



Recruitment and Pre- Employment Checks

Model Procedure for Community Schools

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Part 1 - Introduction

This guide provides a consistent recruitment process for Community schools, including pre-employment checks. It should be viewed as supplementary to the “Advice to Governing Bodies and Headteachers on Recruitment and Selection of School Based Staff”, which can be found on Public Folders. This guide does not replace any more specific advice you may require from HR.

This guide is split into three further parts - background, statutory requirements and recommendations, and then a detailed model recruitment and selection process.

This guide lays out the Model Recruitment and Selection process for Community Schools, Voluntary Controlled Schools, Maintained Nursery Schools, and Community Special Schools. It is hoped that Governing Bodies of Voluntary Aided schools and Foundation schools will also consider using this process.

The Governing bodies of Foundation schools are also invited to consider adopting as much of the model procedure as is appropriate, whilst ensuring statutory requirements are met. In Part 4, the paragraphs up to and including 12.2 can be adapted for use by Foundation Schools. From paragraph 13 onwards procedures would need to be adapted to suit.

Any school wishing to develop their own Recruitment and Selection Procedure must firstly ensure all statutory requirements are met, and secondly must have their procedure approved by the Governing Body. It will be helpful if a copy of any separately agreed procedures can be sent to the Recruitment and Employment Services Manager in HR.

The model procedure outlined covers all recruitment in schools, other than for Headteachers.

Part 2 - Background

Two important points need to be translated into an effective and safe recruitment and selection procedure in Reading, to ensure the welfare of children in our schools.

Firstly, recent changes in legislation, and DfES guidance (Safeguarding Children: Safer Recruitment and Selection in Education Settings, June 2005), have resulted in the need to tighten up procedures for recruiting staff to work with children.

The focus is to ensure that all staff working in schools with children have been given criminal clearance via a disclosure from the Criminal Records Bureau, before they commence work.

The LA is ultimately the employer of staff in Community Schools and has overall responsibility for the welfare of staff and pupils. The LA needs to satisfy itself that each new recruit is suitable to work with children, and this applies equally to paid staff and workers, and volunteers. This manifests itself through a number of pre-employment checks on new staff, including the CRB check.

The DfES guidance has put in place a crucial change to the way references are used. It will now be procedurally correct for references to be made available to the Chair of the interviewing panel prior to interview, so that any appropriate issues contained in them can be shared with the interview panel and explored with the candidate.

Secondly, within the Service Level Agreement (SLA) between HR and community schools there is, under the appointment of all staff, the requirement for schools to “seek the approval of the LEA before confirming the appointment of any member of school staff and to supply the relevant information to enable the LEA to be satisfied that the appointee is suitable for appointment in order for the approval to be granted.”

This stems from the Education (School Staffing) (England) Regulations 2003, which state that a Governing Body can recommend a person for appointment, but that the LEA must make any representations against this on the grounds of pay or grading, within 7 days of receiving the recommendation. The LEA also has a duty to satisfy itself that the person appointed is suitable for the role they have been appointed to, through background checks and qualifications.

In response to these points, the Local Authority has produced this Model Procedure to ensure recruitment and selection practices in schools are legally compliant, safe, fair, consistent and objective.

It should be noted that, as contained in “Safeguarding Children: Safer Recruitment and Selection in Education Settings”, issued by the DfES in June

2005, future Ofsted inspections will evaluate a school's recruitment and selection procedures.

Part 3 - Legislative Requirements and Key Points

There are a number of requirements that flow from several pieces of Education Legislation. This framework is laid out below:

Sections 35(8) and 36(8) of the Education Act 2002

- The LA can take part in recruitment in schools if desired, and offer advice.
- Teacher JDs must be sent to the LA.
- For non-teaching recruitment the school must send a copy of the job description to the LA, further details appear under the next point.

Education (School Staffing) (England) Regulations 2003

- Teacher job descriptions to be sent to the LA.
- The LA can refuse an appointment on certain grounds.
- Non-teaching staff - Governing Body recommend an appointee, and must submit a graded JD for approval of the grade.

Safeguarding Children: Safer Recruitment and Selection in Education Settings, June 2005

This DfES guidance contains wide ranging recommendations for change relating to various parts of the recruitment and selection process. These have been incorporated into the model procedure at Part 4.

School Staffing (England) (Amendment) Regulations 2006

This requires that all new appointments to the school workforce must undergo an enhanced CRB disclosure check. This applies to all staff whether teaching or support.

Proposed legislation will further require that schools keep a single central record with details of the range of checks carried out on the staff. This will also apply to supply staff in the sense that schools must be satisfied that the teachers supplied to them have been fully vetted.

Education (Restriction of Employment) Regulations 2003

This provides that employers must check selected candidates against List 99 to ensure they do not appoint someone who is barred from, or restricted from, working in particular posts.

Further Points:

- The LA can refuse to appoint a member of staff selected by the Governing Body of a Community school on the grounds that they are

either not suitably qualified, or that they are not deemed to be in appropriate health, or to have the necessary mental or physical capacity. Suitable qualifications are listed in Education (School Teachers' Qualifications) (England) Regulations 2003.

- The LA can also refuse to appoint on the grounds that the person appears on List 99 or has a criminal record that would make them unsuitable for the post.
- Most teachers are also required to be members of the General Teaching Council. (Education (Specified Work and Registration) (England) Regulations 2003).
- Where an instructor is selected in the absence of a suitable qualified teacher being available to cover the post, the LA must satisfy itself that this is the most appropriate course of action. The LA must consider if that Instructor has appropriate skills or qualifications to make them suitable, and satisfy itself that there are no other qualified teachers available to do the job.
- There is a time limit of 4 years for the employment of Overseas Trained Teachers who remain unqualified while working in this country.

The above requirements form the basis of the model procedure that follows in Part 4. Some key points to note are:

- Schools must supply HR with a full set of appointment paperwork, as listed in paragraph 15.5.
- New or changed non-teaching job descriptions must be evaluated by HR, unless it fits into a pre-agreed framework, e.g. Teaching Assistants.
- The LA, through HR, can only be satisfied that a candidate be approved to work once all documentation is received, the self-declaration form has been "cleared" by the LA, a correctly completed CRB disclosure application form has been received, and medical clearance has been given.
- Schools will hold and issue CRB Disclosure application forms and Medical Pre-employment Questionnaires, and will be responsible for new recruits completing them.
- In some circumstances a new recruit can start work before full CRB clearance has been received by undergoing a risk assessment.
- A statement of main terms and conditions cannot be issued until medical and CRB clearances are complete.
- Start dates for new recruits will be a period of time after the recruitment process is complete, as dictated by the CRB process.
- The clearance of staff who declare a caution or conviction, or who have a disclosure on their CRB certificate, remains the responsibility of the Head of School Improvement and Performance, who will discuss each case with the Head teacher. If there is disagreement the matter will be referred to the Director of Education and Children's Services.

- CRB clearances are not transferable from one LA or employer to another. RBC requires a new check for each new recruit.

Note for schools issuing their own contracts/clearances - schools issuing their own contracts and/or carrying out their own CRB checks are still required to submit full appointment paperwork to HR, as described in this procedure, and must receive approval of appointment, before the contract can be issued. Further detail will be provided in the procedure part of this guide.

Background checks on recent residents

As part of the CRB check, applicants are required to provide a continuous address history covering the five years leading up to the present date.

However, the CRB check cannot cover addresses and police records held in parts of Scotland and Ireland, or any overseas country. In these cases the CRB check itself may not be worthwhile or will only provide limited information. This will need to be supplemented by other checks, including asking for certificates of good conduct from the police force in the applicant's original country, or seeking references from those forces.

If any school has a preferred candidate who falls into this category, please be aware that you should seek further advice from HR, and that the timescale to achieve full clearance could be significantly increased.

Advice

Advice on the recruitment and selection procedure can be sought from the Recruitment and Employment Services Team in Human Resources.

Part 4 - Procedure

1. Job Description and Person Specification

- 1.1 A vacancy will occur where a member of staff leaves and needs to be replaced, or where a new post is created within a team/school.
- 1.2 Where a vacancy occurs through a member of staff leaving, the opportunity should be taken to determine whether the post needs to be refilled, whether it should remain the same, or whether changes should be made before advertising it. Where changes are made consideration should be given to the effect this may have on the duties of other team members. If radical changes are made the revised job description and person specification should be sent to HR for evaluation. The only exception to this need for evaluation is with teaching posts, but a Job Description and Person Specification must still be produced for the post and sent to HR.
- 1.3 In any event, the job description and person specification should always be reviewed before advertising to fill a vacancy to ensure they are up to date and an accurate reflection of the duties, skills and abilities needed in the role.
- 1.4 Where a new post is created the job description and person specification must be drawn up to again ensure that the job role is reflected accurately. These must be sent to HR for evaluation if it is for a non-teaching post.
- 1.5 The person specification should not take an “essential” and “desirable” approach. However the Lead Officer and panel should be clear about what the minimum criteria for the job are, i.e. the skills/attributes the post holder must have to be able to carry out the duties of the post. This is important for shortlisting and interviewing generally, but is particularly important for disabled applicants. Disabled applicants are guaranteed an interview if they meet the minimum criteria of the post, as required under the Two Ticks scheme, to which the Council is committed. Please see the Disability and Recruitment - A Good Practice Guide, for more details.
- 1.6 In all cases the person specification will be your guide to writing the advert, producing your interview questions and devising any tests. After appointment it should be used as the starting point for a learning needs analysis during probation and on into the employment relationship, and used to inform appraisals.
- 1.7 In all cases the job description must make clear the responsibility the jobholder will have for child protection. The person specification must specifically state that the job holder is required to be suitable to work with children, and must contain details of the level of CRB check required for the post, if applicable.

2. Advertising

- 2.1 Once the job description and person specification is up to date, accurate and evaluated as necessary, the next step is to draw up the advert. HR staff are available to advise Headteachers on writing adverts, as are the advertising agency, but there are a few simple guidelines to be followed.
- 2.2 Adverts need to be clear about what the job entails, concise but not to the point of including too little information, should show details of salary including any pro rata arrangements, and the hours of the post including any flexibility such as job share or flexibility over days worked.
- 2.3 The advert must also contain reference to the fact that a CRB check will be required, and the level of check required. The closing date should be clearly stated, and where possible the shortlist and interview dates should be included. Contact details will be those of the school unless you have made arrangements for the HR team to handle the administration, or it is a Headteacher vacancy that will normally be handled by HR. If you have a contact for potential applicants wishing to have an informal discussion these details should be included in your advert.
- 2.4 The advert must contain the following, or a similar, statement: “This school is committed to safeguarding and promoting the welfare of children and young people, and expects all staff and volunteers to share this commitment”.
- 2.5 The advert (and Job Description and Person Specification) must not include any text or images that could directly or indirectly discriminate against certain groups, e.g. ethnicity, gender, disability, age. However there are circumstances where it is appropriate to be specific about the person needed for the job, if this is the case please contact HR.
- 2.6 Decide and specify whether the advert should appear in colour or black and white, and decide if the advert can appear as part of a Reading Borough Council composite advert where possible, or if you would prefer it to appear alone.
- 2.7 If the school logo and / or the RBC logo are to appear in the advert you must specify this and provide a copy of your logo in electronic form if requested. You should consider including the Two Ticks symbol to communicate a commitment to supporting disabled applicants.
- 2.8 Composite adverts are dependent on more than one advert being placed in the same publication in the given week. Where they do

appear the main advantages are a much bigger advert covering RBC as a whole, and an associated cost saving.

- 2.9 The wording, appearance, and the choice of media can all influence how popular the vacancy will be, as well as affecting how attractive it will be to all groups in the community.

3. Advert Approval

- 3.1 If the school is using Ambleglow via HR staff to place adverts, HR will send the advert to the advertising agency who will book the space with the identified publications, and set the advert into its final copy. This will be sent back to HR, who will send it on to the Headteacher via e-mail, for approval. The cost of the advert will be provided at the same time.
- 3.2 Please note that HR cannot approve adverts on behalf of Headteachers. When the advert proof is received the text, contact details, salary details, artwork, colours, etc. must be checked. If there are any errors these must be fed back straight away to be rectified. Once you are happy with the advert you must e-mail your approval back to HR. Without approval the advert cannot be placed.
- 3.3 Ambleglow will then place the advert, and the school will handle the rest of the administrative process, unless the advert is for a Headteacher.
- 3.4 Where the school is not working via HR to place adverts with Ambleglow, the procedure for advert approval will be as agreed between the school and the agency or publication.

4 Timescales

- 4.1 Consideration will need to be given to when and where the advert should appear. Guidance on the best places to advertise can be obtained from HR, in liaison with the advertising agency. All adverts placed via Ambleglow will automatically be placed in the Job News bulletin and on the website, unless it is specified that this should not happen.
- 4.2 It should be noted that there is a legal requirement to advertise substantive Headteacher and Deputy Headteacher posts nationally. It is good practice to advertise any permanent posts externally unless there are specific reasons to ring fence vacancies to existing staff.
- 4.3 The closing date by which applications should be returned should be at least two weeks after the first appearance of the advert to allow

enough time for potential candidates to complete and return the forms.

- 4.4 The names of the three panel members must be agreed early on. Please note that both the shortlist and interview panels must have the same membership. It is advised that all members of the panel attend RBC's Recruitment and Selection training course, or have been assessed as having suitable previous knowledge and experience in recruitment and selection. As a minimum the Chair of the panel must have attended. This assessment is available via HR.
- 4.5 The National College for School Leadership offers an online training course on recruitment and Selection, and it is a requirement that at least one panel member will have undertaken this training before the panel can proceed.
- 4.6 The panel should meet in advance of shortlisting to agree the criteria to be used for shortlisting, and to determine the standards required. The panel should also meet before the interviews to finalise the questions to be asked and who will be asking them, and to confirm the standards being sought during the interview.
- 4.7 The shortlisting date should be at least two working days after the closing date to allow time for shortlisting packs to be prepared for the panel by a member of school staff.

5 Application Pack

- 5.1 The application pack should be informative and act as a first impression of the job and school. The pack must contain the job description, person specification, application form, and guidance on completing the application form, and the convictions and cautions declaration form.
- 5.2 In addition the pack should contain a copy of the school's Equal Opportunities policy.
- 5.3 The covering letter to the applicant must state that the criteria in the person specification will be tested during the interview process, and that relevant issues raised in references will also be discussed at interview. The letter should also make it clear whether or not those applicants not shortlisted will receive communication telling them they have been unsuccessful.
- 5.4 The standard RBC application form should always be used to give consistency in the type of information being collected from each applicant. CVs are not acceptable. However, you may need to vary the approach if a disabled person wishes to apply for a post.

- 5.5 Additional information can be added to the pack about the school and post available in order to appeal to the intended audience.

6 **Record Keeping**

- 6.1 As application packs are sent out the name and address of the caller should be logged by the school, along with the date the pack was sent, and the publication in which it was seen. As application forms are returned they should be logged back in and details of gender, ethnicity and disability kept against each person's name. This allows a profile to be built up of how many packs are sent out against how many are returned, and gives a profile of the applicants being attracted. Further logs should be kept of those candidates selected for interview, and the candidate finally selected for the job.
- 6.2 It is helpful to keep a note on the same logging sheet of where the advert was placed and how much it cost in each publication. When set against information provided by applicants on where they saw the advert, and against the calibre of applicants, a picture can be built up of where the most effective recruitment is taking place.
- 6.3 These logging sheets must be sent to HR on request, usually annually.
- 6.4 No panel member can be involved in sending out or receiving application forms, or in the preparation of forms for shortlisting or interviewing.
- 6.5 When application forms are returned they should be checked to ensure the declaration form regarding convictions and cautions has been included and completed, if applicable. If not, this must be chased with the applicant.
- 6.6 If an applicant has made a declaration, this should be raised with HR for information immediately, but not yet notified to the panel.

7. **Shortlisting**

- 7.1 The shortlisting panel must use copy application forms without the front page, thereby removing personal information that could lead to subjective judgements being made on age, ethnicity, gender, etc. It is also important that if an applicant has included their name on other pages of the application form, that these are blocked out when copying in order to remove identity. The equal opportunities monitoring details must not be included with the forms in the shortlisting pack.
- 7.2 If there is a disabled applicant, the word "Disabled" must be written on the copy application form, but no other personal information

about that applicant should be made available. This will enable the panel to assess the applicant against the minimum criteria for the post, and consider them for interview. Please see the Disability and Recruitment - A Good Practice Guide, for more details.

- 7.3 Every candidate should be assessed against all the criteria from the person specification using a grid, indicating Met, Part Met, or Not Met against each criteria to ensure consistency and fairness.
- 7.4 Once shortlisting has been carried out all packs should be returned to the member of staff handling the recruitment administration, with the shortlisting grids completed by all three panel members, and a completed consensus grid. If not already agreed the interview date should be agreed and communicated to the person who will be inviting the candidates for interview, as well as where the interviews will take place, and whether there are any tests.
- 7.5 For example, if candidates are to give a presentation, the subject of this, expected duration, and availability of equipment such as OAPs or PowerPoint, must be decided so this information can be passed to the candidates. Applicants selected for shortlisting by the panel must be clearly identified when the packs are handed back to the administrator.
- 7.6 At this point interview questions can be finalised using the person specification. Specific questions you may wish to ask candidates relating to their application or references can be added later.
- 7.7 If your original letter to applicants in the application pack said that unsuccessful candidates would be notified, now is the time to write confirming they have not been shortlisted.

8. Inviting for Interview

- 8.1 The letter (or e-mail) inviting a candidate for interview must provide the date, time, and venue of the interview, and a map should be provided if necessary. Any test details such as presentations must also be included.
- 8.2 The letter must also ask that if the candidate has any special requirements for the interview day, such as access requirements, that these be made known to the school in advance.
- 8.3 The letter must state that the interview will be used to explore the candidate's suitability to work with children, should outline the need for a CRB check as appropriate, and must give details of the ID documentation and qualification certificates the candidate is required to bring with them. ID documentation is also required for all new recruits to comply with the Asylum and Immigration Act 1996

9. References

- 9.1 Reference requests must be sent out at the same time as the invite for interview letters to ensure all references are returned in time for the interviews. References must be chased if timely responses are not received.
- 9.2 The only exception is where the candidate has indicated on their application form that their referee cannot be approached. If this is the case the candidate should be asked to reconsider this decision and, failing that, explain that if they are successful at interview references will still need to be sought and may need to be discussed prior to any offer of employment.
- 9.3 Please note that an offer of employment can only be made when there are two satisfactory references available for the preferred candidate.
- 9.4 Always send a copy of the job description and person specification with the reference request as this gives the referee a better opportunity to provide an accurate reference. Ask the referee for feedback on specific areas of work you are interested in, and try to elicit objective comment through the way you word your request.
- 9.5 Do not accept verbal and open references/testimonials, as these are far less reliable than those you request yourself. You must write to the individual/organisation in order to verify the information as described in 9.4.
- 9.6 One reference should be from the most recent employer where the candidate worked with children, and from one other source so that you have two references. References are not acceptable from partners/spouses, family or friends.
- 9.7 The references should address the candidate's suitability to work with children. The most recent / current referee must be asked to comment on any disciplinary offences (not unproven allegations) relating to children, and any child protection concerns including the outcomes of any enquiries and disciplinary proceedings. The referee must be informed that the reference they provide may be discussed with the candidate at interview.
- 9.8 The references must be made available to the Chair of the panel prior to interview as any relevant issues raised in the references must be shared with the interview panel and explored with the candidate during the interview. Legitimate areas of concern are related to the agreed Person Specification for the post. The panel should also cross check the references with the application form to satisfy themselves

they have the appropriate referees' responses, and that there is no mis-match of information.

- 9.9 Any other queries arising from the references should be followed up with the referees.
- 9.10 If references are obtained after the interview because the candidate did not wish for them to be taken up beforehand, any issues raised in the references must still be pursued if necessary.

10. Interviewing

- 10.1 Interviews should take place far enough after shortlisting to allow time for references to be requested and received. The interview pack should be ready two to three days before the interview date to allow the panel to read through the applications. At this stage the front page is re-attached to the application form, but the equal opportunities monitoring form is still not included.
- 10.2 If any candidate has a disability, the panel must be made aware of the nature of this, in advance, so that any reasonable adjustments can be made to the room, access, tests, etc.
- 10.3 If a declaration has been made by any candidate that reveals they have any convictions or cautions, and following advice from HR as outlined in paragraph 6.6, that candidate's declaration should be copied to go with the application form in the interview pack. This will allow for discussion around this declaration at interview.
- 10.4 Copies of original identity documents (as listed on the CRB application form) must be taken by the school at the start or end of the interview for the CRB check. The ID must also cover the required check under the Asylum and Immigration Act 1996. The information from these documents will be transferred to the CRB disclosure application form for the preferred candidate by the school.
- 10.5 Candidates should be told what the checking process entails, the likely timescales involved, as well as the fact that clearances are needed before the LEA can approve any appointment.
- 10.6 Copies of any relevant qualifications certificates should also be taken as appropriate.
- 10.7 The interview questions and any tests must be designed to test whether the applicant is suitable for the role, and this will include their suitability to work with children.
- 10.8 Any apparent gaps in employment history, education, qualifications, etc. should be identified by the Chair of the panel and explored with

the candidate at interview, as should any anomalies in the information provided on the application form. Frequent or sudden job changes should be questioned.

- 10.9 The content of references should be explored, particularly if there are any causes for concern in the references. If references are not available, the candidate must be asked if there is anything likely to come up in their reference that they feel should be discussed.
- 10.10 Each panel member should complete interview grids so there is a clear record of the chosen candidate and how they met the criteria, and the consensus grid must be completed. Every candidate for all posts should be assessed against all the criteria from the person specification using a grid, indicating Met, Part Met, or Not Met, to ensure consistency and fairness.
- 10.11 At the end of the interview, the successful candidate will become the preferred candidate. If the preferred candidate had not given permission for referees to be contacted prior to interview, s/he should now be told they are the preferred candidate (this is not an offer of employment) and asked if the references can be taken up. References should then be requested as soon as possible, by fax or e-mail if possible. An offer cannot be made unless both references are returned and satisfactory.
- 10.12 If the references provided are not adequate, or if there is a need to check back further, the panel can request other references, with the candidate's consent, pulled from the employment history provided on the candidate's application form.

11. Tests

- 11.1 If it is intended to ask candidates to undergo a test it is important that the test is based on the criteria of the person specification. For example, if typing is a requirement of the job a typing test would be appropriate, but you must decide if you need to test accuracy, speed, presentation, or a combination of these, and design the test accordingly.
- 11.2 If you intend to use a test please let your HR contact have a copy of it at the earliest opportunity, preferably along with your Advert Request form. This allows time for the test to be checked against the criteria in the person specification, and also to determine if there are any biases that would breach equal opportunities.

12. Preferred Candidate - Good References and Declaration

- 12.1 If the references and declaration for the preferred candidate are satisfactory, all interview packs should be returned to the school's recruitment administrator, with interview and consensus grids completed by all three panel members, signed, and clearly indicating the preferred candidate, along with the ID document copies (if copied by the panel), and appointment details, e.g. salary, hours.
- 12.2 The preferred candidate can be contacted to tell them they are the preferred candidate, but no offer can be made at this stage.

13. Preferred Candidate - Poor References or Declaration

- 13.1 If one or both references for the preferred candidate are unsatisfactory, refer back to HR for advice. In most cases further investigation is required before a candidate can be accepted or rejected. All interview packs and grids should be returned to the person handling the recruitment process.
- 13.2 If the declaration for the preferred candidate contains information about convictions or cautions the matter must be discussed with HR and referred to the Head of Universal Services, using a standard form held by HR. The Head of Universal Services will discuss the case with the Headteacher and decide whether or not the person is suitable to appoint. All interview packs and grids should be returned to the person handling the recruitment process in the school.
- 13.3 In some cases it may not be possible to appoint the preferred candidate due to unsatisfactory references or declaration. In such cases it may be possible to appoint the second placed candidate, subject to the same reference and disclosure checks already outlined. If the second placed candidate is not suitable a re-advertisement may be required.

14. Unsuccessful Candidates

- 14.1 Candidates who have been unsuccessful at interview should be notified of this as soon as possible, either by the Chair of the panel, the Headteacher, or the person handling the recruitment administration in the school. Candidates should be offered the opportunity for feedback from either the Chair or a member of the panel.
- 14.2 All papers relating to the recruitment exercise should be kept confidentially and securely for six months, in case of query, and then confidentially destroyed. This includes the ID papers copied from candidates at interview.

14.3 The recruitment statistics being kept for equal opportunities monitoring should be updated to ensure it can be tracked from advert to appointment.

14.4 In some cases there may be a preferred candidate plus a candidate in a close second place. It may then be prudent that the second placed candidate isn't immediately rejected in case the preferred candidate cannot be appointed for some reason, or rejects the offer. The second placed candidate may then become the preferred candidate, at which point references and the declaration must be checked.

15. Appointment Process

15.1 Once a preferred candidate has been selected, the school must issue them with the CRB disclosure application form and notes booklet if applicable, and with the medical questionnaire and envelope. The candidate must complete both and give them back to the school.

15.2 Once the forms are received back from the candidate, the medical form must be left in the confidential envelope and returned to HR, with the name of the candidate and the school name clearly marked on the envelope. The CRB disclosure application form must be checked for completeness, and then section X must be completed using the details from the ID documents copied at interview stage. The documents required for this are listed in the CRB notes booklet, as are the instructions for correctly completing the form. This form must then be sent back to HR, along with the copy ID documents.

15.3 Schools not buying the RBC HR service must ensure medical and CRB clearances are carried out, and must notify HR of the outcome of each check made.

15.4 Both the medical and CRB forms can be sent to HR with the starter paperwork listed below, or shortly afterwards, as necessary.

15.5 The school must submit to HR copies of: the candidate's application form and any letter of application, the declaration of convictions and cautions form, both references, qualification certificates, the ID documents taken at interview, copies of any visas or work permits, the graded job description and the person specification, and a fully completed new starter S1 form. This includes schools not using the RBC HR service as, although the school handles the recruitment, in Community schools the staff remain employees of the LEA.

15.6 These papers will be tied up with the medical and CRB forms. The CRB form will be sent to the CRB for processing. The medical questionnaire will be sent to the Occupational Health provider.

- 15.7 If the applicant is from overseas or has not lived in England, Wales, or parts of Ireland or Scotland (see paragraph on “Background Checks on Recent Residents) for some or all of the previous five years, please contact HR to discuss how criminal clearances should proceed.
- 15.8 Once the CRB application has been checked and sent off, HR will carry out a List 99 check. Confirmation that this is clear (or not) will be e-mailed to the school. Confirmation that the post being filled is correctly graded will be e-mailed to the school within seven days of receipt of the appointment papers.
- 15.9 Where the CRB application is returned to HR later than seven days after receipt of the appointment paperwork, confirmation of approval of the post and grade will still be sent to the school within seven days. Confirmation that the CRB form has been sent, and the List 99 notification, will then follow as soon as possible.
- 15.10 Where an Instructor (unqualified teacher) has been selected by the school, HR reserves the right to check that the person selected is the most appropriate. Any queries of this nature will be communicated to the school as soon as possible.
- 15.11 Once approval of the post and grade has been given, an offer of employment can be made to the preferred candidate. This offer must be made subject to satisfactory medical and CRB clearance. A copy of the offer letter should be sent to HR.
- 15.12 Where the LA/HR does not approve the appointment because the grade and remuneration is not deemed appropriate, the Governing Body must reconsider the grade and notify HR of the decision.
- 15.13 At this stage a **Risk Assessment** can be carried out if there is a need for the new recruit to start in post before the CRB disclosure has been received, and clearance given. The considerations are: How much is known about the individual? Have they declared any cautions or convictions and have these been explored with the individual? If allowed to work prior to clearance, can s/he be given full supervision during work time? HR will issue a form for this purpose to the school, a completed copy of which must be sent back to HR.
- 15.14 For a risk assessment to be valid, the declaration of convictions form must have been reviewed, List 99 checked, both references received, and medical clearance given.**
- 15.15 Where an applicant declares a conviction, or where something is revealed on the disclosure certificate, HR will contact the Head of School Improvement and Performance. S/he will liaise with HR and the school to come to a decision over whether the applicant is suitable to work with children.

- 15.16 Once medical and CRB disclosures have come back to HR, and clearance is given, the appointment will be confirmed to the Headteacher / Bursar, and the Statement of Main Terms and Conditions will be issued. The school must either arrange a start date with the employee and let HR know this for inclusion in the Main Terms and Conditions or, if the employee is already working under a risk assessment, confirm that they can now work unsupervised.
- 15.17 In addition to the medical and CRB checks, there are a number of other checks needed for teachers taking up new posts. All teachers working in maintained schools must be members of the General Teaching Council. HR carries out a membership check, and will alert the school if any newly appointed teacher is not a member. HR will also contact the teacher to warn them of the need to join, and will then carry out a further check a few weeks later. Any teacher failing to join the GTC could be under threat of having their employment terminated.
- 15.18 HR checks qualified Teacher Status at appointment, as well as successful completion of the one-year probation. The school must check the NPQH qualification at Leadership level.
- 15.19 In the event that the person selected for appointment is not suitable on the grounds of health, mental or physical capacity, qualifications, registration on List 99, an inappropriate criminal record, or lack of membership of the GTC, the school will be contacted by HR as soon as possible. Full advice will be given as to the most appropriate way forward, which may include re-advertising and termination of the recruit's contract.
- 15.20 Schools not using the RBC HR service must ensure the checks covered in 15.17 and 15.18 are carried out for their staff, and outcomes notified to HR. The provisions in paragraph 15.19 will apply.
- 15.21 On appointment it is the line manager's responsibility to ensure a first day induction is carried out (either by the Headteacher or the line manager), and that the probation process is established and followed if applicable. The probation period for Newly Qualified Teachers is statutory and spans one year, and for non-teaching staff it is the six month RBC probation scheme. Probation guidance for non-teaching staff can be found on Public Folders.
- 15.22 Induction should include general orientation early on, then policies and procedures, expectations in the area of conduct, and safe practices in place within the school.
- 15.23 Each school must keep a central list/record of all staff and volunteers, and the checks that have been carried out for each person. This enables the school to be certain that all people working in the school have had the appropriate checks, and will form a

central part of the evidence Ofsted will wish to see during inspections. Please note that if a person changes the type of job they do they may need to undergo a new CRB check - please seek advice from HR. In most cases where the type of job changes, a new medical check will be required.

16. Headteacher Recruitment

- 16.1 The recruitment and selection process for a new Headteacher must follow the key stages laid out in this guidance. However there are two key additional requirements to consider.
- 16.2 Any new Headteacher being recruited to his/her first headship, or his/her first headship in a maintained school, must have achieved, or be working towards, the National Professional Qualification for Headship (NPQH). After 1 April 2009 all such applicants must have gained the qualification as the “working towards” provision will cease at that time. The school must ensure this is explored with any candidates for Headteacher posts.
- 16.3 The Director of Education and Children’s Services is entitled to take part in the recruitment and selection process for Headteachers, including taking part in shortlisting and interviewing. The Director can nominate another officer to undertake this on his/her behalf. It is important that the Director is informed of any recruitment exercises for Headteachers to ensure he/she has the opportunity to take part.

17. Confidentiality

- 17.1 During the recruitment and selection process the school will find itself in possession of a great deal of personal information, both for the successful candidate and for the unsuccessful applicants. This information must be stored securely, released to only authorised persons, and confidentially destroyed at the appropriate time, in accordance with the Data Protection Act 1998.

18. Volunteers

Whilst it is recognised that volunteers may not be recruited in the same way as staff on permanent or temporary contracts of employment, it remains important that safe engagement practices are followed. In particular a decision will need to be made about whether a CRB check is required for the individual who is volunteering. This decision will be based around whether the volunteer will have direct and unsupervised access to children, and how often they will be in school.

Where the volunteer is in school regularly it is advisable that a CRB check is made. For any volunteer the List 99 check must be requested via HR.

The school must maintain a list of the volunteers used in the school, and the checks that have been undertaken. This list must be supplied to HR on a termly basis, on request. If an occasionally used volunteer starts to be used more regularly, or the nature of the work they are doing changes in such a way as to give them greater access to children, it may become necessary to conduct a CRB check where none had been needed before. Where this is the case the changed circumstances must be noted on the register.

19 Further Reading / Reference

Safeguarding Children and Safer Recruitment in Education, DfES, effective 1 January 2007.

Safeguarding Children: Safer Recruitment and Selection in Education Settings, DfES June 2005. Ref. DfES/1568/2005

Child Protection: Preventing Unsuitable People from Working with Children and Young Persons in the Education Service, DfES May 2002. Ref. DfES/0278/2002

Criminal Records Bureau: Managing the Demand for Disclosures, DfES December 2002. Ref. DfES/0780/2002

Education Act 2002 - sections 35(8) and 36(8)

Education (School Staffing) (England) Regulations 2003

Education (School Teachers' Qualifications) (England) Regulations 2003

Education (Specified Work and Registration) (England) Regulations 2003

School Staffing (England) (Amendments) Regulations 2006

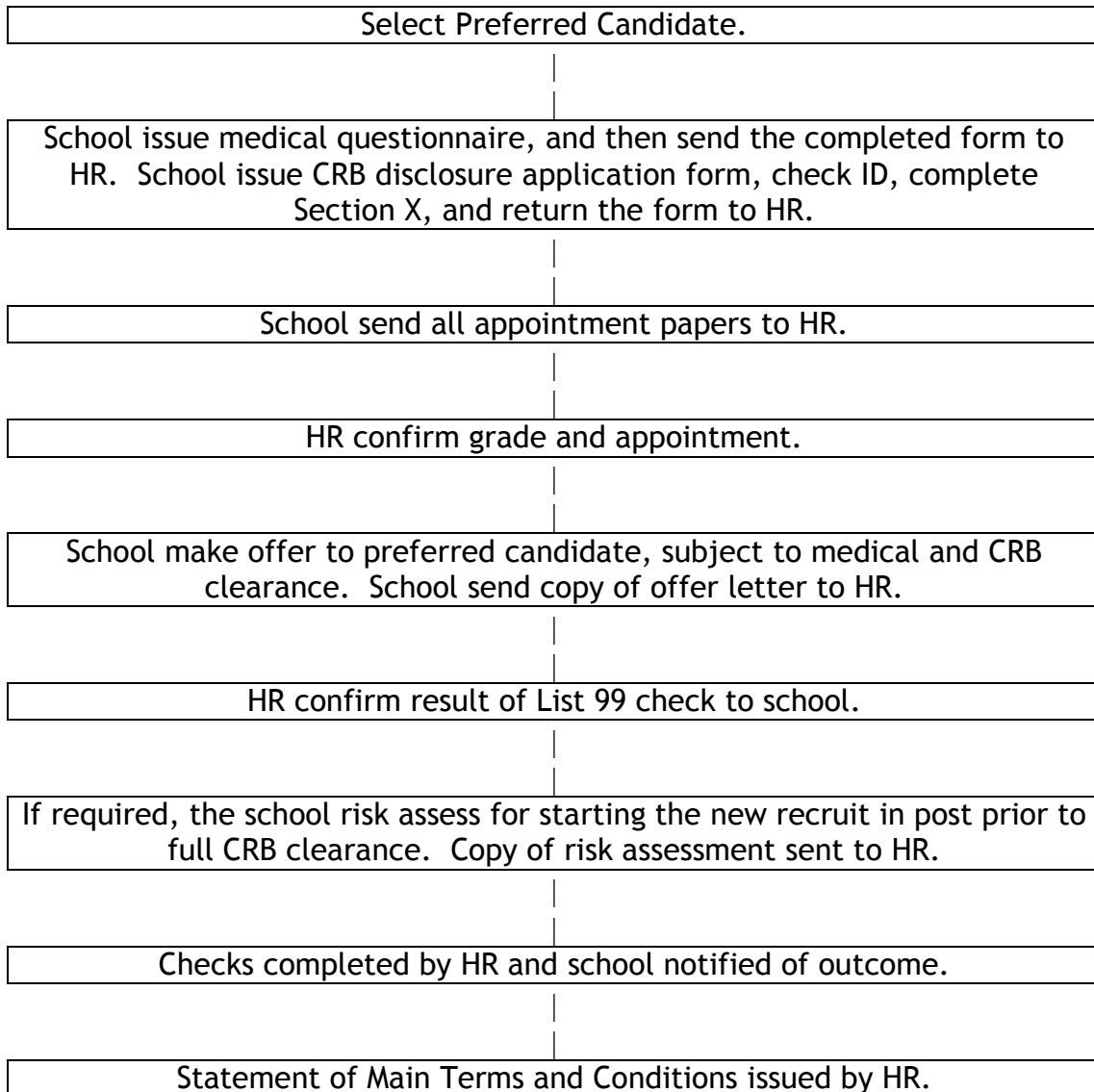
Education (Restriction of Employment) Regulations 2003

Guidance on the Mandatory Requirements to hold the National Professional Qualification for Headship, DfES, issued January 2004.

KAB/HR
May 2006

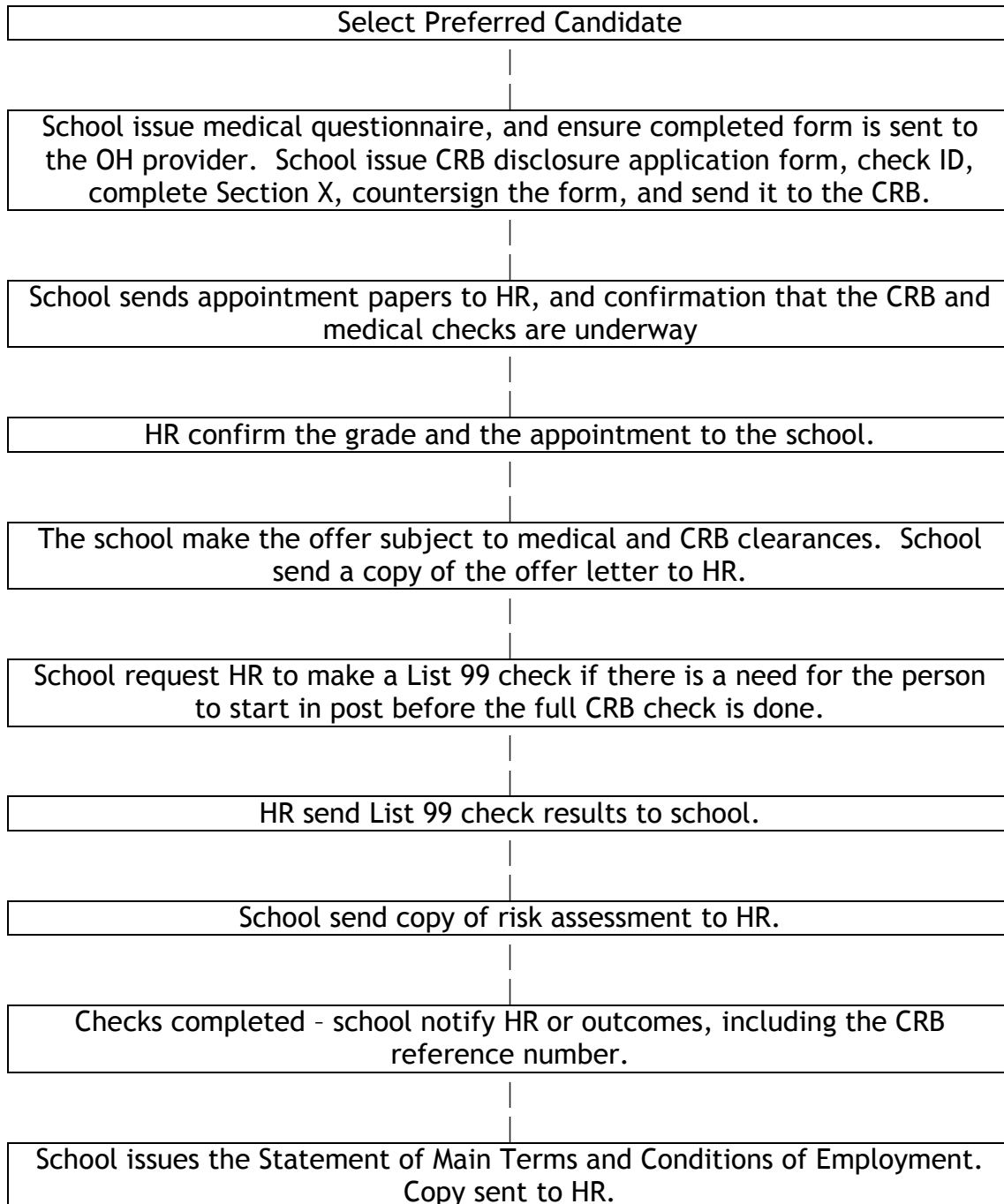
Appointment Process

Community and Voluntary Controlled Schools in RBC SLA



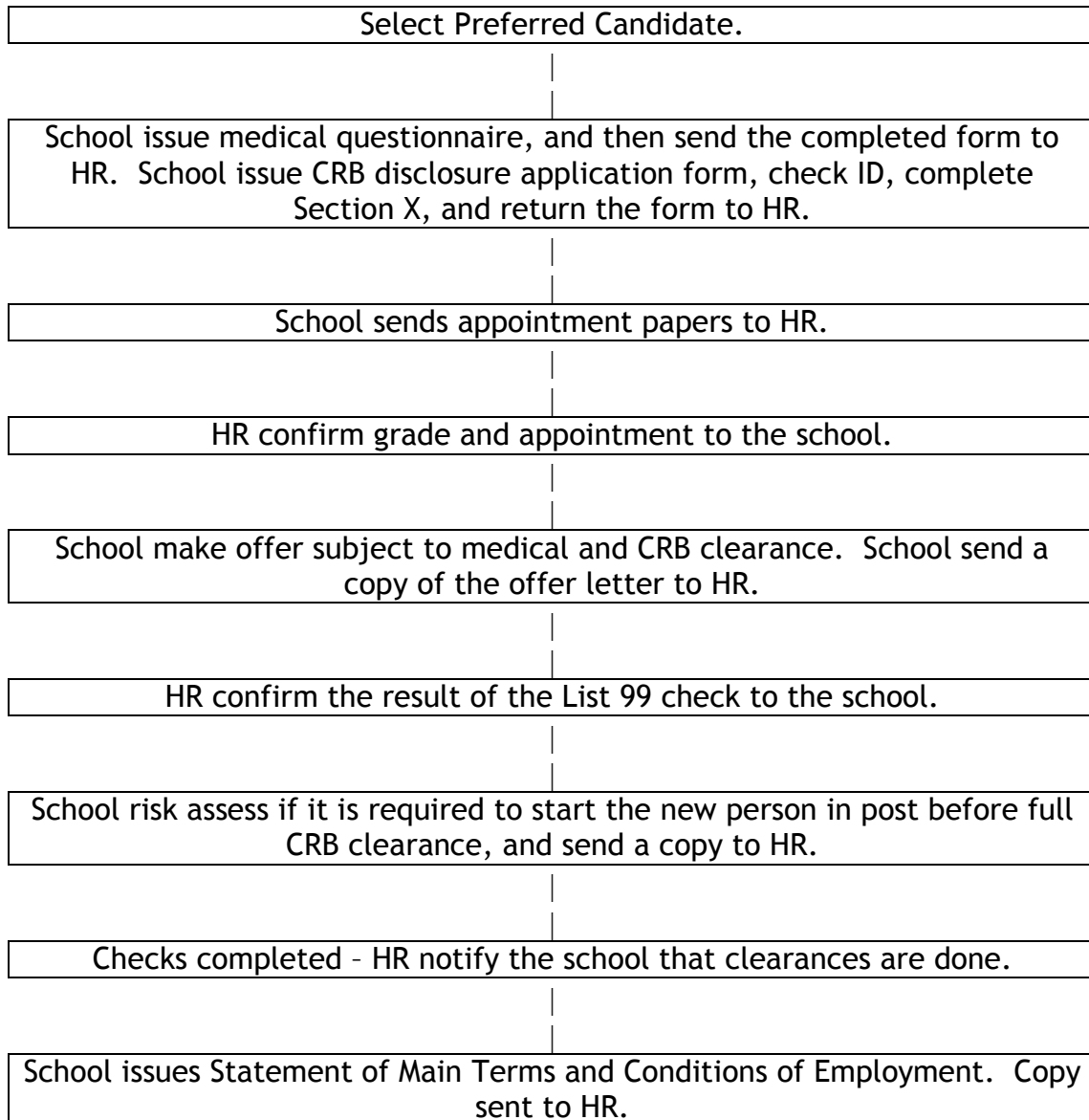
Appointment Process

Community and Voluntary Controlled Schools, not in RBC SLA



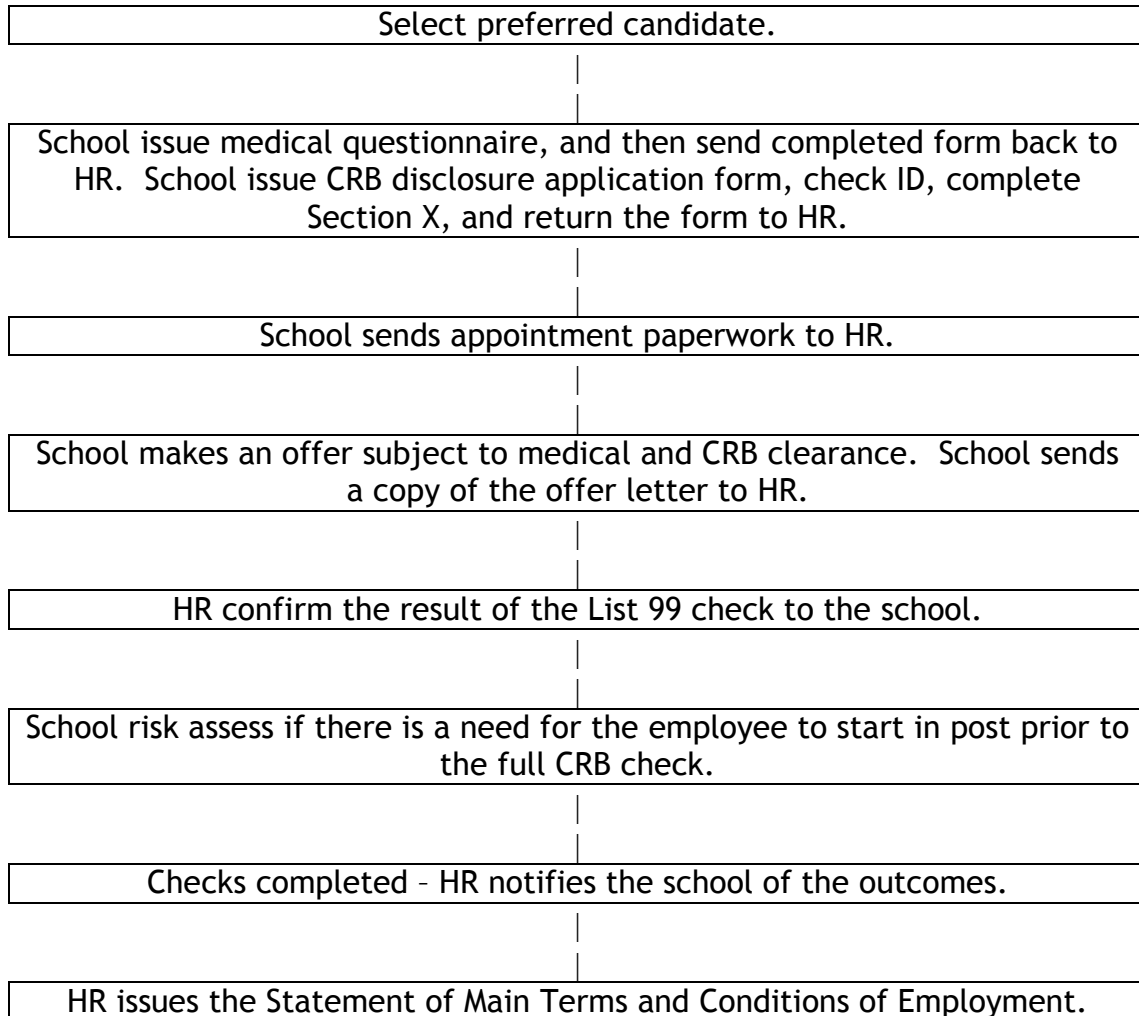
Appointment Process

Community and Voluntary Controlled Schools, in RBC SLA but issuing own contracts



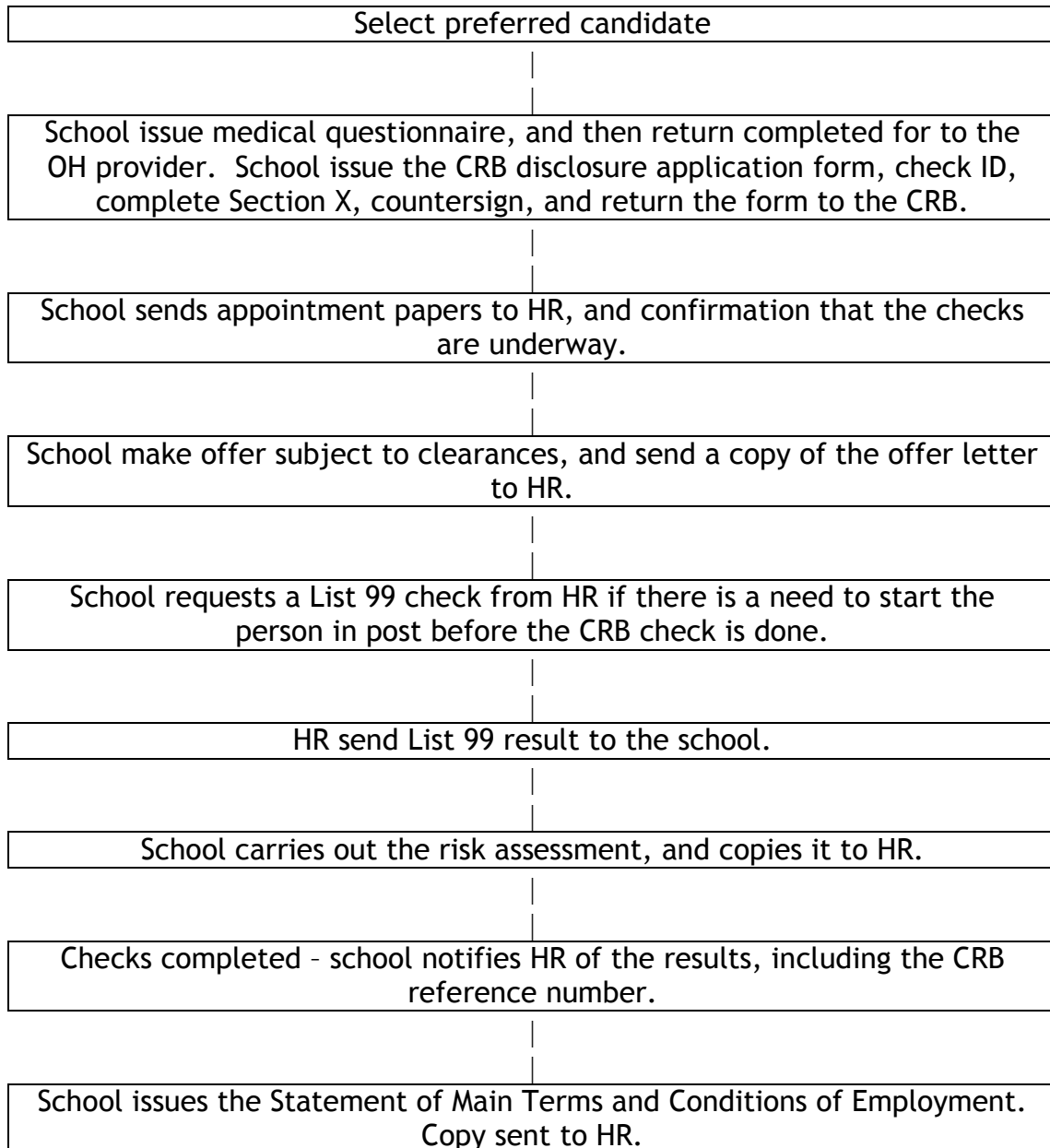
Appointment Process

Aided Schools, in the RBC SLA



Appointment Process

Aided School not in the RBC SLA



Appointment Process

Aided Schools in the RBC SLA, but issuing own contracts

