

Staff Recruitment and Selection code of Practice for Schools

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Purpose

1. Policy Statement

The HR policies referred to in these documents are written by the council on behalf of its entire staff and it is recommended that individual schools adopt or adapt them as appropriate to their needs. Appropriate consultation has occurred. There are also policies and procedures specific to Schools, and these are also referred to.

The council recognises that its employees are fundamental to its success. Staff recruitment is therefore an important part of every Head Teacher's job to ensure that the best possible person-to-job fit is achieved during the recruitment and selection process. It is an expensive exercise, but not as costly as the effect of making poor selection decisions, which may result in reducing the effectiveness of the school, damaging its reputation, increasing staff turnover, reducing staff morale, and wasting time and resources.

The council is committed also to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects that all staff and volunteers share this commitment. Their well-being and safeguarding remain the utmost of importance.

The aims of this Recruitment and Selection Code of Practice are to:

- Ensure that the most suitable person for each post is appointed
- Be fair and consistent
- Ensure that equal opportunity is offered to all applicants the councils [Equality Policy](#) is available to view on the council's website.
- Comply with employment legislation and be non-discriminatory on the grounds of ethnic origins, gender, sexual orientation, gender reassignment, disability, marital status including civil partnership, age, religion and belief and maternity & pregnancy. See Appendix B for further information.
- Conform to best practice
- Promote training for all employees involved in the Recruitment and Selection process, to help ensure that the above aims are met

The following pages describe the Recruitment and Selection procedure that should be adhered to when a post is to be filled.

Appendix B contains [brief](#) notes on pertinent employment legislation.

Scope

2. Legal and RBWM Requirements

2.1 Diversity and Equality

RBWM believes that valuing diversity means recognising the strengths, talents and needs of every individual, nurturing potential, and maximising opportunities for all to contribute. Therefore, your school should be committed

to a comprehensive policy of equal opportunity in employment in which people are treated solely on the basis of their relevant skills, abilities, experience, and qualifications to carry out the job accountabilities of the post to the required standard.

The council can provide Equality training to schools via its e-learning tool (at cost), ensuring that all staff are aware of the councils' commitment to Diversity and Equality and the expectations of their behaviours while at work. Contact learninganddevelopment@rbwm.gov.uk for further information.

2.2 Legal Challenge

As you are open to legal challenge, it is vital that your recruitment and selection processes are fair and non-discriminatory. Should a job applicant make an application against the school to an Employment Tribunal on the basis of alleged unlawful discrimination, the school concerned will be required to demonstrate that:

- a) the person(s) appointed most closely matched the selection criteria and had greater relevant experience and/or skills than other candidates.
- b) the complainant was not unlawfully discriminated against:

Similarly, the law protects individuals against harassment and victimisation.

Discrimination, harassment, and victimisation are briefly described below.

2.3 Discrimination

Direct Discrimination takes place when a person or a group of people is treated less favourably than other people in the same or similar circumstances are or would be. For example, choosing not to employ somebody who meets the requirements of the job because they are of a particular gender, because they are disabled, or because they are from a particular racial group or nationality constitutes direct discrimination.

Indirect Discrimination takes place when a requirement or condition has the effect of discriminating unfairly and unjustifiably between one group (or individual) and another. This may be unintentional. However, particular attention must be taken to avoid this form of discrimination, as it tends to occur more readily and frequently than direct discrimination. For example, insisting upon (subject to Asylum and Immigration) UK educational qualifications would disqualify foreign nationals with excellent skills and experience well suited to the job. Similarly, insisting upon an unnecessary physical requirement could discriminate against one sex in favour of another.

2.4 Harassment

Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual

Further information on the *council's policy on [Raising Concerns at Work \(Whistleblowing\)](#) and [Dignity at Work](#) can be found on the [Schools Leadership web page](#). Particularly for sexual harassment, the employer has a legal duty to take reasonable steps to prevent it and adopts a zero-tolerance approach. All candidates and employees are encouraged to report any instances of harassment that occur.*

2.5 Victimisation

Victimisation is treating people less favourably because of action they have taken under or in connection with the legislation e.g., if someone made a formal complaint of discrimination or gave evidence in a tribunal case.

2.6 Penalties for Contravening the Law:

If your school were to lose an Employment Tribunal case, the penalties may be considerable:

- 1) Adverse publicity which may deter potential staff from joining your school or deter some members of the community from using the school's or council's services.
- 2) A large fine may be imposed on the school, as Employment Tribunals have the power to fine employers unlimited amounts where there are breaches of the Equality Act 2010.
- 3) Your school may be fined a substantial sum for any person it illegally employs under the Immigration, Asylum and Nationality Act. (Asylum and Immigration Act (as amended))

2.7 To Avoid Contravening the Law:

To avoid contravening the law and to promote equality and diversity, it is recommended that schools adopt /adapt this Code of Practice.

The DfE publish statutory guidance for schools and colleges *Keeping children safe in education* - GOV.UK (www.gov.uk), (KCSIE) [Keeping Children Safe in Education \(KCSIE\)](#).which details the importance of safer recruitment practices in schools including the statutory requirement for at least one of the persons who conducts interviews to have completed safer recruitment training.

Safer Recruitment training for schools based on Department of Education guidelines is also available. Contact Clive Haines for further information.

[Keeping children safe in education - childcare disqualification requirements - supplementary advice](#)

[Statutory guidance – Disqualification under the Childcare Act 2006](#)

The following sections (3 to 9) describe each step of the recruitment and selection process from the Exit interview when an employee resigns through to the appointment of a new employee.

3. Staff Turnover

3.1 Retaining Good Staff

RBWM encourages a 'grow your own' approach to recruitment and retention by pursuing, wherever possible, the following initiatives:

- Recruit trainees e.g., school, college, and university leavers
- Support employees in studying for professional qualifications
- Develop employees' skills through appraisals (and six-monthly follow-ups), mentoring, project work, networking, training sessions and policy development work. It is RBWM's recommendation that all school staff should have a personal development plan agreed with their Head Teacher.
- Communicate with employees in regular team meetings, 1-2-1 meetings and by the prompt circulation of information
- Managers can provide guidance on career development where appropriate, and employees are also encouraged to take responsibility for their own development and actively seek career progression and apply for suitable RBWM vacancies to further their careers
- Support employees' changes in lifestyle where at all possible (many staff or job applicants have family responsibilities needing more flexible working hours or arrangements, e.g., part-time working, annual hours contract, flexitime, job-sharing, term-time only working - where possible/feasible)
- There are numerous relevant policies on the Schools Leadership web page including:
 - [*Flexible Working Policy*](#)
 - [*Support Staff Appraisal Guidelines*](#)
 - [*Support for Working Carers Statement*](#)

3.2 When a member of staff resigns

To allow the council/school to take remedial action (if necessary) to control labour turnover, it is important to understand the reasons for employees leaving and to identify any trends. This information can be gathered via leaver interviews. All departing employees should be offered the opportunity to have a leaver interview. It is not compulsory, and employees have the option to decline.

The leaver questionnaire and leaver form are located on the School Leadership web page

3.3 Benefits of the Leavers Interview

There are many benefits to be gained from using leaver interviews including:

- updating the job description/accountabilities/person specification
- assessing the pay and benefits offered by competitors

- uncovering any underlying reasons for leaving
- Identifying problems with the job, morale, supervision etc, thus allowing remedial action to be taken
- persuading the employee to withdraw their resignation, if appropriate
- leaving the employee with a positive image of the school as an employer and leaving the door open for them to return
- ascertaining if they would consider returning to the school's employment and under what circumstances

3.4 Is a replacement really necessary?

When a vacancy occurs, whether for permanent or temporary (including agency) staff, in line with normal good practice, there should be a review to determine whether the post is required. Consideration can be given at this time to alternative ways of getting the work done, the allocation of duties to other staff, the increase of hours, budget provision and so on.

It may also be appropriate to review the terms and conditions of employment e.g., there may be an opportunity to be more creative in relation to the hours worked.

For support staff posts, if it is a new post or if the duties of the post have changed significantly, the grade may need to be reviewed. The Strategic HR team can advise on the Job Evaluation process, contact them by e mailing:

job.evaluation@rbwm.gov.uk

Further guidance is also available from the Department for Education (DfE) in respect of [recruiting Head Teachers and Senior Leaders](#).

4. Job Requirements for new Support Staff Posts

4.1 Job Descriptions

The Job descriptions/accountabilities set out the duties of the job (the job description) as well as the main requirements of the jobholder (the person specification). The Job description/accountabilities form has been designed to be suitable for both evaluation and recruitment purposes. This will avoid Head Teachers having to prepare a separate job description/person specification for support staff. Job accountabilities should be provided for all posts. For Teaching Staff under the STPCD, professional standards exist.

It is a statement, which sets out:

- a) the roles and functions of the school
- b) the general purpose of the job
- c) a full description of the main responsibilities of the post
- d) the qualifications, knowledge, skills, and experience required
- e) employers' commitment to safeguarding and promoting the welfare of children.

However, the following section gives further assistance on how to complete the Person Specification part of the form.

4.2 The Person Specification

Once the duties are defined, the person specification can be produced. The person specification forms part of the Job description/accountabilities, its purpose being to clearly define the standards of education, experience, skills, and knowledge that relate directly to the job and that the ideal candidate would possess, via a list of relevant and objective criteria. The person specification is an essential requirement for each and every post, as all the applicants for the job will be judged against the same criteria. These criteria must consist of the minimum standards considered to be essential for the effective performance of the job. Desirable criteria may be included, but these should be considered by short-listing and selection panels, only if candidates have already met the essential criteria.

To devise a person specification:

1. select the key duties from the job description
2. translate the duties into the qualifications, level of education, skills and experience needed to do the job
3. separate the essential skills from the desirable ones; specify as far as possible in precise job-related terms

Head Teachers should be as flexible as possible in the identification of criteria in order to avoid the exclusion of capable applicants. It is particularly important to consider transferable skills, which may have been acquired in a non-work environment, particularly in the case of trainee or 'manual' jobs. All criteria should be justifiable and not set artificially high. You should avoid using long lists of criteria, some of which you may not even refer to subsequently – only include those you will be able to use as the basis for short-listing and interview. Indicate how each criterion will be assessed (e.g., whether by the short-listing panel judging from the application form or by the candidate's performance in selection tests or at interview).

Precise Job descriptions/accountabilities not only give potential applicants a positive first impression of the school but will also enable candidates to apply effectively. The more accurate and informative the Job description /accountabilities are, the more likely it will be that the school will attract applicants who match the requirements of the job. This often makes short-listing and interviewing easier and less time-consuming for everyone involved.

Each post also has a job title Please consult with HR if a post is to change its job title as our HR system and any related documentation will need to be updated as it also links to payroll and the associated costing of salaries.

4.3 Job Evaluation

All posts within the school, with the exception of Teachers, must be evaluated under the council's Job Evaluation Scheme to determine a grade. The information supplied on the Job description/accountabilities form will be used

by the Evaluation Panel to evaluate the job. All new jobs must be evaluated prior to the commencement of the recruitment process. Existing jobs will be re-evaluated only where the Head Teacher can demonstrate that there has been significant change in the role e.g., additional duties rather than increased volume.

A '*Post Summary*' sheet, which provides a snapshot of the duties and applicable grades of generic posts is available, this is located on the Leadership web page.

There are standard Job descriptions/accountabilities for a variety of school support roles, and these are all published on the School Leadership web page for your reference.

5. The Advertisement

5.1 Content of Advertisements

All recruitment advertisements must contain the school's name, address and logo, the job title, salary, closing date, interview date if known and contact telephone number. The content may include the key responsibilities of the post and the main criteria from the person specification. It may also include a brief description of the school, a description of the benefits package (Menu of Benefits), if applicable and any special terms and conditions if appropriate (space and costs permitting). The quality of the advertisement represents the image of the school and the whole council.

All advertisements must include a statement detailing an employer's commitment to safeguarding and promoting the welfare of children and that reference must be made of requirement for the successful candidate to undertake an Enhanced DBS disclosure.

Also, the school should look to include a statement as to how the school is committed to safeguarding and promoting the welfare of children in all its literature relating to the process.

Many schools state that informal visits are welcome. You should provide the name of a person to contact for more information on the post.

If it is a requirement of the role to hold a specific qualification or if it is a condition of employment that a valid driving licence is required, then this information can be included within the advertisement.

For advice in relation to secondments, please contact the HR team for advice.

5.2 Where to Advertise

As part of the school's Service Level Agreement (SLA), your school is able to use the services of the council's Advertising Agency (currently Ambleglow.) Schools are free to use other service providers. The school should deal

directly with the agency, which can provide artwork and costs for your adverts and can advise on the appropriate media to use in order to attract the most suitable candidates. They can also liaise with relevant publications to obtain discounted rates for your adverts. For further information, please contact Ambleglow at ah@ambleglow.co.uk

Where the agency has been involved in the advertisement process then these vacancies will be made available on the RBWM Jobs web site which will provide the school with a much wider audience. Schools who may be looking to employ migrant workers from overseas to fill skilled teacher vacancies (excl. Maths and Sciences) will need to ensure their adverts are sent to the with their Local Job centre plus, Ambleglow can support schools with this.

Ambleglow also offer access to www.yourschooljobs.com a recruitment website for local education professionals and support staff.

The agency also works with Green Sheets on the school's behalf.

Also refer to section 8.4 on the employment of migrant workers.

5.3 Cost of Advertising

The current cost of placing an advert on the RBWM website is set out in the current Traders Prospectus. There is a standard charge for artwork, further details can be provided by Ambleglow.

5.4 Recruitment Schedule

When planning your recruitment, you should ensure that you leave sufficient time for short-listing/giving adequate notice to short-list applicants when inviting them to be interviewed.

It is equally important not to leave applicants waiting too long to hear whether or not they have been successful as they may assume they have not been short-listed and accept other positions.

As a guideline, a sample recruitment schedule can be found in Appendix A.

6. Applicants

6.1 Information for and from applicants

Your application packs should include the following:

- **Application Forms (Teaching / Non-Teaching)** – *available on the School Leadership web page.*
- Information about the School
- Job description/accountabilities including specification pertinent to the role.
- Disclosure of criminal background form information sheet – *available on the School Leadership web page*
- Other enclosures relevant: For example, the school's safeguarding policy and procedures and any other relevant information/policies i.e.,

- Equal Opportunities that may apply/employment of ex-offenders' policy etc.
- A covering letter from School

All forms /documents noted above are available on the School Leadership web page.

Completion of the standard forms ensures that you obtain all essential information regarding their employment status, and this allows for a consistent approach.

As part of the application process candidates are requested to complete an [Equal Opportunities Monitoring Form](#) as this information is retained by HR on its database and is used for statistical purposes and statutory returns. This form should be separated from the application form so that the information does not influence the short-listing or interview processes. The council seeks to ensure the fair and equal treatment of all applicants throughout the recruitment and selection process.

Candidates should be advised in the recruitment pack the recruitment procedure, in a covering letter, as the school deems appropriate.

The [disclosure of a criminal record background form](#) should be included in any packs. This outlines and explains to the candidate that the posts they are applying for is exempt from the Rehabilitation of Offenders Act, 1974 and therefore subject to a DBS check. It also has an explanatory note attached, which should answer any questions that might potentially rise.

6.2 Short-listing

The criteria mentioned in the person specification must be the basis of short-listing candidates (see section 4.2).

In order to demonstrate impartiality, more than one person should carry out short-listing. This ensures that individual opinions or prejudices do not predominate. Those involved in short-listing should meet to discuss their views on the applications.

Those involved in short-listing should be aware that many foreign qualifications are comparable and, in some cases superior to those awarded in the UK. If uncertain of the status of such qualifications, please contact a member of HR for further information or refer to UK National Information Centre <https://www.enic.org.uk>

Stereotyping should be avoided, and assumptions must not be made on whether or not someone will 'fit in' because of e.g., their age, gender, or disability. Assumptions can be incorrect, and your school could be wrongfully deprived of an excellent candidate. Subjective views may also be illegal and contravene the council's Equality Policy and equality legislation.

Where an applicant informs with their application that he or she has a disability on the Equal Opportunities Monitoring Form, the recruiting manager will need to ensure that applicants with a disability who meet the minimum essential criteria for the job are shortlisted for interview. As a Disability Confident

Committed Scheme user, the borough guarantees an interview in these circumstances. Please refer to the Schools Leadership web page: [Recruitment Disability Code](#) for the code of practice for the recruitment and employment of people with a disability.

For posts requiring a DBS check, where an applicant has declared any caution(s) conviction(s) or allegations including spent convictions, the Head Teacher should assess with advice from the HR Business Partner team, whether the declared caution(s) conviction(s) or allegations should prevent them from being short-listed. The assessment will include the nature of the caution(s) conviction (s) or allegations, the length of sentence, the date the caution(s) conviction(s) allegations occurred and the nature of the role for which they have applied and any other relevant matters. The decision to short list an applicant with a declared caution(s) conviction(s) allegation will be confirmed by the Head Teacher. A record of the assessment process, using the, [DBS Employment Assessment Form](#) will be completed and signed by the Head Teacher and a copy kept with the application form. This form is available on the Schools Leadership web page.

Where there are any issues surrounding DBS information then the Head Teacher should discuss this in the first instance with the HR Business Partner team. Or if you have an applicant who has declared certain disclosure information at the application stage, and you are unsure as to whether you proceed then please take advice in the first instance from the HR Business Partner team.

Where possible, it is advisable to shortlist 4 - 6 people for interview and perhaps add 2 reserve candidates in order of preference, so that in case of withdrawal, the Head Teacher can proceed with a further invitation to interview immediately. Selecting as many as 6 candidates for interview may result in interviews spreading over 2 days. Where this is necessary, to ensure consistency, the interview panel should consist of the same people.

As part of the updated KCSIE, (effective from September 2022) schools are advised that as part of the shortlisting process they should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview.

The DfE has not issued more detailed guidance, schools should decide for themselves whether they have sufficient information to judge suitability.

The CIPD has published a guide to recruitment checks and section 7 has some general advice about online and social media checks. A copy of this document is available on the AfC Leadership website. However, bear in mind this is part of a safeguarding check, therefore the search is purely about whether the individual is suitable to work with children.

Care must be taken to avoid unconscious bias and any risk of discrimination. In line with that approach, it may be sensible to have someone not on the appointment panel to conduct the search – only sharing information that is relevant and of concern.

Any additional notes should be kept safely, preserving confidentiality (see Appendix B for brief notes on the Data Protection Act). For legal reasons, it is recommended that all documentation be retained for a period of approx. 6 months, after which time confidential shredding will destroy them. In terms of 'Best Practice' this period of time seems practical.

The successful candidate(s) should be contacted as soon as possible but definitely within 5 working days.

The standard [RBWM short-listing form](#) is located on the Schools Leadership web page for your use.

KCSIE also advise that Shortlisted candidates should also be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records, further information can be found on GOV.UK and also within the KCSIE document. [A Self Declaration template](#) is also available on the Schools Leadership web page for your use/adaptation.

This information should only be requested from applicants **who have been shortlisted**, and all information is to be treated as confidential and only be shared with those directly involved in the process.

Applicants should be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview

The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received.

6.3 Applicants not short-listed for interview

All applicants should be communicated to, even if not selected for interview. A letter should be sent out explaining that they will not be invited to interview, and that they have not been successful on this occasion and a contact name should be provided should they require any feedback.

A [specimen regret letter](#) is located on the Schools Leadership web page for your use.

In exceptional circumstances, due to a large response to an advert it may not be possible to respond to all unsuccessful applicants. Therefore, as a

precautionary measure, the application form (for School Support staff only) states that applicants who do not hear from us within three weeks of the closing date advertised, should assume their application has been unsuccessful. Please note the Teachers application form does not state this.

7. Interviews

7.1 Invitation to Interview

Your invite to interview correspondence should refer that the successful candidate will be required to provide as appropriate documentation as required under the Asylum and Immigration Act 1996 (as amended). (Please refer to Section 9 for further information). Should there be any uncertainty regarding the documentation, please contact HR straight away

Please note: the employer and/or its responsible staff i.e., the school can each be fined up to **£20,000** for failing to comply with the Asylum & Immigration legislation (Immigration Asylum and Nationality Act 2006, (as amended)). If the successful candidate cannot provide the required documentation by the start date, then without this that a person will not be able to commence work. **Under no circumstances can an employee be allowed to commence work without the relevant documentation.**

Those roles working in early years settings and providing some services to children up to 8 years are covered by the Childcare (Disqualification) Regulations 2009 – see section 9.6 for further details

Should there be a requirement to hold a specific qualification or a requirement to verify professional status as there is with many such appointments within schools or the role requires that a valid driving licence be held, then the school can ask that the candidate bring along to interview originals of these documents so that copies can be taken and held on file by the school.

In the past with schools HR had requested this information to be provided to them as well, this is no longer the case, as it is sufficient that this information be retained at school level for inspection as so required by Ofsted. Schools are more than aware of their responsibilities in relation to obtaining and holding certain information therefore HR do not wish to add any further bureaucracy in terms of paper flow.

Should the selection procedure also include a presentation or tests, this should be included in the invitation to interview letter.

Standard Invite to Interview template letter is available on the Schools Leadership web page for your adaptation/use. The self-certification declaration form for shortlisted candidates is to be included for them to complete prior to interview)

7.2 Travel and Accommodation Expenses

The borough advises for its own recruitment that, subject to prior approval, for travel and accommodation expenses that candidates living outside a twenty-

mile radius are eligible to receive re-imbursement for their travel expenses at the lesser of second-class rail fare or mileage at 25p per mile (up to a maximum of £100.00). This does not normally apply to taxi fares or subsistence. Applicants should return the completed interview expenses claim form to the school, as the reimbursement will come from the school budget. The payment of travel and accommodation expenses is discretionary by the Head Teacher and those deemed reasonable by the school and should be made known at the outset of the recruitment process if this is applicable to candidates.

See the Schools Leadership web page for the [Expenses Policy and Interview Expenses Claim form](#).

7.3 References

Standard practice for Teacher appointments is that references are requested prior to interview and that further enquiries of previous employers can be made.

If the applicant is an internal person already employed within the borough, then one reference from the existing manager is to be taken up. Should the Head Teacher wish to make other reference enquiries to confirm their decision then this can occur. These details are more fully explained in our [Employment references guide](#) available on the Schools Leadership web page.

All new starters should provide the contact details of at least two referees, one of whom must be the current or most recent employer*. An employment start date should **not** be confirmed until both satisfactory references have been received (in addition to **all** other pre-employment checks). *Refer to the Schools Leadership web page for the [RBWM reference templates](#) to be used when requesting this information – these are there for your use.*

** For those maintained schools that buy their insurance cover from RBWM, the terms of the insurance cover requires that references from previous employers cover the three full years preceding the engagement of the employee and should confirm the employee is of trustworthy character.*

It is important that references are requested, and receipt confirmed.

Always verify any information with the person who provided the reference in line with [Keeping Children Safe in Education \(KCSIE\)](#).

Again, as with Qualifications, in the past HR had requested to be sent copy references for our personnel files along with all new appointment paperwork but this is no longer the case as it is sufficient that this information be retained at school level for inspection as so required by Ofsted.

Schools are more than aware of their responsibilities in relation to obtaining information such as references and the further exploration of these as deemed necessary by the school in order to assist in making the right recruitment decision. HR does not wish to add to bureaucracy in terms of paper flow by requesting copies when originals are held at school level.

7.4 Panel membership

All short-listing and interviews must be conducted by more than one person acting as a panel and the Head Teacher advertising the post decides who should be on the panel.

The panel should consist of two or more persons, generally comprised of the Head Teacher plus one or more from the school or relevant body (support posts may include the School Business Manager or Bursar as part of the panel) it may also be appropriate to create a service user interview panel e.g., pupils. Where possible, diversity of recruitment panels members should be considered.

Involving pupils and students in the recruitment and selection process in some way or observing short listed candidates' interaction with them is common and recognised as good practice.

It is vital that any panel members involved in the recruitment and selection of staff should make themselves conversant with this document. Particularly in reference to 'Part three: Safer Recruitment'

7.5 Selection Tests

Individual interviews are the most common form of recruitment selection. However, the council encourages the use of selection tests as particularly useful aids to assessing the suitability of candidates for jobs.

Selection exercises can be used for individuals or groups of candidates and can include written tests, report writing, presentations, role-play, and in-tray exercises, etc. The exercises should be directly relevant to the skills required in the job and adaptations are made where required to avoid unlawful discrimination.

7.6 Arrangements for the interview

Prior to the interviews, it is useful if all members of the selection panel have:

- copies of the application forms of those short-listed
- copies of any references received (this tends to be after the IV in most support staff cases - to confirm decision as per our reference policy)
- copy of one of the invitations to interview letters
- copy of the advertisement
- copy of the job description/ accountabilities/specification
- an '*Interview Criteria Assessment form*' for each candidate (using the person specification in the Job Accountabilities, the panel decides on and records on this form, the criteria against which they will be measuring performance together with their comments on each of the candidate's performance during the interview) – this form available on the Schools Leadership web page
- salary scales relevant to the post – Teachers and Support staff salary scales are located on the Schools Leadership web page.
- Appointment/transfer/variation form (to confirm details of the offer to be transposed to the offer/contract of employment) to be sent to HR

*Please refer to the Schools Leadership web page for the *Appointment /Contract and Variation forms*.*

7.7 Preparing for the Interview

It is advisable for the Head Teacher/recruiting manager to allow enough time to meet with the other panel member(s) prior to the interview to discuss the format of the interview and any other activities that are planned.

The panel should:

- agree on the key criteria in the Job Accountabilities/Person Spec.
- insert the key criteria on the interview criteria assessment form.
- agree the areas each interviewer will cover.
- design the key questions each interviewer will ask (these should be directly relevant to the Job Accountabilities/person specification); the questions must be applied consistently to all candidates.
- The Equality Act 2010 prevents the asking of general health related questions as part of the selection process. It is possible to ask questions to determine whether an applicant is able to carry out a function that is intrinsic to the role. Therefore, recruiting managers should identify what functions are intrinsic to the role. Questions should be restricted to whether there is any health reason why the individual cannot perform any of these core tasks. Managers need to be mindful of the duty to make 'reasonable adjustments and managers should discuss with HR any proposed questions relating to this area. Advice on reasonable adjustments can be obtained from the HR Business Partner team.
- Agree and adhere to the length of the interview (setting time at start for a presentation [if appropriate] and time at the end for the candidate to ask questions). Interviews normally last at least 30/45 minutes to one hour and usually longer for senior appointments.

The aims of the interview are to:

- 1 Determine each candidate's suitability for the job in line with the job description/accountabilities and the criteria set out in the person specification.
- 2 Ensure the candidate has a clear picture of the school, the terms and conditions/benefits and the responsibilities of the job.
- 3 Maintain and enhance the school's image as a good employer.
- 4 Arrive at a decision in terms of making a job offer to the most suitable candidate (assuming that one is identified)

In addition to candidates' ability to perform the duties of the post, the interview will also explore issues relating to safeguarding and promoting the welfare of children: including.

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

Thorough interview notes should be taken on each candidate to ensure that all applicants are treated fairly and consistently. Ideally you should use a

standard [interview criteria assessment form](#), the council has produced one and this can be located on Schools Leadership web page.

From the criteria specified in the job accountabilities you should decide on 5-6 general areas to mark against, to ensure consistency between all interview panel members. These criteria should be listed in the first column and a score of 1-5 should be given for each area. You should try to avoid discussing candidates until all interviews have been completed to minimize bias and influencing on individual preferences.

Following the interviews, the panel should enter a general discussion, which covers the strengths and development areas of each candidate. As a result of this discussion, an appropriate appointment can be made.

7.8 During the Interview

During the interview the panel should:

- Following the initial introductions, commence by explaining how the interview will be conducted and the process after the interviews are completed.
- Use open questions i.e., those beginning with what, when, why, how i.e., do not ask closed questions that could result in a yes/no response.
- Ensure the candidate does most of the talking.
- Follow up with supplementary probing questions, focusing on the candidate's response. Whilst it is a structured interview, it is nonetheless a conversation.
- Explore all gaps in employment history, delve as required into employment and clarify.
- Ensure that the panel has fully explored the ability to protect and provide individual care for children and/or vulnerable adults. **(Appendix C provides some specimen questions).**
- Listen evaluate the answer, and clarify if necessary
- Allow time at the end of the interview for the candidate to ask questions of the panel.
- If it is a requirement of the role to hold a specific qualification or indeed if it is a condition of employment that a valid driving licence is held then the recruiting manager/panel will need to ensure that they verify this information with the candidate and advise the candidate that if they are successful, that a copy of this information (if not already supplied/seen and copied at this stage) will be a requirement.

At the outset of the interview as requested in the [invite to interview letter](#) it is advisable to request sight of and photocopy the Asylum & Immigration documentation as outlined in Section 9.

Interviews are a two-way process. The candidate will want to make a judgment about whether the school is a place they would like to work in. They should be given as much information about the job and the school as possible and time to ask their own questions. A brief tour of the workplace can also be useful.

It is necessary to assess whether personal circumstances will affect performance of the job (e.g., unusual hours). This should be discussed

objectively with **all** candidates without detailed questions based upon assumptions about marital status, children, and domestic obligations, as this may be perceived by the candidate to be unlawfully discriminatory. It is reasonable to assume that an applicant will make any necessary arrangements for the care of dependants.

Some tips for interviewing

Use competencies to explore behaviours or approaches. Ask open questions, which invite a longer response such as, tell me about or give me an example of or how do you go about.

Ask follow up questions to check that they have done what they say they have done. Continue to probe until you get what you need. Past performance is the best predictor of future performance.

Ensure that you focus on what applicants have actually done rather than what they say in theory. Avoid hypothetical questions.

Areas to watch out for

Selection decisions tend to be made early (in the first 4 minutes). Be careful to avoid this. It is neither good practice nor accurate. Interviewers tend to be attracted to people like themselves. Believing what people say rather than examining the evidence of what they have actually done.

Appendix C provides sample-safeguarding questions to assist in the process.

7.9 The Selection Decision

The Panel considers each candidate's performance on the basis of:

- a) their written application
- b) their presentation (if applicable)
- c) their written application
- d) their test results (if applicable)
- e) their interview performance and the panel's notes
- f) references obtained (which should confirm any decision)
- g) any other objective factors

The Panel decides who was successful or unsuccessful.

7.10 Panel Notes/Completion of Forms

It is the responsibility of the Head Teacher/Recruiting Manager to ensure that notes or the [Interview Criteria Assessment Form](#) are completed for each candidate. This should be done as soon as possible after the panel meeting. The information should be retained for 6 months' until they are placed in confidential shredding. You should have access to this information should candidates require any feedback.

8. Interview Outcome

8.1 Verbal Job Offer

Once the appointment panel has made a decision, the Head Teacher/Recruiting Manager may phone the successful candidate and make a verbal offer of employment, subject to receipt of satisfactory pre-employment checks and then confirm this offer in writing. The candidate should be advised not to resign at this stage. Please note that any verbal offer forms part of the contract and therefore details discussed should be clear. At this stage the on-line medical questionnaire information and DBS disclosure form information/links should be sent to the successful candidate for completion.

Refer to Section 9.3 for further information. The cost of the online DBS check and associated admin charge will be charged against the school's cost centre.

8.2 Unsuccessful candidates

Interviewed candidates

Unsuccessful candidates should be informed in writing as soon as the successful candidate has accepted an offer of employment. However, it is good practice for the Head Teacher/recruiting manager to telephone unsuccessful candidates to inform them of the decision prior to this.

Specimen Unsuccessful templates are located on the Schools Leadership web page.

If holding letters have been sent out then as soon as the acceptance is received, a final rejection letter is sent to any second-choice candidates. If the first-choice candidate does not accept the offer, then the Head Teacher is able to offer the job to another candidate or make the decision to re-advertise.

Feedback

The letter of notification to unsuccessful candidates following the interview stage should mention that they may telephone the Recruiting Officer/Head Teacher to obtain feedback from him or her about their performance. This is if they have not already been telephoned to be advise that they were indeed not successful.

The Head Teacher should provide brief reasons, confined to the criteria in the Interview Criteria Assessment Form. This is an important end in the process for all applicants; the panel should also invite feedback on themselves. The feedback for the successful applicant should form the basis of their development plan.

8.3 Conditions of Appointment

Conditions of appointment are some or all of the following, dependent on the post:

- receipt of at least two references which the school finds satisfactory (if these have not already been received).
- receipt of satisfactory Enhanced DBS disclosure, barring and prohibition list checks
- Childcare Disqualification declaration (where relevant)

- a satisfactory medical report from the RBWM's Occupational Health Provider: this applies to all posts (except internal appointments) **Please note, for teachers it is a statutory requirement to ensure a teacher is declared fit to teach before an appointment offer is confirmed.**
- a probationary period: this is normally six months for new external school support staff appointments. Please refer to the [Probationary Period Policy](#) on the Schools Leadership web page.
- Evidence of relevant professional qualification / education / training as required for the post e.g., copy of QTS certificate or written verification of experience if the candidate is from Overseas or from an Independent School.
- Receipt of a certificate of sponsorship issued to the School by the Home Office (if applicable)
- Confirmation of professional membership e.g., DfE Number. *QTS: Note: if a candidate has a DfE reference number this does not necessarily mean that they have QTS.*

Business mileage is paid to staff required to use their own vehicle for authorised school business. This mileage allowance will be paid provided that the individual has a vehicle that is taxed and is insured to be driven for business use and this generic clause is stipulated in their contract of employment. Line Managers who authorise expenses should be aware of this and ensure that claimants have this appropriate cover.

Schools on making their verbal offer tend to send out a written conditional offer confirming the conversation and agreement, which is to be, subject to all pre-employment checks.

A template [Offer letter](#) is located on the Schools Leadership web page.

When an offer is made at this time it is advisable to send the successful candidate a [bank account details form](#) and [emergency contact form](#). Templates of both these forms are available on the Schools Leadership web page

8.4 Employment of overseas nationals

If a person does not provide a British passport but is a national from another country, you will need to see sight of evidence of their eligibility to live and work in the UK see 9.1

If a candidate has a temporary National Insurance Number, it will start with the digits TN. These individuals and those without an NI number at all, will need to apply for a permanent Insurance Number as soon as possible. This can be done by contacting the National Insurance Registration Helpline on 0800 141 2075. Please note that the Inland Revenue can fine up to £5000 if NI numbers are not obtained.

8.6 Formal Written Offer

On completion of the recruitment process (including the sending of regret letters to unsuccessful candidates), the Head Teacher must ensure that all necessary

paperwork is completed, and all the recruitment documentation is sent to HR. You should obtain two references for the successful candidate.

The appointment/transfer/variation form ensures the accuracy of the contract of employment. It also triggers the start of a number of new starter processes. For example: to set the person up on the HR/payroll system in order for them to be paid. The form can be found on the Schools Leadership web page.

Please note that unless this information is complete on the form, we will not be able to action the appointment. Please ensure that HR receives all forms by the **4th working day** of the applicable month to ensure that the individual is paid that month. Any paperwork received after this date may not be processed until the following month.

Staff employed as 'Relief/Casual' are appointed to particular roles within the school structure where service areas have had to call upon staff to fulfil certain obligations. The recruitment process will be exactly the same as it is for any other staff employed i.e., they are subject to **all** pre-employment checks.

The employment relationship with 'Relief/ Casual' staff differs in that there is 'no mutual obligation' on either party to be offered work or to accept work. Where there is a pool of casual workers within one role, then all should be offered the same opportunity. In this respect an enhanced rate of 13.81% is added to the overall hourly rate for the role being undertaken to compensate for statutory holiday pay.

Managers who have casual arrangements and who offer work need to ensure that regularity of hours is monitored and seek advice from HR. Where casual workers are working regular hours (to be reviewed over a rolling 12-week reference period) managers should seek approval, where required, to convert that individual to contracted hours that reflects that regularity. This ensures the individual's terms of employment accurately reflect their working pattern and protects both the worker and the organisation.

The Borough has also produced guidance on *Sourcing an Agency worker* as well as guidance on *the Use of Volunteers and Self-Employed/IR35* which Head Teachers may wish to make themselves familiar with. These documents are located on the Schools Leadership web page.

The receipt of the appointment/variation/transfer form allows HR to send out a formal offer/contract of employment along with terms and conditions of employment. All contract enclosures referred to in the contract i.e., *Probationary Procedure; Disciplinary/Grievance procedures for schools' support and Teachers* are located on the Schools Leadership web page under the Policies and Procedures Folder.

Information on the council's Employee Counselling Service has also been sent to schools. We ask that all new starters be referred to these on their first day. Legally, a contract must be issued by the commencement of employment, and HR operates well within these timescales upon prompt notification by the school.

Appropriate pension scheme information/booklets are to be sent out with the contract of employment.

8.7 Start Dates

Teachers and term time only staff that are appointed / have a variation at the beginning of a term should have a start date of the 1st of the applicable month. Similarly, if an appointment ends or has a variation at the end of term, the date used should be the last day of the applicable month. This is because their salary is calculated over 12 equal monthly instalments. (The exception being Easter).

Where Teachers / staff are appointed, have a variation, or leave midterm, you should write their actual start date and end date.

9. New Starters

Please note a start date should only be confirmed once **all** pre-employment checks have been received and are satisfactory. This is applicable to all new starters whether they are, relief/casual, employed through an agency or a volunteer.

There is a [New Starter checklist for Schools](#), on the Schools Leadership web page, which should be referred to and used when making new appointments. This information is to be used to assist in ensuring that all data is received.

Schools are also reminded of their responsibility to record/hold at school level for Ofsted inspection details of all checks carried out on their staff /volunteer's/ agency workers working or deployed within their school.

There is a requirement to maintain a single record of all Recruitment and Vetting checks in relation to all. There have been numerous updates direct to schools on this subject. Visit the [Keeping Children Safe in Education](#) website for the latest information on what needs to be recorded and who it must cover.

For the purpose of creating the record of checks, the school does not need to include on its record information about staff that are engaged by the LA to work from time to time in schools.

9.1 Asylum & Immigration Checks

It is a criminal offence under the Immigration, Asylum and Nationality Act 2006 to employ a person who is not legally entitled to work in the UK. With effect from 29 February 2008 as an employer you are required to be presented with documents that establish eligibility to work within the UK. This information is referred to in detail with the offer letter

These pre-employment checks must be conducted for **ALL** new employees to avoid any suggestion of discrimination. It is important to note that the information provided for asylum and immigration purposes is separate and, in most cases, additional to the information provided for DBS checks.

A useful guide on this is available: [Right to work checks: employer guidance](#)

Contact the RBWM HR team for further information if required. You should only accept original documents.

Head Teachers/Recruiting Managers should ensure that original documents are seen and copied and retained for the duration of the employment and for two years after termination. The date when the right to work check is to be recorded on the copy. HR requires copies with receipt of the appointment form. Payment will not be made without this information

On-going checks are required when, for example, employees need to extend their permission to remain. We must be more vigilant and put in proper systems to ensure that an employee does not slip through the net and expose the employer to liability.

If a person is not a British Citizen but supplies a Birth certificate and permanent NI number then it is still important to obtain a copy of the passport, which will provide eligibility/entitlement to right to abode/work in the UK and to what date. The Home Office online checking service supports checks in respect of those who hold the following:

- status issued under the EU Settlement Scheme; or
- status issued under the points-based immigration system; or
- British National Overseas (BNO) visa; or
- Frontier Worker permit

These individuals can generate a share code via <https://www.gov.uk/prove-right-to-work> , which the employer uses to verify immigration status and right to work. To complete the check, employers must visit <https://www.gov.uk/view-right-to-work> and enter:

- The share code provided by the individual (valid for 90 days)
- The individual's date of birth

The online service will confirm:

- Whether the person has right to work in the UK
- Any restrictions (e.g. permitted job types or hours)
- The expiry date of their immigration status (if applicable)

You should satisfy yourself that the photograph on the online right to work check is of the individual presenting themselves for work and retain a clear copy of the response provided for the duration of employment and for 2 years afterwards. The check should then be sent to HR (hr.operations@rbwm.gov.uk), alongside the rest of the new starter documentation.

Further details are outlined in the [Asylum and Immigration checklist](#) on the Schools Leadership web page or refer to the Home Office guidance.

By seeing original documentation and any documents with photographic evidence ensures that you have verified as best you can a person's identity.

It is the responsibility of the Head Teacher/Recruiting Manager to ensure that this information/documentation is produced before the employment begins.

Those who fail by their start date to produce their A&I documentation cannot commence employment.

There remains in legal terms no defense for employing persons not eligible to work legally within the UK.

These pre-employment checks must be conducted for **ALL** new employees. The information provided for asylum and immigration purposes is separate /additional to the information provided for DBS checks. Most of the documentation provided for DBS checks relates to confirmation of addresses/identity and not the right to work legally in the UK.

9.2 Overseas Trained Teachers (OTTs)

Teachers who are citizens of a European Economic Area (EEA) country or Switzerland who do not have settled or pre-settled status are now subject to the same rules as teacher from other parts of the world. A teacher from an EEA country or Switzerland who does not have settled or pre-settled status will now need a visa to enable them to work in the

Overseas qualified teachers with at least two years' teaching experience from some countries (currently EU countries, Australia, Canada, Iceland, New Zealand, Norway, Switzerland, and the USA) can apply for QTS. Qualified teachers from other countries will need to undertake assessment to gain QTS. In the case of qualified, experienced teachers, it should be possible to gain QTS via the assessment-only route. Further information on the assessment-only route can be found on the Get into Teaching web page [Ways to train | Get Into Teaching \(education.gov.uk\)](https://www.getintoteaching.org.uk/ways-to-train) .

The law allows OTTs to work as an unqualified teacher in a relevant school in England for up to 4 calendar years if they have successfully completed teacher training which is recognised by the authorities in their own country. They need to have obtained QTS in order to continue teaching after 4 years.

It is unlawful to continue working in a relevant school if they have not obtained QTS after 4 years. Extra time is available if they have taken maternity, paternity, parental or adoption leave. It may be possible for them to be employed as an instructor for only the time there is no qualified or trainee teacher to fill the post, otherwise they should stop teaching and if they want to teach again, they need to study for QTS through a relevant training programme. It is the responsibility of the school to monitor this information.

9.3 Disclosure and Barring Service (DBS)

DBS checks are required for all posts, which require applicants to disclose their convictions even if they would otherwise be considered 'spent.' This applies both to paid work and voluntary work.

Applicants for these jobs are required to complete a *Disclosure of Criminal Background form*, when they apply for a post; the council includes a Disclosure of criminal background form (an information sheet) *with explanatory notes a copy of which can be found on the Schools Leadership web page*

DBS application forms are available to complete online, schools need to register to access this system. Advice on this is available from HR.

HR is the Registered Body and will check and authorise applications for onward transmission to the DBS for processing. Schools will be charged retrospectively by month for checks carried out. Charges for DBS checks are as per the current HR SLA.

All posts within schools require DBS checks and the level for all posts is 'enhanced.' By law, all school staff newly employed since 12 May 2006 must have an Enhanced DBS clearance, unless they have continuous employment with less than three months break and no increase in their contact with children.

In accordance with the regulations and guidance all posts in schools are defined as providing a 'Regulated' activity, where that activity is frequent or intensive. Therefore, all roles, paid or unpaid, within schools require a DBS check. Frequently is defined as 'once a month' and intensively is defined as where an activity takes place on 3 or more days in a 30-day period.

In the case of pre 2002 appointments within Schools where police checks are held, our recommendation then and continues to be that a DBS check be carried out.

It is so important given the continuing national and local interest press surrounding the area of child protection and the ever-increasing agenda on safeguarding that we ensure that the highest level of vetting is in place to protect the vulnerable.

Since 1 April 2007 the DBS has an online tracking facility where you can view the status of an application. In order to check this information, you will require the Application reference number and the date of birth of the applicant, all you need do is log onto the DBS web site, link below. [DBS tracking](#) or contact HR.Operations@RBWM.gov.uk if you have any query.

Since 17 June 2013, the DBS certificate is issued to the applicant and therefore they will need to bring their certificate into the school to be checked. The DBS also introduced an Update System, whereby any certificate issued since 17 June 2013 can be checked by the council, with the individual's permission.

When the disclosure is received, if any cautions and convictions are listed, the Head Teacher, with advice from HR Business Partner team will assess whether

the individual should be employed. Consideration of suitability for employment will include the nature of the caution (s) or conviction(s), allegations, the length of sentence, the date the caution(s) or conviction (s) allegations, occurred and the nature of the role for which they have applied along with any other relevant matters. The final decision regarding employment will be made by the Head Teacher/Chair of Governors/Chair of Personnel Committee. A record of the assessment process, using the *DBS employment assessment form*, will be completed, and signed by the Head Teacher/appropriate Governor and a copy kept with the application form or on the employee file as appropriate.

For further information about the DBS and disclosures please refer to the following policies on the school's leadership web page.

- *Employment of Ex-Offenders Policy*
- *Employment of Ex-Offenders Procedure*
- *DBS Recruitment Policy*

In line with the DBS's Code of Practice conviction information must not be disclosed to any person not legitimately involved in the recruitment decision for which the information was obtained. Confidentiality and security of conviction information needs to be adhered to

Please note that the council's policy is that we carry out our own RBWM DBS checks for those designated as DBS posts and all employment will be offered subject to the receipt of a satisfactory disclosure from the DBS.

Should staff move from one of our schools to another of our schools within the borough then there will not be a need to undertake another disclosure, unless of course the job change warrants a higher level of check or details from other lists to be carried out, if in doubt please contact HR Operations as they can confirm details for you.

No start dates should be confirmed until this Disclosure has been received. In no circumstances should anyone commence their employment/assignment before this, and other pre-employment checks are obtained. To ensure the safety of children every attempt should be made to obtain a disclosure before the applicant commences employment, if however, schools do allow an individual to begin work pending receipt of the DBS Disclosure, but this is only if the individual is appropriately supervised and only if all other checks, including barring and if appropriate, prohibition list checks have been done.

Please be aware that the DBS do not class the following examples as volunteers and will charge accordingly:

Students – who as a mandatory part of their course, are required to do a certain number of days on placements in organisations where they come into contact with children or vulnerable adults. The activity whilst unpaid, does aim to benefit them personally through the acquisition of a qualification.

Work Placements/Work Based- the aim of this activity is to benefit themselves personally and not primarily to benefit a third party.

Foster parent/carers – People in these positions receive some form of remuneration, which negates their eligibility for free Disclosures as volunteers. In addition, members of the fostering household do not meet the criteria for volunteers and do not qualify for free Disclosures

The definition of a 'Volunteer as set out in the Police Act 1997 (Criminal Records) Regulations 2002 is:

'Any person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third party other than or in addition to a close relative'

NB For Work Experience schools' pupils – Schools pupils aged 14-16 years and in full time education- key stage 4&5 undertaking a short period of work experience as an education requirement are exempt from paying disclosure fees as they are considered to be voluntary workers, as they are considered to be doing this as part of their education not for personal gain. In this case a DBS check is not required. In these cases, the school placing the pupil should ensure that they are suitable for the placement in question.

Where you wish to process a DBS volunteer application, please ensure that their volunteer status is clearly identified on the application, this will ensure that the DBS can clearly distinguish that the individual is a volunteer and therefore will not apply charges.

Current charges for DBS checks are available from HR. Volunteers are free. There is however an umbrella body administration fee per application for all applications, which includes volunteers.

The DfE guidance Keeping Children Safe in Education provides statutory guidance on the appropriate level of checks.

Further clarification on DBS checking of other types of persons such as contractors are obtained in this guidance, and schools should refer to this.

Schools should obtain an enhanced DBS check (which should include children's barred list information) for all volunteers who are new to working in regulated activity with children, i.e., where they are **unsupervised** and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges.

Employers are not legally permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

Governors in maintained schools are required to have an enhanced DBS check. Governance is not a regulated activity relating to children, so governors

do not need a children's barred list check unless, in addition to their governance duties, they also engage in regulated activity.

Schools should also carry out a section 128 check for school governors, because a person prevented from participating in the management of an independent /academy/free school by a section 128 direction, is also disqualified from being a governor of a maintained school.

All other governors should be asked to sign a declaration confirming their suitability to the role. Refer to the [Keeping children safe in education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/keeping-children-safe-in-education)

DfE guidance states that it is very unlikely that large numbers of school governors will, in the course of undertaking their role, care for, train, supervise or be in sole charge of children. In instances where a governor will be in such a position the clerk to the governing body can request that the individual undergoes a check, and failure to do so will result in disqualification. Similarly in an instance where it has come to light that a governor or candidate has given cause for concern' by his or her behavior he or she can be asked to undergo a check.

9.4 Overseas–DBS

For staff that has come from overseas there is a need to obtain all checks before they commence work. Where a DBS check is required for their role, it is recommended that both a UK DBS is obtained, it could be that an individual may have been studying or indeed been on a working holiday and should there have been any cautions /convictions whilst here then these should come to light. There is also a need to obtain from the country of origin a similar police check. It is the individual's responsibility to obtain from their relevant embassy or government body certificates of good conduct or extracts from criminal records to show prospective employers.

Advice on the DBS website is as follows:

If you are recruiting people from overseas and wish to check their overseas criminal record, a DBS Check may not provide a complete picture of their criminal record which may or may not exist. This is because the DBS cannot currently access criminal records held overseas.

Overseas criminal records may be available to employers or individuals upon direct application to foreign providers of criminal background information.

[Criminal records checks for overseas applicants](#)

The relevant foreign embassy should be contacted to provide further advice on how these may be obtained. Details for embassies in the United Kingdom can be found on the Foreign and Commonwealth website [Foreign Office](#)

For up-to-date information on the cost of an enquiry to a particular country's representative, please see the Foreign and Commonwealth Office website using the link provided above.

It is also important to note if we have a UK National who for example has lived outside of for the UK for a period of time in another country, that we try and obtain from them a copy of a certificate of good conduct to cover this period of absence from the UK. Most UK national's abroad dependant on the country will have needed to register with a countries police force. Again, exploring gaps fully through the Interview process will highlight further questions or probing in this area.

9.5 Barred list (ex-List 99) and prohibition list checks

The barred list is in place to ensure that applicants to the school workforce are appropriately vetted. The fact that an individual is not included on the barred list does not mean that they have been approved as suitable for any particular position.

There are likely to be further changes with regards to checks of those wishing to work with Children or Vulnerable adults with the ongoing development of the Disclosure and Barring service.

Teachers are also subject to a prohibition order check.

9.6 Section 128 Check

A section 128 check ensures that a person is not banned from being involved in the management or governance of a school. All school governors in maintained schools require this check.

This is set out in [Keeping Children Safe in Education \(KCSIE\)](#)

This check is made using the Employer Secure Access sign in portal via the TRA webpage

9.7 Disqualification under the Childcare Act 2006

Schools must have regard to the statutory guidance from the DfE on the application of Disqualification under the Childcare Act 2006

This DfE guidance provides details on relevant staff in relevant sectors. [Disqualification under the Childcare Act 2006 - GOV.UK \(www.gov.uk\)](#)

9.8 Occupational Health

Pre- employment health screening is done via an online questionnaire, which should be completed online by the successful candidate. It is sent directly to our Occupational Health provider who will process this information. They will issue a statement confirming the individual's state of medical health relevant to the post applied for, to the e mail address specified by the school. (NB This information is confidential and must be treated in accordance with the requirements of the Data Protection Act. Access to this information must be appropriately restricted.

9.9 Induction

It is important that the appointee is off to a good start in his or her new job. They need to feel welcomed, to settle in and to gain knowledge related to the school and to their job. To achieve this, Head Teachers need to plan and make appropriate arrangements for their arrival. All relevant [HR Information, Policies and Procedures](#) are accessible in the Schools Leadership web page.

There should be an induction programme for all staff and volunteers, newly appointed in an establishment, including teaching staff, regardless of previous experience. The purpose of induction is to

- Provide training and information about the establishments' policies and procedures.
- Support individuals in a way that is appropriate for the role for which they have been engaged.
- Confirm the conduct expected of staff within the school
- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities; and
- Enable the person's line manager or mentor to recognise any concerns or issues about the person's suitability at the outset and address them immediately.

The content and nature of the induction process will vary according to the role and previous experience of the new member, but as far as safeguarding and promoting the welfare of children is concerned the information should include

- Policies and procedures in relation to safeguarding and promoting welfare, e.g., child protection, anti-bullying, anti-racism, prevent, physical intervention or restraints, intimate care, internet safety and any local child protections and safeguarding procedures.
- Safe practice and the standards of conduct and behaviour expected of staff and pupils in the establishment.
- How and with whom any concerns should be raised; and other relevant personnel procedures e.g., disciplinary, capability and whistle blowing/raising concerns at work

The programme should also include attendance at child protection training appropriate to the person's role.

9.10. Probation

All externally appointed staff under RBWM terms (school support staff) are normally subject to a six-month probation period. Please refer to the [Probationary Period Policy and Form \(support staff\)](#) on the Schools Leadership web page.

Please note that (EQT's) Early Career Teachers are subject to a two-year induction period (or up to 4 years for part timers)

9.11 Fixed Term Contracts

There is a need on occasion for staff to be employed on fixed term contracts; be it that this is led by budgetary uncertainty or indeed cover for a specific period of time, for example maternity leave or if work permit dependant or if an unqualified teacher. If there is a need to use a fixed term contract:

- You must demonstrate, and state on the appointment form, that there are necessary, transparent, and objective reasons for this, as this will be detailed in their contract. **The reasons must be specified.**
- You should make it clear at all stages of the recruitment/application process that the appointment is fixed term and why
- You should pay attention to instances of successive fixed term contracts as the justification for it being fixed term will be called into question where the contract is repeatedly renewed, and the overall duration of the contract becomes substantial.

Following the implementation of the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, fixed term employees must not be treated less favourably than similar permanent employees in respect of their terms and conditions of employment.

Therefore, it is important that Head Teachers ensure that staff on fixed term contracts have the same access to information that other staff have, that is access to training, employment opportunities, policies, and procedures.

Since 10 July 2006, staff that have been engaged on successive fixed-term contracts for four years or more with the same employer will be entitled to permanent employment, unless their employer can objectively justify the renewal or extension of their fixed term status.

Continuous service of over two years offers the employee other protection rights such as the right to not be unfairly dismissed, and therefore, a formal dismissal process needs to be followed to comply with legal requirements.

If an appointment lasts two years or more and the contract is not renewed by reason of redundancy, the employee has a right to a statutory redundancy payment and / or the opportunity to be considered for redeployment opportunities within the school/council as per the policy.

Schools should be aware that where previous continuous Local Government service exists, with either RBWM or any associated body, all recognised service may be used to calculate any redundancy entitlement, not just that of the fixed term period. Therefore, it is recommended that previous service is clarified prior to an offer of employment being made, so that any potential redundancy costs can be identified at an early stage. In addition, anyone over 55 who is in the local government pension scheme will also have access to their pension, with associated costs payable by the school.

Head Teachers should therefore ensure that communication /dialogue with staff employed on fixed term contracts, through their employ. Prior to the end of the contract, HR Operations will contact the school to confirm the end date.

In cases where the reason for termination is redundancy contact the HR Business Partner team for an initial discussion.

Any copy correspondence should be sent to HR to be retained on the individuals' file.

10. Salary Information

10.1 Salary

Schools have the freedom to determine the starting salaries of new appointments in accordance with their Pay Policy.

10.2 QTS

HR will check and confirm that the individual has QTS status, that there is no disciplinary action recorded with the Teaching Regulation Agency and (where relevant) they have completed their induction.

10.3 Unqualified Teachers

Anyone paid as an Unqualified Teacher, must be on a fixed term contract, pending either completion of their relevant training programme, verification of QTS or the availability of a Qualified Teacher.

Schools will set out their Unqualified Teachers pay scale in their pay policy. If a teacher is overseas trained then they can only be on the unqualified scale for 4 academic years and not indefinitely, they need however to apply for QTS in the UK.

10.4 Terms and conditions for Teaching Staff:

Post	FT Hours	Paid Weeks	Notice Periods	Working hours
Teachers	32.5	52.143	2 months in the Autumn/Spring terms and 3 months in the summer term (see notes below)	Available to work 1265 hours of the year over 195 days.
Head Teacher	No specified hours	No contracted weeks	3 months in the Autumn/Spring terms and 4 months in the summer term (see notes below)	
Deputy/Assistant Head Teacher	32.5	52.143	2 months in the Autumn/Spring terms and 3 months in the summer term (see notes below)	

Headteachers/Deputy Headteacher/Assistant Headteachers: work the hours that are reasonably required for the efficient discharge of their post.

10.5 Terms and conditions of School Support Staff

RBWM pay scales

Scale 2-6 incremental

MG8 & MG7 incremental

MG6 – MG1+ (Spot salaries)

MG6 and above do not have SCP (Spinal Column Points) through which there is progression each year. Progression within the grades Scale 2 - MG7 will occur automatically unless there is an issue relating to capability/performance. These grades are subject to an annual national pay review in April. In Grades MG6 and above there is a predetermined salary range for these grades however individuals are placed on what is described as a spot salary. These grades are subject to an annual national pay review in April. (Amended by Employment Panel 15 December 2014)

Further details are located in the [School Pay Policy](#) located on the Schools Leadership web page.

Contracts

Schools support staff generally operate on term time only contracts. Term time only (TTO) contracts are 44.3 paid weeks. These are generally school support staff who work 38 weeks per year but get paid additional weeks (i.e., 6.1 weeks) to ensure that they are paid inclusive of their holiday entitlement (no annual leave may be taken during term time).

Where staff are contracted to work more or less weeks then the appropriate paid weeks will be calculated. There may be occasions when you need to calculate paid weeks yourself. The formula for doing this is as follows: *An example calculation is in brackets.*

Formula

- Holiday entitlement + bank holidays = (37) Divided by 5 = (7.4)
- Weeks per year (52.143) – weeks holiday (7.4)
- Physical/actual weeks worked (44.743)
- Weeks contracted to work (38) divided by actual week's (44.743)
- Fraction of time worked (0.8493)
- Fraction of time worked (0.8493) x weeks holiday (7.4) = holiday calculation (6.3)
- Holiday calculation 6.3 + Weeks contracted to work (38) = Total paid weeks 44.3

Notice Periods

These are dependent on Grade.

- RBWM Scale 2 to 6 - 1 month
- RBWM MG8 & MG7 - 2 months
- RBWM MG6 – MG4 - 2 months

See table at 10.3 for teachers

Site Controllers /Caretakers

Where a school employs residential Caretaker/Site controllers HR will liaise with legal services prior to the appointment of a member of staff, regarding a tenancy agreement. This should be signed prior to occupation, please contact HR for advice. If regular overtime is required, this should form part of the terms and employment and would therefore be contractual.

10.5 Supply Teachers

Schools appoint their own supply teachers and should follow pre-recruitment checks in the same way as other staff in schools.

The following link includes reference to other relevant documents, references to additional applicable documents e.g., policies that clarify any legislation cited, related processes and guidance notes.

[Human Resources | Leadership Update and Schools Bulletin \(leadershipupdate-rbwm.co.uk\)](http://leadershipupdate-rbwm.co.uk)

Principles

RBWM reserves the right to revise this policy or any of its components. Employees should review these terms periodically for any updates or changes.

Affiliated Document (The document can be accessed on the RBWM intranet.)

Document History

Version	Date	Contributor	Approver
V7.3.1	16.09.25	HR Business Partners /Recruitment	Business Partners/Recruitment

Appendix

Appendix A

Recruitment Schedule

As soon as authorisation to recruit is given:

- Construct your advert and submit the advert text with all relevant information, e.g., salary, person spec, interview dates, cost centre code etc and send it with the draft advertisement and Job Accountabilities to the Advertising Agency. ah@ambleglow.co.uk
- Agency send back proof to check along with costs, which needs to be approved by the Head Teacher.
- If utilising the services of Ambleglow then the Advert appears on the Borough's website and in media specified by the Head Teacher with a closing date of two (or three) weeks. If additional media is used, e.g., national publications, the deadline may be two or more weeks in advance of the actual publication, so more allowances should be made in terms of time.
- Application requests are made direct to the named contact at the school.
- The vacancy closes. (Candidates may deliver late applications to the school however it is a matter for the short-listing panel to decide whether it will consider them or not).
- Applications are checked, listed, and sent to the Head Teacher.
- A short-list meeting takes place with the short-listing panel and arrangements are made to set up Interviews.
- Invitations to interview are sent out.
- Confirmation of attendance should be advised to members of the Interview Panel at least 48 hours prior to interviews, along with copies of applications and any references received (if appropriate) and any other information required – see section 7.6.
- Interviews are held. Decision to appoint made, pre-employment checks carried out and confirmed. HR/Payroll notified.

Appendix B

Employment Legislation

Equality and Diversity in employment

Equalities legislation places duties on employers to ensure equality in the workplace throughout all their activities. In addition to the 1970's legalisation outlawing discrimination on the grounds of gender or race, the European Union's Council directive (200/78/EC) established a general framework for equal treatment in employment and occupation by covering discrimination against people on the grounds of age, disability, sexual orientation, religion, or belief. In respect of gender, race, and disability public authorities have to demonstrate how this is achieved through an equality scheme. Additionally, there are specific duties regarding employment.

The Equality Act 2010

The Equality Act 2010 consolidates most of the previous discrimination legislation and came into effect on 1 October 2010. The Act provides that there are nine areas of discrimination, **which** are now referred to as protected characteristics. They are age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy, and maternity. The Equality Act ensures consistency in what employers and employees need to do to make their workplaces a fair environment and comply with the law.

Types of discrimination:

Discrimination by association

This has been extended to also cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Discrimination by perception

This has been extended to also cover disability, religion/belief, and sexual orientation. This is discrimination against an individual because others think they possess a protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

This has been extended to also cover disability and gender reassignment. This occurs when a company has a rule, policy or practice which applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it is a “proportionate means of achieving a legitimate aim.”

Harassment

The definition has changed. The new definition is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.”

Sexual Harassment

Sexual harassment is unwanted behaviour of a sexual nature. The law (Equality Act 2010) protects employees and workers, contractors and self-employed people hired to personally do the work, and job applicants against sexual harassment.

To be sexual harassment, the unwanted behaviour must have either violated someone’s dignity or created an intimidating, hostile, degrading, humiliating or offensive environment for someone.

It can be sexual harassment if the behaviour has one of these effects even if it was not intended and/or intended to have one of these effects even if it did not have that effect.

Third Party Harassment

This has been extended. The employer can potentially be liable for harassment of employees by people (third parties) who are not employees of the Borough, e.g., residents.

Liability arises when harassment has occurred on at least two previous occasions, the employer is aware that it has taken place and has not taken reasonable steps to prevent it from happening again.

Victimisation

The definition has changed. Victimisation occurs when someone is treated less favourably/badly because they have made a complaint or raised a grievance under the Equality Act. There is no longer a need to compare treatment of an alleged victim with that of a person who has not made a complaint under the Act.

Other recruitment related legislation:

Rehabilitation of Offenders Act (1974)

An ex-offender, after a period of rehabilitation, has no need to disclose a previous conviction. Once a conviction becomes "spent" (time-expired), the employer should not take the conviction into account. There are certain jobs, however, that require applicants to disclose their convictions even if they would otherwise be considered "spent" e.g., where the potential employee will have access to vulnerable members of the community (such as the young, elderly and those with disabilities and specified roles)

The current rehabilitation periods can be found on the Gov.uk website

Asylum and Immigration Act (1996) (As amended) Immigration, Asylum and Nationality Act (2006)

The Act obliges employers to ensure that they do not employ anyone who is not legally entitled to work in the UK. As part of the recruitment process, all new employees must produce the appropriate documentation to comply with this legislation.

Data Protection Act 2018

The Act requires all staff involved in recruitment and selection to have regard for confidential storage and handling of information relating to job applications. In summary, all employees who handle or process job applications must:

- not reveal their contents or matters relating to their applications to unauthorised personnel.
- keep information securely stored (in locked cabinets in manual form or on password-protected electronic databases, spreadsheets, or word-processed documents, where access is limited to those authorised to have access to the information.)

Appendix C

Safeguarding Questions – Examples

Safeguarding Questions -The ability to protect and provide individual care for children and/or vulnerable adults.

LEVEL	QUESTIONS
Level 1	a. What have you done to demonstrate your understanding of safeguarding principles? b. What do you see as the positives and negatives of working with children/vulnerable adults? c. Tell me about a time when you sought help when you were concerned about a situation involving a child/vulnerable adult? Why? Who? d. What have you done to follow safeguarding procedures/policies?
Level 2	a. Tell me about a recent concern that you had about a child/vulnerable adult? What did you do? b. What have you done to demonstrate your understanding of safeguarding principles? c. Who have you spoken to in order to get advice on a safeguarding issue? d. What have you done to retain a balanced viewpoint on a sensitive issue?
Level 3	a. What have you done to improve safeguarding in your role? b. Tell me about a difficult situation involving a child/vulnerable adult? What did you do? c. What have you done to keep your knowledge of safeguarding developments up to date?
Level4	a. What have you done to help others manage their own stress levels during a safeguarding investigation? b. What have you done to improve safeguarding in your service area? c. What safeguarding initiatives have other organisations adopted from you/your actions?

Competency Interview Questions to Address Suitable Behaviours for Teaching, including Safeguarding Children & Young People

Positive Indicators	Personal Competencies	Negative Indicators
• Convincing responses based on balanced understanding of self & circumstance. • Has, a realistic knowledge of personal strengths & weaknesses. • Examples of having considered / tried other options & alternatives. • A realistic appreciation of the challenges involved in working with children. • Evidence of others having supported and encouraged based on observation of personal talent.	1. Motivation for working with children. <i>Self-awareness / knowledge & understanding of self, interconnection between self & professional role.</i> <i>Example Questions:</i> • What do you feel are the main drivers, which led you to want to work with children? • How do you motivate young people? • What has working with young people to date, taught you about yourself?	• Unconvincing responses based on whimsical examples. • Not self-aware, don't see themselves as others do. • Driven by personal needs, not needs of others. • Not realistic about personal strengths & weaknesses. • Unrealistic impression of what working with children is really like. • Failure to consider other alternatives. • Pushed by others, forced by circumstance to do something they don't appear to have personally thought through.

Staff Recruitment and selection code of practice for Schools

• Behaves consistently & appropriately under pressure or in a position of authority. • Has control over emotions with adults & with children. • Understands position power & how to manage boundaries. • Knows when & how to seek help in difficult circumstances.	2. Emotional Maturity & Resilience <i>Consistency under pressure, ability to use authority & respond appropriately, ability to seek assistance / support where necessary.</i> <i>Example Questions:</i> • Tell me about a time when you have been working with children when your authority was seriously challenged. How did you react? What strategies did you employ to bring things back on course? How comfortable were you in this situation? • Tell me about a person you have had particular difficulty dealing with. What made it difficult? How did you manage the situation?	• Inappropriate responses when under pressure or when in a position of power. • Inconsistent responses. • Handles conflict badly. • Fails to control temper / emotions with children & / or with adults. • Doesn't seek help when needed. • Fails to go to others for advice.
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Staff Recruitment and selection code of practice for Schools

• Demonstrates a balanced understanding of rights and wrongs. • Puts the child first. • Alive to the realities of abuse. • Prepared to believe. • Shows a contemplative approach, drawing on personal experiences & lessons from others. • Builds values & judgements based on new information. • Shows an appreciation of Safeguarding issues & an ability to contribute towards a protective environment. • Shows respect for others' feelings, views & circumstances.	3. Values & Ethics <i>Ability to build & sustain professional standards & relationships, ability to understand & respect other people's opinions, ability to contribute towards creating a safe & protective environment.</i> <i>Example Questions:</i> • What are your attitudes to child protection? How have these developed over time? • What are your feelings about children who make allegations against teachers or staff? • How do you feel when someone holds an opinion, which differed to your own? How do you behave in this situation? • Have you ever had concerns about a colleague? How did you deal with this?	• Extreme opinions which don't account for the views / feelings of others. • Doesn't show balance in opinion. • Doesn't build on new information or understanding. • Opinions harden / become dogged. • Doesn't show a full or rounded appreciation of Safeguarding issues. • Dismissive of or underplays the risks. • Consistently puts the blame & responsibility for child protection elsewhere. • Fails to believe in suspicions / reports of abuse.
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Staff Recruitment and selection code of practice for Schools

• Proactive & has personally taken actions to improve Safeguarding culture. • Has personal experience of having appropriately dealt with a challenging Safeguarding issue. • Personally committed towards making improvements. Sees it as part of their job. • Prepared to challenge others in the workplace to make tangible improvements to Safeguarding. • Prepared to tackle difficult issues, confront individuals, if necessary, in order to promote best practice. • Shows a good understanding of the issues. Up to date with events & legislation. Knows about test cases.	4. Safeguarding Knowledge & Understanding <i>Example Questions (pick one or two – NOT ALL):</i> • Tell us about what you have done in the last 12 months to actually improve child protection in the workplace. How did this action rise? ⇒ Follow up with: Whom did you talk to? What were the results? • What is the Safeguarding policy in your workplace? ⇒ Follow up with: How is it monitored? What steps have you taken to improve things? • Give me an example of when you have had Safeguarding concerns about a child. ⇒ Follow up with: What did you do? Who did you involve? What was the outcome? • Tell us about a situation which you felt fell short of Safeguarding standards. ⇒ Follow up with: How did it arise? Who did you speak to? What actions did you take? • Have you ever had to challenge the views of someone more senior than yourself in relation to Safeguarding concerns? ⇒ Follow up with: What were the circumstances? How did you go about it? What was the outcome?	• No evidence of having taken steps in own right to make improvements. • Passive approach to Safeguarding issues. • Reluctance to challenge people / systems / processes to make things better. • No real experience of handling Safeguarding issues. Naïve approach. • Sees it as someone else's job and / or responsibility. • Not well versed or clear in understanding of the issues / sensitivities. • Intolerant of the bureaucracy around Safeguarding. • Show a tendency to take inappropriate chances / risks in area of Safeguarding.
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