via colleagues within the Educational Improvement Service and can be contacted on 01823 355812.

- 5.1.1 It is a legal requirement that all schools must have a Head Teacher, however, there is no legal requirement for schools to either have a Deputy Head Teacher or to be limited to just one.

- 5.1.2 The Governing Body of a maintained school must notify the LA in writing whenever a vacancy or prospective vacancy occurs in the post of Head Teacher, or whenever the Governing Body decides to recruit a new or replacement Deputy Head Teacher.
- 5.1.3 The statutory regulations require that, unless there is “good reason not to”, Head Teacher & Deputy Head Teacher vacancies should be advertised in such a manner as the Governing Body considers appropriate.
- 5.1.4 A decision not to advertise should only be taken if the Governing Body can demonstrate there is “good reason not to” and that it does not leave it open to challenge. All decisions should be documented fully, as the Governing Body will need to demonstrate that it has acted reasonably if challenged.
- 5.1.5 It is recommended that the Governing Body seeks advice from LA Officers within Support Services for Education (HR Advisory Service, Governor Services and/or Education Improvement Services) before deciding not to advertise. The following link will take you to the SSE Website. [SSE](#)
- 5.1.6 When advertising, the Governing Body should decide the best way of reaching its target audience, taking into consideration the type of media to be used and the level of exposure the advertisement will receive. At the very least it should be advertised in a printed publication circulating throughout England & Wales (The Times Educational Supplement (TES), is most widely used).
- 5.1.7 The Governing Body may decide to appoint to the vacant post on an “Acting” basis while it considers the longer term leadership requirements of the school. In these circumstances there is no legal requirement to advertise externally, however, any internal appointment should only be made following a fair and transparent selection process where all staff are given equal opportunity to apply (provided they meet the essential criteria for the post). Governors should consider assessing potential candidate suitability alongside the National Standards of Excellence for Headteachers (2015). [Headteacher Standards 2015](#)
- 5.1.8 Any acting arrangement should be kept under regular review by the Governing Body and they should be able to demonstrate that all reasonable measures are being taken to appoint to the post on a permanent basis as quickly as is possible.
- 5.1.9 Where an appointment is made on an “Acting” arrangement, the individual should be paid in accordance with the provisions contained within the School Teachers Pay & Conditions Document [STP&CD](#)

5.2 **Teaching and Support Staff Vacancies**

- 5.2.1 There is no legal requirement to advertise a teaching or support staff vacancy externally. Given the associated costs with external advertising, the Head Teacher/Governing Body should consider succession planning and whether there is the potential to appoint to the vacant post from within the existing staffing structure.

5.2.2 In any event, Head Teachers are advised to ensure all vacancies are advertised on the staff noticeboard as a minimum, to enable all staff equality of opportunity to apply and reduce or remove the potential for a claim of unfair treatment or discrimination.

5.3 **Drafting the Advert**

5.3.1 Irrespective of the type of post being advertised, it is important the content of the advert attracts the required caliber of applicant – it is the quality of the content rather than the quantity that is important.

5.3.2 The advert should set out clearly the specific details of the vacancy and as a minimum should cover the:

- name of school;
- job title;
- salary of the post (if the post is term time only and/or part-time the pro-rated salary should be published), this should be in-line with decisions made in the school pay policy;
- number of contracted hours;
- type of contract being offered (If fixed term the reason for this should be specified, e.g. maternity cover, sickness absence);
- preferred start date;
- brief description of work and skills/qualifications required;
- closing date and how to apply;
- contact name & number for the applicant to contact should they want to find out more information.

6. **The Application Pack**

6.1 The application pack serves as the “shop window” to the school and will be the basis on which potential applicants form first impressions of the school as a prospective employer. In addition to the content of the advert, careful consideration should be given to the content of the application pack to ensure it promotes the school positively and attracts the highest calibre applicants.

6.2 A welcome letter should be included in the application pack providing relevant information about the school, aimed at attracting the applicant and further encouraging them to continue with their application.

6.3 A copy of the Job Description should be included within the application pack as this provides the applicant with an accurate illustration of the key tasks, duties and responsibilities of the post. It is important that Job Descriptions are kept up to date and reviewed regularly to ensure any changes in the roles are identified and captured.

6.4 The statutory duties for teachers, including Head Teachers and Deputy Head Teachers, are set out in the School Teachers Pay & Conditions document along with the Teacher Professional Standards as published by the Department for Education. These documents should be referred to when creating or reviewing an existing job description for teaching posts.

- 6.5 The 2002 Collective Agreement on Pay and Grading introduced a 12 grade structure for the Local Authority's Local Government Services employees (non-teaching posts), often referred to as the "matrix"
- 6.6 The Governing Body's power to determine the salaries of support staff is set out in Regulations 17 and 29 of the School Staffing (England) Regulations 2009 and associated "Guidance on managing staff employment in schools" (DfE 2009).

Regulation 17 (3) requires Governing Bodies of community, voluntary controlled and community special schools to pay in accordance with pay grades determined by the LA. Regulation 17 (6) requires governing bodies to consider advice from the Local Authority in relation to matters relating to grading and remuneration of support staff.

Regulation 29 allows Governing Bodies of foundation, voluntary aided and foundation special schools to employ support staff on such terms as they think fit. In Somerset LA maintained schools, the written Statement of Particulars setting out terms and conditions of employment specifies that the contract is subject to relevant National Conditions of Service as supplemented by local agreements. This means that unless the Governing Body of a foundation or voluntary aided school has reached its' own local agreement through a collective bargaining process with its staff and the recognised trades unions (UNISON, GMB and Unite), the County Council's local agreements will continue to apply to their support staff's contracts of employment.

- 6.7 In order to provide Governing Bodies with an objective but flexible means of determining the grades/salaries for their establishments, a number of generic job descriptions have been assessed and graded under the Local Authority's Job Evaluation Scheme. From these a matrix of job roles and respective salary grades, with key responsibilities summarised has been produced to help Governing Bodies identify the appropriate grade and salary ranges for new posts. This should ensure that posts throughout the Local Authority with similar levels of responsibility attract common grades/salary ranges, thus reducing the scope for potentially costly equal value claims. A copy of the Job Evaluation matrices can be found at section 4c.
- 6.8 The person specification defines the essential and desirable attributes an individual will need to possess to be able to fulfil the role. These attributes include qualifications, skills, experience and knowledge and it is this criterion that will be used in the short-listing process (see section 7.2). A template person specification can be found at section 4c.
- 6.9 The person specification should be derived from the job description, selecting the key tasks and duties of the role and translating these into the abilities and skills required to do the role.
- 6.10 The LA application form should be included in all packs and a copy of the forms for teaching and non-teaching posts can be found at section 4c.

7. **Selection**

7.1 **Safer Recruitment Training**

The School Staffing (England) Regulations 2009 require Governing Bodies of maintained schools to ensure that at least 1 person on any appointment panel has undertaken safer recruitment training. It is also recommended that the Governing Body involves the person who has undergone the training at all stages of the appointment process. For further information on training please contact Somerset Local Safeguarding Children's Board [Somerset Safeguarding Children's Board](#)

7.2. **Shortlisting**

The Data Protection Act provides for applicants to have a right to see the information used in the short-listing process. Therefore, it is advised that the short-listing panel use the job description and person specification to inform the short-listing process by listing the 'essential' criteria and 'desirable' criteria for all the requirements of the job on a short-listing grid. It is advised that the short-listing panel is made up of at least 2 people.

To score applicants the panel is advised to use a points or rating system to score the candidates against the criteria on the short-listing grid. For example: 2=exceeds criteria, 1=meets criteria, 0=fails to meet criteria. Once scoring is complete any applicants that score a '0' on one or more of the 'essential' criteria would not be considered further. Remaining candidates can be ranked in priority order, highest score first. If there are still a large number of candidates, then the shortlisting panel may want to consider scoring them against the 'desirable' criteria. A template short-listing document can be found at section 4c.

On completion of the short-listing process a decision should be made on the list of candidates to invite for interview. If there is only 1 job to fill then it is advised that the number of candidates invited is limited to no more than 6. It may be that schools wish to introduce an initial phone interview to further short-list candidates prior to inviting to interview.

7.3 **Gaps in Employment History unaccounted for**

At this stage of the recruitment process the application form should be scrutinised to check for any gaps in employment history and to ensure that the referees are the most recent employers. Where there are periods of time unaccounted for, this should be explored further at the interview stage.

7.4 **Applicants who declare they have a disability**

Legislation requires reasonable adjustments or adaptations to be considered for those who declare they have a disability. Therefore, it is advised that if an applicant declares they have a disability on their application form, and meet the essential criteria of the person specification, they are shortlisted and invited to interview.

7.5 **Letter Template requesting reference at shortlisting stage**

Keeping Children Safe in Education states that references should be sought on all short-listed candidates, including internal, before interview. A reference template for both teaching and non-teaching posts can be found at section 4c.

7.6 **Asking Applicants questions in relation to any sickness absence or their health either before or during the interview**

The Equality Act 2010 makes it illegal for employers to ask applicants any questions about their health or disability before a job offer is made. The safeguard for the school is that any offer of employment should make it clear that it is conditional and subject to satisfactory pre-employment clearance which includes medical clearance. In the event the school is advised that the potential employee has a medical condition for which the recommended adjustments are not reasonable, they can then withdraw their offer, however, schools are strongly advised to contact their HR Adviser prior to any decision being made. Failure to follow this advice could result in the potential for the applicant or candidate to make a discrimination claim against the school.

7.7 **Interviewing**

Prior to Interview

Invite to Interview Letter

Send invite to interview letters to all short-listed candidates. A template invite letter can be found at section 4c. The school can ask in the letter if the candidate requires any reasonable adjustments to be made so that they are able to attend and participate fully in the interview.

Interview Questions

In order to apply a consistent approach, it is advised the panel agree in advance of the interview, a set of questions which they will ask all candidates which are based on the requirements of the post. The questions used should be competency based so they allow the candidate to provide examples of how they meet the requirements for the post. The panel may ask supplementary questions to enable them to explore further the candidate's application and references (if available).

The interview panel should be clear that it is their responsibility to ensure each applicant has the equal opportunity to highlight their suitability for the role, however this does not mean they need to stick rigidly to a set group of questions and exploring and probing an individual's competencies is one of the best ways to do this.

Selection Tests

In addition to a panel interview, depending on the type of role being recruited, selection tests can be used as part of the selection process e.g. professionally designed selection tests can provide an objective and relatively accurate way of assessing key skills which are difficult to measure in an interview. There are a variety of different techniques available to enable assessment of a wide

range of skills and aptitudes at all levels.

Examples include;

- Group Selection Exercises
- Involvement of Pupils
- Oral Presentation Skills
- In-Tray Exercises
- Written Exercises
- Verbal reasoning*
- Checking skills
- Numerical computation
- Clarification
- Personality and behaviour assessment*.

* It is advised that some of these techniques should only be used when it is essential to determine that a candidate has specific abilities, aptitudes or behaviour and should only be used and interpreted by qualified and experienced assessors.

Interview Panel

It is advised interview panels comprise of a minimum of 2 panel members, this allows 1 person to observe and assess the candidate, and make notes, while the candidate responds to the question posed by the other panel member/s. It also reduces the possibility of any dispute about what was said or asked during the interview.

For some posts it can also be useful for other members of staff and Governors to meet the candidates and pupil involvement is recommended. This will ensure that the candidates are able to obtain a full view of the working environment and philosophy of the school while at the same time enables an assessment to be made of how candidates interact with various stakeholders. Only people involved in the selection process should be included in the final decision making process.

The requirement for employees in schools to speak fluent English

As part of the amendments to the Immigration Act 2016, there will be a new statutory duty for all public authorities to ensure that people who work in customer-facing roles speak fluent English (English or Welsh in Wales). Members of the public will have the right to make a complaint if they feel a public sector worker has an insufficient proficiency in spoken English
[code of practice english language requirement public sector workers.pdf](#)

What is a Customer-Facing Role?

A customer-facing role is one where a **regular, planned and intrinsic part** of the role, is the requirement to speak to members of the public in English either face-to-face or by telephone.

In determining whether a role is customer-facing as defined by the Act, the following should be considered:

- Is there a business need for interaction with the public?
- What is the frequency and form of this interaction?
- What is the level of service quality and responsiveness expected by the public?
- What is the proportion of the role which would require spoken interaction with members of the public?
- What is the nature of the role?
- Is English the primary language required for the role?

This will apply to all staff including permanent and fixed-term employees, apprentices, self-employed contractors and agency temps. It does not extend to workers employed by private or third sector provider of a public service at the moment, but it could be extended in the future. It applies to an employee who, as a regular and intrinsic part of their role, are required to speak to members of the public in English either face-to-face or by telephone, are considered as working in a customer-facing role. Members of the public include adults, children and young people.

Job descriptions and job advertisements

It is advised that the Head Teacher/Manager makes it clear in any job adverts and job descriptions that the necessary standard of spoken English is required for every role identified as customer-facing under this duty. They could add the following wording to the advert.: *“This post is covered by Part 7 of the Immigration Act (2016) and therefore the ability to speak fluent spoken English is an essential requirement for the role”.*

What is meant by ‘Fluent’?

For the purposes of the Act, ‘fluent’ simply means that the worker has a command of spoken English which is sufficient to enable the effective performance of their role. It is for the public authority to decide the appropriate level of fluency for the role. The Code of Practice contains a list of factors to be considered when determining the standard required for each job.

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

English Fluency Assessment

Where fluency is identified as an essential requirement for the role, then the Head Teacher/Manager is advised to ensure there is an assessment process for this, examples of which could be:

- proof of possessing a relevant Regulated Qualification Framework at level 2 or above taught in English by a recognised institution abroad or attained as part of an education in the UK;
- proof of passing an English spoken language competency test.

However, as qualifications or tests are not proof of spoken language ability then it is recommended that the ability to speak fluent English is always assessed at interview. At interview they should be able to competently answer interview questions in English.

The Local Authority has set 2 levels of fluency with the required level of fluency for support staff as below:

- 1) For Grade 17-11 the level of fluency in spoken English required is described as:

“Can adjust to the changes of direction, style and emphasis normally found in conversation. Can produce stretches of language with fairly even tempo; although he/she can be hesitant as he or she searches for patterns and expressions, there are few noticeably long pauses.”

This is equivalent to level B2 of the Common European Framework for References of Languages.

- 2) For Grade 10 and above, the level of fluency in spoken English required is described as:

“Can express him/herself fluently and spontaneously, almost effortlessly. Only a conceptually difficult subject can hinder a natural, smooth flow of language.”

This is equivalent to level C1 of the Common European Framework for References of Languages.

Note taking

It is advised that notes are taken in relation to the candidates' responses/ answers to questions and marked afterwards using the interview assessment form and Interview Summary Scoring form. An interview assessment form and interview summary scoring document can be found at section 4b.

For pre-employment checks and documents referred to below further information is also available on the safer recruitment toolkit [Safer Recruitment Toolkit](#)

Identity Checks

Proof of identity of a candidate and their eligibility to work in the UK **must** be checked thoroughly to ensure they are who they claim to be at interview. The invite letter should ask them to bring the relevant documentation to interview. If for any reason this is not possible, the school should ensure that the successful candidate provides this before their appointment and start date is

confirmed.

The following checks should be carried out:

- The documents are genuine, original and unchanged and belong to the person who has given them to you.
- The dates for the worker's right to work in the UK haven't expired.
- Photos are the same across all documents and look like the applicant.
- Dates of birth are the same across all documents.
- The person has permission to do the type of work you're offering (including any limit on the number of hours they can work).
- For students, you see evidence of their study and vacation times.
- If 2 documents give different names, the person has supporting documents showing why they're different, e.g. marriage certificate or divorce decree.

Educational & Professional Qualifications

Candidates should be asked to bring to their interview either originals or certified copies or a letter of confirmation from the awarding body confirming any educational and professional qualifications that are necessary or relevant for the post. If for any reason this is not possible, the school should ensure that the successful candidate provides this before their appointment and start date is confirmed.

DBS Disclosure

Somerset Maintained schools or Academies that use Somerset's DBS Service are expected to abide by Somerset County Council's Disclosure Policy, Recruitment of Ex-Offenders and policy on secure storage. Paragraph 92 and annex G of Keeping Children Safe in Education explains the different types of DBS check required for those working with children which are:

Standard: a check of the police national computer records of spent and unspent convictions, cautions, reprimands and warnings

Enhanced: the same information as the standard check plus any additional information held by the police that a chief police officer believes should be disclosed

Enhanced criminal record check with children's and/or adults' barred list information: the same information as the enhanced check, plus checks of whether someone is included on the national DBS 'barred lists' of individuals unsuitable for working with children or adults

A check for barred list information can only be carried out on individuals who are in regulated activity. Therefore, in a school this will be for the majority of appointments. An enhanced DBS certificate, which includes barred list information, will be required as the majority of staff will be engaging in regulated activity (i.e. teachers, support staff, administrative staff and unsupervised volunteers).

All candidates should be asked to bring with them documentary evidence of their identity to satisfy DBS requirements, i.e. either a current driving licence or passport including a photograph, or a full birth certificate, plus documents such as a utility bill or financial statement that shows the candidate's current name and address, and where appropriate change of name documentation. More information can be obtained from the Disclosure and Barring Service Website - <http://carecheck.co.uk/>.

e-DBS

The successful candidate will be required to complete a DBS application. The clearance process for this is done via an on-line system which provides:

- an electronic application form and identity verification, eliminating the need to complete a lengthy paper based form;
- an in-built validation that flags any errors prior to the form being submitted;
- an average turnaround for a clearance of 1 week.

Existing staff

Paragraph 119 of Keeping Children Safe in Education advises that schools should carry out "all relevant checks" for existing staff where:

- There are concerns about a staff member's suitability to work with children
- A person moves from a post that was not regulated activity into work that is regulated activity

Apart from these circumstances, schools are not required to request DBS or barred list checks for existing staff.

Appointees from another school or college

Paragraph 105 of Keeping Children Safe in Education advises that there is no requirement to obtain an enhanced DBS certificate for appointees who, in the previous three months, have worked in:

- A school in England in a post which brought them into regular contact with children or in any post in a school since 12 May 2006; or
- A further education setting in England in a post which involved the provision of education, and which brought the person regularly into contact with children or young people

However, all other pre-employment checks must still be completed for appointees from another school. This includes **a separate barred list check** for those in regulated activity, which can be obtained via the DBS.

Starting regulated activity (employment) before the DBS check is complete

Paragraph 94 of Keeping Children Safe in Education advises that a member of staff can work in regulated activity, as set out above, before his/her DBS

certificate has come through, provided that he/she is supervised and has also undergone other required checks, including a separate barred list check. A “clearance risk assessment” must be completed prior to the individual starting work confirming the outcome of the required checks are pending and a template assessment can be found within Section 4e.

Nominated Verifier

Each school should have a nominated verifier who is responsible for registering applicants onto the e-DBS system, confirming their identity and monitoring the progress of applications, liaising with the County Hall DBS team and the applicant as required.

Prohibition Checks

Paragraph 103 of Keeping Children Safe in Education advises that a Prohibition from teaching check should be carried out on both teachers and support staff as this will reveal whether there are any restrictions. However this is related to the teaching profession only. Whereas a DBS barred list will include anyone barred from any profession involving children and vulnerable adults.

Teacher Services allows schools to check the status of teachers they employ or are considering employing. Schools can search for a teacher's record in Teacher Services using the individual's teacher reference number (TRN) and date of birth.

The check will allow the school to;

- Identify teachers with an active prohibition, sanction or restriction, including teacher prohibition orders
- See details of any decision by the secretary of state not to impose a prohibition order following a determination by a professional conduct panel of unacceptable professional conduct, conduct that may bring the teaching profession into disrepute, or conviction of a relevant offence.

8. Successful Candidate – Post Interview and Job Offer

A post-appointment checklist can be found in section 4c which schools may find useful.

8.1 Starting Salaries for Internal/External Appointments

Teachers

There is no automatic portability of pay assumed when determining salary for newly appointed teachers. However, when determining the remuneration of a teacher, the Head Teacher and/or Governing Body must consider its own pay policy and the teacher's particular post within its staffing structure. (Section 3.1 of School Teachers Pay and Conditions Document).

Support Staff

The Governing Body's/Academy Board's power to determine the salaries of support staff is set out in Regulations 17 and 29 of the School Staffing (England) Regulations 2009 and associated "Guidance on managing staff employment in schools" (DfE 2009). Governing Bodies of community, voluntary controlled and community special schools are required to pay in accordance with pay grades determined by the LA. Governing Bodies of foundation, voluntary aided and foundation special schools to employ support staff on such terms as they think fit. In Somerset LA maintained schools, the written Statement of Particulars setting out terms and conditions of employment specifies that the contract is subject to relevant National Conditions of Service as supplemented by local agreements. This means that unless the Governing Body of a foundation or voluntary aided school has reached its' own local agreement through a collective bargaining process with its staff and the recognised trades unions (UNISON, GMB and Unite), the County Council's local agreements will continue to apply to their support staff's contracts of employment.

Academies may determine pay and grading arrangements for their support staff through local agreement with the recognised Trade Unions, although it should be remembered that collective agreements and terms and conditions for existing staff transferred when the Academy formed.

Internally Appointed Candidates (Grade 17 – 9)

In accordance with the LA salary policy, on promotion it is advised that the candidate is appointed to the minimum point on the scale. If there are special circumstances where a Head Teacher considers that an increase in excess of the minimum is merited, then it is advised they obtain agreement from the Governors prior to any formal offer is made to the candidate. Reference should always be made to the school pay policy

Externally Appointed Candidates (Grade 17 – 9)

It is advised that the starting salary of an externally appointed candidate is made at the minimum point on the scale. However, Head Teachers do have the discretion to pay at a point within this scale if the candidate is already paid on a higher salary or where their experience is beneficial to the school. It is advised they obtain agreement from the Governors prior to any formal offer is made to the candidate, and this should be covered in the schools pay policy.

Internally and Externally Appointed Candidates (Grade 5 – 8)

For Grades 5 – 8 spot salary applies - [Pay Award and Pay Scales](#)

Transferred Staff from another Local Authority

If a candidate is appointed to a post who has transferred from another Local Authority employer to a post on the same grade it is advised that they are transferred at their current salary point.

Grade 17 Appointments Non Apprentices

With effect from 1 October 2015 all Grade 17 posts will be advertised with a starting salary at Point 6. All employees, irrespective of their age, will be paid according to the evaluated grade of the post.

Apprentices

With effect from 1st January 2013 the Local Authority determined that employees appointed as Apprentices will be paid the National Minimum Wage (NMW) for their age not the NMW rate for Apprentices. Should trainees successfully attain a substantive post, their salary would then reflect the grade for the post.

Schools are able to pay an appropriate rate taking into account the NMW and the grade applicable to the post.

8.3 Full References

References are sought to aid the selection process and validate information given by the prospective employee. In addition they can aid the assessment of a potential employee's character, honesty and reliability. They are particularly important in roles that involve 'regulated activities' with children or vulnerable adults as defined by the Safeguarding Vulnerable Groups Act 2006, as amended by the Protection of Freedoms Act 2012, or roles that are subject to National Minimum Standards or Quality Standards.

When the successful candidate has been offered and accepted the post the school should then request full references, where not previously obtained. The successful candidate should be informed that their appointment will not be confirmed and a start date given until the school has received and verified all references and pre-employment checks. Template reference pro-formas can be found for teaching and non-teaching staff at section 4c.

Roles subject to DBS

- Two written references are required for all roles subject to DBS clearance. One reference must be obtained from the current/most recent employer. Verbal references cannot be accepted.
- Specific questions about the employees' suitability to work with children or vulnerable adults should be asked.
- The reason why the previous employment ended must be asked.
- A full employment history and written explanation of any gaps in employment is required.

Roles not requiring a DBS

- Two written references must be obtained. One reference must be obtained from the current/most recent employer. Verbal references cannot be accepted.

Referees

Referees can be asked to return a reference via email for speed; however, the email address should be verified first to ensure it is a work email address. The Head Teacher/Manager should also request that a hard copy is sent with a company stamp/compliment slip for authenticity.

At least 1 reference must be received from the current or most recent employer and should be written by the current or previous Manager, Supervisor or someone more senior than the successful candidate.

If the successful candidate does not have a current or previous employer a reference may be accepted from a previous educational establishment, a Job Centre contact or a personal contact who works as or has retired from a recognised profession or a 'person of good standing in the community' (see Examples of recognised professions or 'a person of good standing in their community.docx). In this case the reference does not need to be from a work email or with a company compliment slip, stamp or business card.

If the successful candidate was previously self-employed a reference may be accepted from a previous client or their accountant.

In normal circumstances, pre-written references or 'to whom it may concern' references will not be accepted without verification. However, an exception to this may be made if a previous employer has wound down or ceased to exist and has issued a pre-written reference to the employee at the end of the employment.

References received should be retained on the employees' centrally held file.

8.4 Offer Letter

A model offer letter can be found at section 4c. The offer letter should contain the following information:

- Title of Post.
- Salary grade.
- Full-time or, if part-time, the number of hours per week.
- Permanent or fixed-term.
- Start date and, if fixed-term, the termination date and reason for the fixed-term nature of the post.
- Confirmation that a full Statement of Particulars will be issued by payroll provider in due course.
- A reminder, where appropriate, that the appointment is subject to satisfactory clearance by the disclosure procedure, medical clearance, confirmation of qualifications and satisfactory completion of a probationary period (applicable for non-teaching posts only).

8.5 Medical Clearance

Short Pre-employment Health Questionnaire

The successful candidate should be asked to complete a short pre-employment medical questionnaire (the baseline health questionnaire can be found at section 4c).

Candidates for crossing patrol and driver posts must undergo a more in-depth health assessment and should be referred to occupational health. The Recruiting Manager should select pre-employment screening on the OH Portal when making the referral.

Information about the assessment process can be found at Appendix 13a.

Full Pre-Employment Health

If the prospective employee has said “yes” to any of the questions on the short pre-employment medical questionnaire, then they are not medically cleared to start in post and **must** be subject to a Full Pre-Employment Health Questionnaire. To obtain this the school should refer them to their occupational health provider and request Pre-Employment Screening.

9. Unsuccessful Candidates

9.1 Feedback

The unsuccessful candidates should be informed verbally that they have been unsuccessful and offered confidential feedback on their interview. If there was another candidate who matched the requirements of the person specification consider whether to delay informing him/her that they were unsuccessful until the successful candidate has accepted the post.

9.2 Retention of Recruitment Paperwork

Although there is no requirement that application forms and interview notes for unsuccessful candidates should be retained for a set period, we would recommend that the school keeps these for a period of 6 months to a year. This is because the time limits in the various discrimination Acts would mean any claims should have been made within 6 months and the retained information may better enable you to defend a claim (a year may be more advisable as the time limits for bringing claims can be extended). It is important that Governors set a time period to retain records and this is adhered to.

Successful job applicants documents will be transferred to the personnel file in any event.

10. Monitoring of Information

The Equality Act 2010 states that all Schools and Pupil Referral Units with at least 150 staff have a statutory duty to publish information to demonstrate their compliance with the general equality duty on an annual basis. This information must include information relating to people who are either employees of the school or people affected by its policies and practices (e.g.

pupils). For further information regarding publishing Equality Data please see Section 3b.

11. **Student Teachers and Volunteers**

Trainee/student teachers

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

Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks, schools should obtain written confirmation from the training provider that these checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children. There is no requirement for the school to record details of fee-funded trainees on the single central record.

Volunteers

Pre-employment Checks

Under no circumstances should a volunteer for whom no checks have been done be left unsupervised or allowed to work in regulated activity. These checks are an important part of safeguarding, and it is advised that these should be followed even when volunteers are already known to the school.

References

It is good practice to request a reference for any volunteer as it provides an indication of whether the person is appropriate for the role.

Regulated activity

Volunteers who will be engaged on an unsupervised basis teach or look after children regularly, or provide personal care on a one-off basis in schools and colleges will be in regulated activity.

For all volunteers who are new to working in regulated activity the Head Teacher/Manager should obtain an enhanced DBS certificate (which should include barred list information).

The Local Authority has determined that those working in the following areas are required to undertake a new DBS check every 3 years:

- Adoption and Fostering Services
- Supply Teachers
- Residential Children's Centres
- Volunteers in roles excepted from the Rehabilitation of Offenders Act 1974

- Casual Staff in roles excepted from the Rehabilitation of Offenders Act 1974

Schools are responsible for ensuring they record the dates for re-checking these employees and volunteers and ensuring a re-check is completed every three years. The Disclosure Team will be able to assist by confirming dates on which previous disclosure certificates were obtained but the school must maintain accurate records for managing the requirement for re-checks.

Where an existing worker's disclosure re-check reveals a previously unknown criminal background or any cause for concern the manager must seek advice from their HR Advisory Service.

Non-Regulated Activity

For volunteers who are not engaging in regulated activity but have the opportunity to come into contact with children on a regular basis, e.g. supervised volunteers, then the Head Teacher/Manager may want to obtain an enhanced DBS certificate that does not include barred list information (as they are not legally permitted to request barred list information on a volunteer who, because they are supervised, are not in a regulated activity).

DBS Check

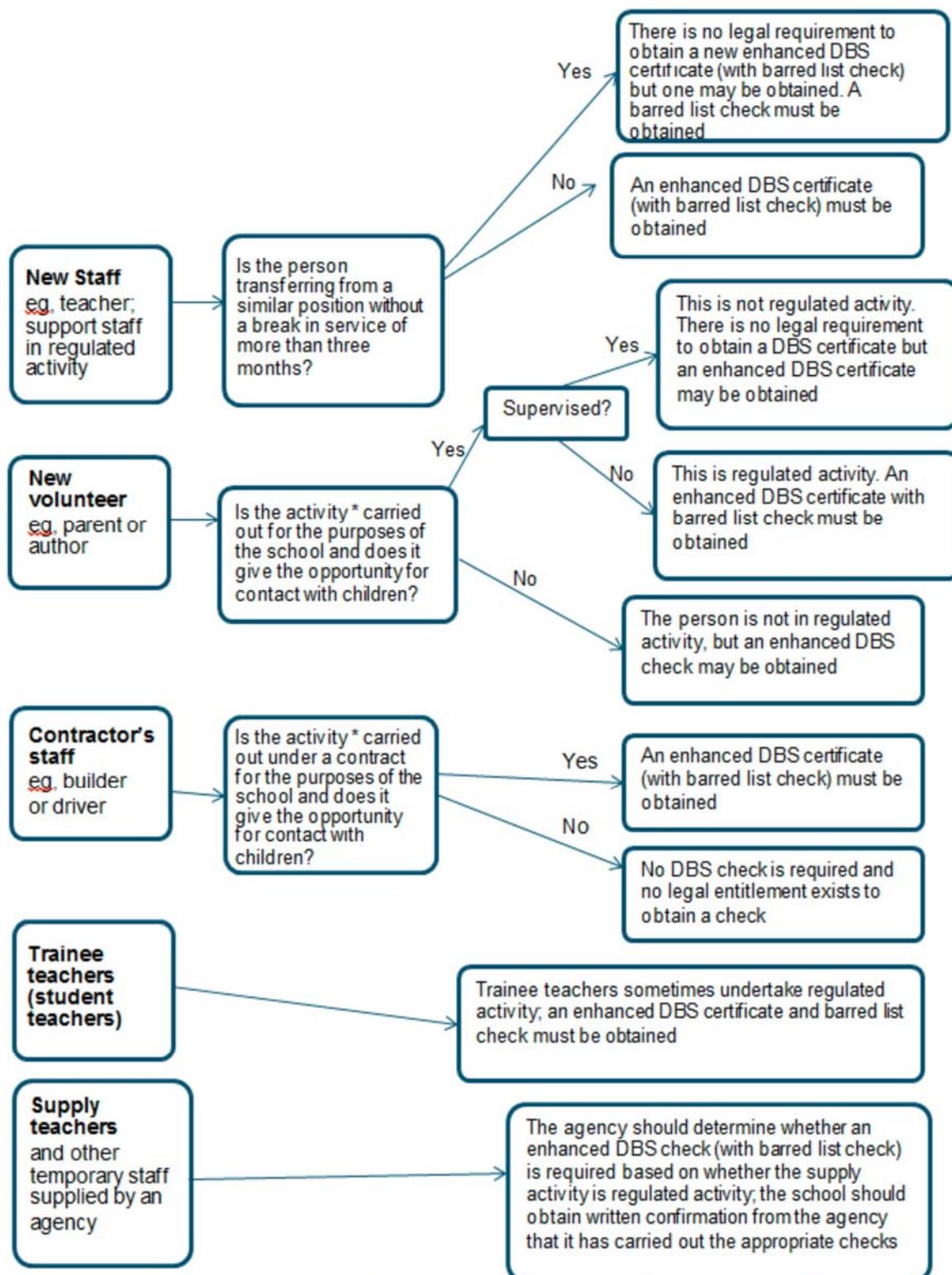
The school, college or academy should undertake a risk assessment and use their professional judgement and experience when deciding whether to seek an enhanced DBS check for any volunteer not engaging in regulated activity. In doing so they should consider:

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

It is an offence to fail to make a referral without good reason.

Also refer to Keeping children safe in education: statutory guidance for schools and Flowchart of Disclosure and Barring Service criminal record checks and barred list Checks (Appendix 1 below).

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



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