

Sefton Council



We are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment

Safer Recruitment & Selection Guidelines within Schools

September

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Produced by the Personnel: Schools Team (Version 7.1)

www.sefton.gov.uk

ADOPTED BY ST LUKE'S CE PRIMARY SCHOOL AT THE FULL GOVERNIG BODY MEETING, NOVEMBER 2022

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SEFTON METROPOLITAN BOROUGH COUNCIL – SCHOOLS' SAFER RECRUITMENT AND SELECTION GUIDELINES WITHIN SCHOOLS

A **INTRODUCTION**

A1 RECRUITMENT AND SELECTION POLICY STATEMENT

Sefton Council's and St Luke's CE Primary School is committed to safeguarding and promoting the welfare of children and young people and will recruit and select all employees in an safe, equitable, effective and efficient manner to employ the best person for the job and ensure that high service standards are maintained and the safety and welfare of children and young people is paramount and expects all staff and volunteers to share this commitment.

These guidelines set out the practices and procedures that must be followed in order to enable the Sefton Council's School policy to be achieved.

The guidelines are directed at **all** those who are involved in the recruitment and selection process **at every stage**.

It is essential that the guidelines are fully understood and adhered to both in "word and spirit". Training is available through Governors Services.

A2 THE IMPORTANCE OF RECRUITMENT & SELECTION

People are School's greatest asset.

The recruitment of staff is a major investment for school. Mistakes are costly, not just in financial terms but also in terms of the Safety and Welfare of Children and Young People, staff morale, productivity and turnover.

The importance of the Recruitment and Selection procedure cannot therefore be stressed enough. As a School, it is vital that the safety and welfare of children and young people is overriding and that we put in place and follow a strict policy and procedure that will deter, reject or identify people who may abuse children or young people, or who are otherwise unsuited to working with children and young people.

In the process of recruiting staff you will also be committing the School to many thousands of pounds in expenditure for advertising, interviewing, administering tests/assessment centres, staff time, training and pay.

It is therefore vital that you carry out the process with due consideration to the whole of these guidelines.

These guidelines will help you to recruit the right person for the job in the correct way.

Adherence to them will ensure that:

- every effort is made to deter, reject or identify people who may abuse children or young people, or who are otherwise unsuited to working with children and young people.
- recruitment decisions are made in a fair and equitable manner based on open and relevant objective criteria
- the most suitable person for the job is appointed and, therefore, high standards of service are maintained
- applicants are not unfairly discriminated against (further information in section B)
- St Luke's CE Primary School can demonstrate that it is a good and credible employer that deserves the confidence of the public
- allegations of unfair treatment can be successfully resisted

There is a commitment to keep this policy and the guidelines under review - changes will be made to reflect developments in good practice and in the law or if the guidelines are found to be in need of refinement in the light of operating experience.

A3 ROLES AND RESPONSIBILITIES

Whatever part of the recruitment process you may be involved in, it is important that you have an understanding of the whole process, so you know how your role fits into the bigger picture.

There are very serious issues around confidentiality and simple privacy, as well as legal requirements such as the Data Protection Act 2018 that must be observed in relation to the recruitment process. A professional and thorough approach is always required.

If you are to be on a selection panel you have an obligation to ensure you understand the full extent of your involvement from the beginning of the process through to the end. This includes making sure information is provided on short listed and appointed candidates for monitoring purposes.

At least one person on the selection panel **must** have undertaken successful Safer Recruitment, Recruitment and Selection training. (*School staffing England Regulations 2009*)

Advice and guidance is available from the Personnel; Schools Team and through various other sources. Contact details can be found in **Appendix 1**.

A4 MONITORING

There is a legal requirement placed on all Authorities to monitor equalities information, this includes recruitment and selection. In addition to its legal obligations, School, takes the

view that effective monitoring is essential in ensuring that the School's Equalities Policies are being adhered to.

Monitoring forms are issued to all applicants applying for vacancies within the Authority (tear off slip attached to application form). Statistics are then compiled to monitor the stages within the recruitment process for each and every job. This information is reported to Governing Body on a regular basis and helps to inform future recruitment policy decisions.

A5 FREEDOM OF INFORMATION

The Freedom of Information Act allows candidates access to all information relied upon in the decision making process where requested. Thorough notes must be kept of all decisions in order to ensure that information is available if requested and that any issues can be resolved.

B. EQUALITIES IN RECRUITMENT AND SELECTION

B1 BRIEF GUIDE TO EQUALITY ISSUES

The School and Sefton Council is committed to providing equality of opportunity to job applicants and those who use its services and it is the duty of every employee to avoid and eliminate discrimination.

The Council's Equality Policy is endorsed by our school. This states:

Sefton Council will recruit and select all employees in an equitable, effective and efficient manner to employ the best person for the job and ensure that high service standards are maintained.

It is important that those who are involved in the recruitment and selection process have an understanding of the law relating to equal opportunities and the potential for discrimination if a systematic and objective approach is not applied.

Unlawful discrimination can arise in a number of ways, some of which are not necessarily obvious. It is important to appreciate the distinction between direct and indirect discrimination:

Direct Discrimination Treating a person unfavourably because of, for example, their race or sex whilst disregarding their ability to do the job, e.g. not appointing a woman because she is married or not appointing an individual because of their religion.

Indirect Discrimination This occurs when a requirement or condition is applied to everyone, but which, whether intentionally or not, adversely affects women, men, a particular racial or other group, considerably more than others AND cannot be justified.

For example, insisting without good reason that applicants must be over six feet tall would advantage male candidates as generally the condition could be met by significantly fewer women than men. Another example is to add a requirement for a driving licence when it is not strictly necessary as it may discriminate against people with certain disabilities.

B2 LEGISLATION

The following provides a summary of the current law relating to discrimination:

The Equality Act 2010

The Equality Act 2010 is the law which bans unfair treatment and helps achieve equal opportunities in the workplace and in wider society.

The act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

The act prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).

The Equality Act replaces previous anti-discriminatory law including the Race Relations Act 1976, the Sex Discrimination Act 1975, and the Disability Discrimination Act 1995. In total there are nine pieces of primary legislation and over 100 pieces of secondary legislation being incorporated.

Rehabilitation of Offenders Act 1974

The Act states that certain convictions become "spent" after a specified period of time. Those with spent convictions are not required to disclose the conviction on application forms if asked to do so, as any failure to disclose a "spent" conviction is not a lawful reason for dismissing or excluding a person from employment. The Home Office has issued [updated guidance](#) . **There are, however, occupational exemptions from this – please see Section B3.**

Human Rights Act 1998

Local Authorities are legally required to consider the impact of people's human rights when setting policies and making decisions.

Immigration, Asylum and Nationality Act 2006

Comprehensive guidance has been published by the Home Office for employers to prevent illegal working in the UK. Advice is available via the following link: [Checking a job applicant's right to work - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/checking-a-job-applicant-s-right-to-work) and at Appendix 12

Childcare Act 2006, Childcare (Disqualification) Regulations 2009.

This sets out the circumstances in which an individual will be disqualified for the purposes of section 75 of the Act. Section 76(2) of the 2006 Act, provides that a person who is disqualified under the 2009 Regulations may not provide relevant childcare provision or be directly concerned in the management of such provision. Under section 76(3) schools are prohibited from employing a disqualified person in connection with relevant childcare provision in specified settings. Further advice is available at the following link [Disqualification under the Childcare Act 2006 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/disqualification-under-the-childcare-act-2006)

B3 EXCLUSIONS FROM DISCRIMINATION LEGISLATION

Genuine Occupational Qualification (GOQ) / Genuine Occupational Requirement (GOR)

Discrimination in the recruitment process is unlawful **EXCEPT** in certain specific circumstances.

These circumstances are described in the:-

Equality Act 2010 (Schedule 9, Part 1)
(other legislation may also be applicable as employment law is revised and amended)

The exemptions allow employers to restrict applications for employment to one group where the job involves providing persons of that particular group with, for example, personal services promoting their welfare, and where those services can most effectively be provided by a person of the same group (e.g. a female care assistant dealing with a woman's physical needs).

Further detailed information can be found in the Equality Section of the ACAS [website Acas | Making working life better for everyone in Britain](https://www.acas.org.uk/) It is advisable to quote the relevant sections of the Acts in advertisements for such posts. **The Schools Team must be consulted before including any statement to this effect in a job advertisement.**

Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 was introduced to ensure that ex-offenders who have not re-offended for a period of time since the date of their conviction are not discriminated against when applying for jobs. The Act makes it illegal for any organisation to discriminate against an ex offender on the grounds of a spent conviction. The Act states that after a period of time certain offences can be classified as spent, which means that the person concerned is no longer legally required to disclose to prospective employers the detail of that conviction. The Home Office has issued updated guidance.

However, in order to protect vulnerable groups within society, there are a number of positions and professions which are 'exempted' from the Rehabilitation of Offenders Act which are relevant to local government employment – this includes volunteers. These are

set out in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975 No 10230), as amended by the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Orders 1986 (SI 1986 No 1249 and SI 1986 No 2268), as amended by the Rehabilitations of Offenders Act 1974 (exceptions Order 1975 (Amendment) (England and Wales) Order 2013 (SI 2013 No. 1198)

All posts in schools are exempt from the Rehabilitation of Offenders Act and therefore school is legally entitled to ask applicants for details of all convictions, cautions or reprimands, warnings or bind-overs irrespective of whether they are deemed 'spent' under the act. With the exception of conditional convictions or cautions.

On 29th May 2013, amendments were made to the Exceptions Order so that certain old and minor cautions and spent convictions are 'protected' and are not subject to disclosure under the Exemptions Order, nor will they appear on a standard or enhanced disclosure certificate used by the Disclosure and Barring Service (DBS). In addition employers will not be able to take these protected cautions and convictions into account when making decisions about any individual.

Full guidance on the Authority's policy and the handling of disclosures is included at **Appendix 2**.

All job descriptions for posts within school must include a statement that they are exempt from the Act under the Special Conditions heading.

In addition to the above exemptions, applications for posts within the Council that require access to Government assets require clearance in line with the Baseline Personnel Security Standard (BPSS). The BPSS is the minimum standard to ensure the identity and integrity of an employee who has access to official information. It involves four main elements; Identity check, Nationality and Immigration status, Employment history (past 3 years) and Verification of Criminal Record (unspent convictions only).

B4 OTHER LEGISLATION GOVERNING THIS POLICY

Safeguarding Vulnerable groups Act 2006.

This act defines the type of work that is categorised as regulated activity. The Act makes it unlawful for anyone barred from working with in regulated activity, to apply or take up a position. It also makes it unlawful for an employer to employ an individual who is barred.

School Staffing (England) Regulations 2009

The school Staffing Regulations 2009 makes it a mandatory requirement that at least one member of the recruitment panel should have successfully undertaken Safer Recruitment Training.

The Education (Health Standards) (England) Regulations 2003

The Education (Health Standards) (England) Regulations 2003 state that it is a statutory responsibility that employers satisfy themselves that individuals have the appropriate level of fitness before any appointment is confirmed.

Intended School Staffing (England) (Amendment) (No. 2) Regulations 2006

The Intended School Staffing (England) (Amendment) (No. 2) Regulations 2006 state that is a mandatory requirement for Enhanced Disclosure and Barring Service Check to be obtained on all newly appointed staff and that additional checks as deemed appropriate are to be made for those living outside the United Kingdom.

Education Act 2002 S.157 and S.175

The Education Act 2002, S.157 and S.175 state that schools have a duty to ensure that all activities/regulations conducted in schools are exercised with a view to safeguarding and promoting the welfare of children.

The Education (Specified Work and Registration) (England) Regulations 2003 (SI 2003/1663) and the Education (Specified Work and Registration) (England) (Amendment) Regulations 2007 (SI 2007/2117)

The Education (Specified Work and Registration) (England) Regulations 2003 (SI 2003/1663) and the Education (Specified Work and Registration) (England) (Amendment) Regulations 2007 (SI 2007/2117) set out the conditions under which overseas trained teachers are allowed to carry out specified work (i.e. teach) in state maintained and non-maintained special schools in England

B5 TRANSLATION, INTERPRETATION & ACCESS TO INFORMATION

Members of Sefton's communities use the services of the school and therefore do need access to information. Effective communication is vital in breaking down barriers that prevent service users from accessing our services. This applies equally to the recruitment and selection process as job packs and application forms may be requested in alternative formats.

Formats will depend upon an individual's needs, personal preferences and access to technology and may include large print, audio tape, email, Braille, floppy disc or CD. Alternative format applications should ask for the same information as standard format applications. No application should ask for unnecessary information that could put an individual at a disadvantage. For example, questions about health conditions, unless these are very specifically relevant to the job, as identified in the person specification.

Sefton Council guidelines have been produced so that all staff are aware of our legal responsibilities and the mechanisms in place for responding to requests for information in formats other than that most frequently used. The Interpretation and Translation Guidelines are held in the document library on the Sefton Council Intranet or can be obtained by contacting Sefton Equalities Partnership. They offer some practical help in dealing with the issue of translation, interpretation and access to information.

C BEFORE RECRUITING

C1 DECISION TO FILL A VACANCY

When a vacancy arises it should not be an automatic assumption that the post will be advertised, or filled in the same way as it was previously. Consideration must be given to whether or not the job still needs to be done, or if the work can be allocated elsewhere.

Authorisation to progress with the vacancy must therefore be obtained from the Schools Staffing Committee.

If the vacancy is to be filled then some time spent on examining the key features of the vacancy will reap long-term benefits if carried out correctly. It is recommended that you carry out a job analysis as the next step in your process.

Another consideration will be to look at the nature of the work associated with the vacancy and it may be considered appropriate to fill it on a temporary/fixed term/casual basis to which specific provisions apply.

Guidance on non-permanent contracts of employment can be obtained by contacting the Schools Team.

C2 JOB ANALYSIS

A careful analysis of the duties and responsibilities of the post must be carried out in order to ensure that they remain relevant. In the case of new posts, such an examination will have been conducted in determining the need for the job.

Job analysis is the process of conducting a detailed examination of the context of the job and the tasks and responsibilities that should properly be associated with it.

A thorough job analysis will enable the production of an accurate job description and person specification.

The job analysis must be undertaken by people with a thorough knowledge of the work area and may involve the current post holder or another employee in a similar position. Assistance is available from the Personnel: Schools Team.

In conducting a job analysis, typical considerations are:

- Does the vacancy need to be filled?
- Is the designation correct?
- Is the grading still appropriate?
- Have the duties/responsibilities changed/increased/decreased?
- Has the relationship with other posts changed?
- Does the post have a high turnover? If so, why? Was anything identified in exit interviews?
- Does the job description or person specification in any way discriminate against any group as detailed in the School's Equality Policy (B1)?
- Can the job be offered on a job share basis?
- Is the post exempted from the Rehabilitation of Offenders Act?
- Does it require 'Political Restriction' (see the Personnel Procedures Handbook available on Sefton Councils Intranet)
- Is it subject to HMG Baseline Personnel Security Standard Check.

(As of April 2007, all National Joint Council (NJC) terms and conditions (Green Book) posts will need to be evaluated by the job evaluation team to determine grade)

Any Post under NJC terms and conditions that have not undergone the Job Evaluation process must do so before advertising, along with any posts where any alterations as above have been made.

A JA1 form must be completed as part of the analysis to assess the demands that may be placed on individuals. The form identifies any areas which require risk assessment to comply with health and safety legislation and allows prospective candidates to decide their own suitability for the post before applying for it. A JA2 form should be completed if any of the risks identified are significant i.e. rated at level 3 or above.

The JA forms can be found at **Appendix 3** and further information can be obtained from the Occupational Health Unit on 0151 934 3650.

PREPARING THE JOB DESCRIPTION AND PERSON SPECIFICATION

C3 JOB DESCRIPTION

Following the job analysis the existing job description must be confirmed, amended or rewritten, as appropriate.

Substantially revised job descriptions must only be issued with the approval of the Headteacher/Schools Staffing Committee and following consultation with the appropriate member of the Schools Team. Where substantial changes are proposed there may be implications for the grading of the post. Where there are grading implications, approval will be necessary.

With effect from April 2007, grading of posts under NJC terms and conditions will be carried out under the Job Evaluation Scheme. At this point all adjustments to grade must be referred to the Job Evaluation Team in the Central Personnel Department for re-evaluation.

A good job description is useful for drawing up the person specification, helping to identify the skills profile and aptitudes considered essential and desirable. It forms the basis of induction and training plans and provides a benchmark for judging achievements. It also enables prospective applicants to assess themselves for the job.

The format to be used when preparing a job description can be found at **Appendix 4**.

Job descriptions **must** include the safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children and must include the following statement:

'We are committed to promoting the safeguarding and welfare of children and Young People and expect all staff and volunteers to share this commitment'.

C4 PERSON SPECIFICATION

A person specification must be available for each post in the school and it must be completed at the time the job description is prepared or reviewed and before the job is advertised. It is recommended that all selection panel members are involved in the preparation of the person specification to ensure they agree the criteria against which candidates are to be assessed (E1).

The purpose of having a person specification is that it complements the job description and describes the skills, abilities, experience, attitudes and behaviours required for the post.

It specifies the requirements which are **essential** i.e. the minimum standard required on appointment to the post without which the person would be unable to do the job, and those which are **desirable** i.e. could be obtained by training/experience but would be available in an "ideal" candidate.

The person specification should make it clear that the ability to contribute to safeguarding and promoting welfare is an essential attribute.

Any requirement that is included on the person specification must be capable of being assessed and an indication must be given of the stage at which it will be assessed, and the method of assessment to be used e.g. application form/interview/presentation/test.

Extreme care must be taken when deciding what attributes are essential to the job.

Unnecessary requirements must not be used to avoid any possibility of discrimination against particular groups of potential applicants, for example the requirement to possess a driving licence is likely to preclude some disabled people. **Attributes that cannot be wholly justified must not be included.**

All the required personal attributes must be stated clearly and concisely and **not** phrased in general or vague terms capable of misinterpretation.

Suitable wording should be used to reflect the skills and competencies required and words such as 'literate', 'numerate' and 'relevant experience' should be used with an indication as to what extent.

'Blanket' requirements such as reference to holding three GCSE's, must not be used. In some cases holding a GCSE qualification (or equivalent) will be relevant as evidence that an applicant has the knowledge or skill required to fulfil certain duties of a post. However, equally, where an applicant does not have a GCSE qualification but can show relevant experience, they may justify consideration.

Requirements such as "four years experience" must not be used, as they could be deemed as discriminatory towards younger workers. The type of experience required must be spelt out so that the candidates can determine exactly what is required of them.

Terms such as 'an appropriate recognised qualification'; 'substantial relevant experience' or 'experience in an office environment' must not be used. Such statements are vague and imply uncertainty about the skills/knowledge/experience required to do the job.

It must be emphasised, however, that this requirement does not impact on the stipulation of relevant professional qualifications as essential requirements of the posts. For example, professional posts such as Teacher etc will still carry their respective professional qualifications as essential criteria. The important factor is that the qualifications are relevant to the requirements of the post.

It may be helpful to rank or weight the desirable criteria to assist in the shortlisting process.

Applicants have to demonstrate that they have the appropriate experience, skills, competencies and knowledge relevant for the job, and that they meet the criteria. Positive consideration should be given to all applicants who can demonstrate that they meet the criteria.

The person specification is also important in relation to assessing training needs and in dealing with matters of performance and competence.

Under no circumstances is the person specification to be completed or revised after the Selection Panel has had access to applications.

Help in preparing person specifications may be obtained from the Schools Team.

The format for person specifications can be found in **Appendix 5**.

All Person Specifications must have the following essential criteria:

1. Ability to Contribute to Safeguarding and Promoting the Welfare of Children and Young People.
2. Committed to safeguarding and promoting the welfare of children and young people.
3. Satisfactory Enhanced Disclosure and Barring Services Check (DBS) including barred list check

C5 CONSIDERATIONS BEFORE ADVERTISING

The recruitment of staff must always follow a fair and equitable process.

Once approval has been given to fill the post, but before going to the advertising stage, there are other considerations that should be looked into which may result in the post being successfully filled.

At any one point in time, the School will have several recruitment initiatives in place:-

Recruitment during Secondments and Acting up Arrangements

Where a vacancy is open to secondments/acting up arrangements, all employees within the appropriate schools must be informed of the opportunity. If there is more than one employee interested in the opportunity then a selection process must be followed including the completion of application forms and an interview process.

If the opportunity becomes permanent then the individual may be confirmed in the role. If the employee is not suitable for the role or does not wish to take up the role on a permanent basis then the job should be advertised in the usual manner. Further guidance is available from your Schools Team.

Recruitment during Establishment Reviews

Vacancies may arise as part of an establishment review. In these cases vacancies should not be advertised outside of the area until the review is complete and current post holders are redeployed where possible. Further guidance is available from the Schools Team.

Non Permanent Appointments

The use of non-permanent appointments should be kept to a minimum and, wherever possible, be of a 'fixed term' type. The policy on the 'Appointment of Non Permanent Employees' is available on Sefton Council's Intranet in the Personnel Procedures Handbook.

Agency Staff

The use of agency staff should be avoided where possible, as the costs associated with agency staff are high. Agency staff should only be used where a vacancy is likely to be short term and can be covered with minimal training. Please contact the Schools Team for further information.

Schools looking to use teaching agency staff are advised to contact the Sefton Supply Team in the first instance.

Job Sharing

The Job Sharing Scheme is available to all employees and all posts will be open to an application for job sharing though some restrictions will exist.

The full policy and guidance notes on the practicalities of job sharing is available on Sefton Council's Intranet in the Handbook of Personnel Procedures, and a positive attitude to facilitating and using such arrangements is encouraged.

Employees on Maternity Leave or Long Term Absence

Employees away from school should be given access to the same opportunities as those at work. It is recommended that Headteachers/Governors liaise with employees whilst they are away from the office to ensure that they have access to school vacancies/advertisements.

D ADVERTS & APPLICATION PACKS

Recruitment solely by word of mouth is strictly prohibited, as it does not allow for selection to occur in a fair and equitable manner. Failure to advertise a role could lead to accusations of favouritism and, in the worst case, a tribunal claim for discrimination.

D1 ADVERTISING

The advertisement for the vacancy is a public statement and a visual representation of the School and Authority designed to attract suitable applicants to the post in the most cost-effective way.

Advertisements may be placed on Sefton Council's website www.sefton.gov.uk. An 'advert template document' (Appendix 6) must be completed and sent to becruiter@sefton.gov.uk no later than 12.30 on Tuesday of each week to be placed on the internet no later than Thursday of the same week.

Advertisements sent to becruiter@sefton.gov.uk must be proofed and fit for purpose when received by the team, as it will simply be placed in the format it is received. It is vital that the advert is correct as it forms part of the employment contract.

Adverts to appear in the external media (e.g. Times Educational Supplement) should be forwarded to corporate.advertising@sefton.gov.uk by the Tuesday the week before the advert is required to appear in external media. Upon receipt of a request, Corporate Advertising will produce a draft and summary of costs to be incurred. The recruiting manager will be asked to check the draft and confirm acceptance of costs before an order is placed on the IPROC system using the appropriate budgeting code.

Text should be clear and unambiguous. Short sentences and paragraphs should be used ensuring the advertisement is not discriminatory, offensive or in any way off-putting to any person or group. Good copy will include:

- School
- Post Title and Number
- Salary and Benefits
- Post Location
- Main Elements of Job Content
- Essential Skills, Experience and Qualifications Required
- How and to Whom to Apply
- Closing Date Closing dates should be at least 2 weeks after the date of advertisement to satisfy the Resident Labour Market Test under the Asylum and Immigration Act 2008 (see Appendix 13).
- Any restrictions, i.e. in accordance with **the Equality Act 2010** or **the Rehabilitation of Offenders Act 1974** or compliance with **the HMG Baseline Personnel Security Standard (BPSS)**
- Is the post 'politically restricted' - the Personnel Procedures Handbook (available on Sefton Council's Intranet) gives full details on the implications for some senior posts.
- Requirement for satisfactory Enhanced DBS check and Barred List Check.
- Commitment to the Welfare and Safeguarding of Children and Young People and the expectation of all staff and volunteers to share this commitment.

Adverts

Adverts need to include -

- School Name and Logo
- "School name and Sefton is an equal opportunities employer and welcomes applications from all sections of the community" Statement
- "School name/Sefton Operates a No Smoking Policy" Statement
- "Post is open to Jobshare" Statement (unless exempted by the Governors of the school)
- 'We are committed to safeguarding and promoting the welfare of children and young people, therefore a satisfactory Enhanced DBS check and barred list check is required for this post'. Statement.
- This post is Exempt from the Rehabilitation of offenders Act statement.

There is a wide range of media from which to choose if a post is to be advertised in an external publication. In addition to national and local newspapers and professional journals, full consideration should be given to periodicals that serve minority groups. Cost effectiveness, the external perception of the School/Council and compliance with the Council's Equalities Strategies are influencing factors.

Copy writing support and advice on which media to use when advertising must be obtained from the Council's Advertising Team at corporate.advertising@sefton.gov.uk. All externally advertised jobs must be placed through these agents. Please contact the Advertising Team in Corporate Communications for further information.

D2 INTERNET ADVERTISING

All vacancies are advertised on Sefton Council's website www.sefton.gov.uk

Information supporting the vacancy, such as the job description, person specification, letter to applicants and any information being supplied to candidates about the job role or the department **must** be sent with the completed template document to becruiter@sefton.gov.uk so they are available on the internet and all applicants have access to the information. The relevant application form will be available on the website

Information about the Council in general forms, is a standard part of the internet recruitment services, but it must be ensured that the documentation relevant to the post being advertised is made accessible by post / paper copy as well as 'on-line'.

NOTE

Please ensure that the advertisement and job pack make it very clear where and to whom the application form should be returned. It is recommended that an e-mail address is provided in addition to a postal address so that applications can be submitted electronically.

D3 INFORMATION TO PROSPECTIVE APPLICANTS

Minimum Information Pack

The level of a post will influence the amount of information to be sent to applicants. Information sent out for senior officer posts is likely to differ to that sent to applicants for, say clerical positions. The question that should be asked is what does an applicant need to know and what additional information should reasonably be provided to enable him/her to come to a view on whether or not he/she would wish to work for the Authority. Cost will be a consideration. In all cases, it is good practice to send applicants relevant supporting information with the application form.

The following information must be sent to all applicants as a minimum:

- Job Description and Person Specification
- Application Form with Guidance Notes.
- Equal Opportunities Monitoring Form (tear off slip attached to the application form)
- Summary of Conditions of Service
- Where and to whom Application Forms should be returned
- Reminder of closing date
- Details of any Selection Tests and Assessment Methods.

- Applicants must be advised that an online search may be conducted if they are shortlisted
- An indication/statement if the post is exempt from the Rehabilitation of Offenders Act.
- An explanation of the effects of the exemptions from the Rehabilitation of Offenders Act & signposting to impartial advice on the disclosure of criminal history
- A copy of the school's policy on employment of ex-offenders
- Information about the filtering of criminal offences and the need to complete a self-disclosure if they are invited to interview
- A copy of the school's Child Protection Policy
- Information on the Schools Safeguarding Policies and Procedures

As a matter of good practice, Departments may also wish to consider enclosing details on:

- Selection process including dates of interview etc
- Aid to Recruitment Scheme (where applicable)
- Disclosure and Barring Service process.
- The Rehabilitation of Offenders Act 1974
- HMG Baseline Personnel Security Standard BPSS.

For Headteacher and more senior posts, recruitment folders should include information inserts covering:

- School/ Sefton Council information
- Sefton Local Factors
- Aid to Recruitment Scheme
- Relevant Conditions of Service

It is School Policy that prospective candidates should not be invited to contact a nominated person for an "informal discussion". This is bad practice and can contravene Equal Opportunities legislation.

D4 APPLICATION FORM

All applicants must complete the appropriate School standard application form that is accompanied by guidance notes. **CV's alone must not be accepted.** The Translation, Interpretation and Access to Information Guidelines on Sefton Councils Intranet provide details of how to handle requests for an application pack in alternative format e.g. Braille, audio tape.

As a minimum applicants are required to provide:

- Personal details, current and former names, current address and national insurance number
- Details of their present (or last) employment and reason for leaving
- Full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment
- Qualifications, the awarding body and date of award
- Details of referees/references (see below for further information), and

- A statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification

D5 MONITORING THE ADVERTISEMENT RESPONSE

In order to monitor the effectiveness of an advertisement, all requests for an application form should be recorded on the School's **Response to Advertisement Form R/S 1** (Appendix 6). Where an application form is requested by phone, the applicant should be asked where he/she learned of the vacancy.

E THE SELECTION PROCESS

Selection is a two-way process:

When the candidate is being assessed, he/she will also be assessing the School/Sefton as a potential place to work and possibly live.

It is vital that every potential employee is able to feel confident that their application has been treated fairly and that they have been given a full and proper opportunity to demonstrate their abilities relative to the requirements of the job

Approaching any Councillor or employee of the Council/School with a view to influencing employment opportunities, *speculative or otherwise*, will disqualify the applicant from the selection process

E1 THE SELECTION PANEL

Who Should be Included on the Selection Panel

With the exception of the Headteacher, Deputy Headteacher and Assistant Headteacher, Second and Third Tier Appointments (see below), all selection panels must consist of a minimum of two Officers, one of whom should be the line manager/supervisor of the post concerned. For more senior posts, additional panel members may be involved and it may be considered appropriate to include a representative from the Schools Team or the Advisory Service. **In all cases, at least one panel member must have successfully completed training in Safer Recruitment and Selection.** There is no specific requirement, under legislation or the School's/Authority's policy, for a panel to be made up of a combination of male and female staff.

Headteacher, Deputy Headteacher and Assistant Headteacher, Second and Third Tier Officers are appointed by a Governors Appointment Committee consisting of a minimum of two Governors from the school.

The Council and St Luke's CE Primary School supports the United Nations principle that Children and Young People (C&YP) should be involved in decisions that affect their lives. In order to champion this principle, Headteachers and Governors must consider whether, or not, a vacant post falls into this category and, if so, look at the various mechanisms available for taking into account the views of C&YP. It is important to note that the level of engagement of the C&YP is a judgement decision left to the discretion of the Headteacher/Governing

Body (or responsible officer). Guidance is detailed at Appendix 15 to this document and includes contact details should you wish to discuss this initiative further.

At What Stage Should the Panel become Involved?

It is recommended that **all** Panel Members should be involved in the key stages of the procedure, particularly the preparation of the person specification. Panel members who have been trained in Safer Recruitment and Selection should ensure that other panel members are familiar with the procedure.

The Panel should agree the criteria and rating system for selection upon which the decision will be made.

Complying with this will ensure that the Panel agrees and is committed to the criteria against which candidates are to be assessed. It will also ensure that Panel members are party to the same information and share the same evidence on which to assess candidates.

The next task for the Panel is to agree a shortlist.

E2 SHORTLISTING CANDIDATES

The Selection Panel should agree the shortlist as soon after the closing date as possible.

Only those applicants who have completed an approved School application form can be considered unless arrangements have been made to receive information in an alternative format e.g. visually impaired applicants.

Late Applications

Any applications received after the closing date should not be considered unless exceptional circumstances apply.

Overseas Qualifications.

Qualifications obtained overseas can be checked for equivalence in the UK by contacting - National Academic Recognition Centre www.naric.org.uk , or, National Reference Point, www.uknrp.org.uk

Overseas trained teacher.

Overseas-trained teacher (OTT) (i.e. who qualified as a teacher in a country outside of the European Economic Area (EEA) and Switzerland) must have successfully completed a course of initial teacher training which is recognised by the relevant authorities in their home countries. OTTs are allowed to teach in state-maintained schools and non-maintained special schools in England as unqualified teachers for four calendar years. They are not permitted to teach in Pupil Referral Units unless they have been awarded qualified teacher status (QTS).

Further information can be found on the Government's website.

Preparing a Shortlist

The Person Specification will detail the essential and desirable criteria and the methods, which will be used to assess candidates relative to those criteria.

At the shortlisting stage it is only those criteria that are to be assessed from the application form that must be considered.

Members of the selection panel must **individually** read and assess each application form against the person specification and record their findings on the Schools **Shortlisting Form R/S 2** (Appendix 7).

At this stage, if a panel member discovers that he/she knows personally or is related to an applicant, he/she must declare the matter to the Chair of the Panel. Where the panel member is related to the applicant he/she must withdraw from the process. In any other cases, the panel members must consult fully with the Chair in order that the nature of the relationship and, whether or not it may impact on the making of an objective decision, can be considered. The general rule should always be to act on the side of caution and withdraw from the process if there is any doubt. Where withdrawal takes place, it may be necessary to identify a substitute panel member for the remainder of the process. In such cases, the substitute member must take a full part in the shortlisting and all remaining stages.

THERE SHOULD BE NO COMPARISON OF CANDIDATES – CANDIDATES ARE COMPARED ONLY TO THE SPECIFICATION FOR THE JOB

The first step of the shortlisting must be to eliminate all those applicants who do not meet all of the **essential** criteria.

Essential requirements should not be rated at this stage: the question is simply whether or not the candidate can comply with the requirement, (e.g. if it is essential that the candidate must possess GCSE Maths he/she either does or does not meet the requirement - "extra credits" cannot be awarded to those applicants who EXCEED the Person Specification criteria e.g. have A-Level Maths).

If there are a large number of applicants who satisfy all the essential criteria it will then become necessary to examine the **desirable criteria** with the objective of arriving at a manageable shortlist.

At the time of writing the person specification, or before examining any application forms, the Panel should discuss and agree the relative importance of each of the desirable criteria and rank or weight them. The panel should now apply the weighting given to the desirable criteria. This will lead to the building of a profile of each applicant's knowledge, skills, experience etc in comparison with the person specification and facilitate the formation of the shortlist.

Those applicants who satisfy the essential criteria should be rated according to how well they meet the **desirable** criteria of the person specification in the following way:

- A - Comprehensively meets essential and all desirable requirements
- B - Partially meets desirable requirements
- C - Does not meet desirable requirements at all

The object is to identify a manageable number of candidates for further assessment who:

- (a) meet all the essential criteria, and;
- (b) represent the closest match with the desirable criteria

Once the shortlisting panel members have individually assessed each application form they will discuss their individual findings with the objective of coming to an overall consensus view. The consensus must then be recorded using **Shortlisting Form R/S 2** (Appendix 7) again but clearly marking it at the top "Consensus View of Panel". This information may be used to provide feedback to applicants and support the Schools case in the event of allegations of unfairness.

Records of the shortlisting process must be retained on file for **at least twelve months** after the exercise.

Criminal/suitability self-declaration

Shortlisted Applicants should be given the opportunity to disclose any relevant criminal history prior to their interview. This should be via a criminal record / suitability self-disclosure completed by shortlisted candidates prior to interview.

The self-declaration should include the following information

- if they have a criminal history
- if they are included on the children's barred list
- if they are prohibited from teaching
- if they are prohibited from taking part in the management of an independent school
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted
- if they are known to the police and children's local authority social care
- if they have been disqualified from providing childcare
- any relevant overseas information.

Relevant disclosed information should then be discussed with the candidate at interview or in a separate suitability meeting. Example self-declaration Appendix 16

References

KCSIE 2022 states that, wherever possible, schools should obtain references on short-listed candidates before interviewing them so that any concerns or issues are identified and can be explored with the candidate at interview before a final decision is made.

Schools should:

- not accept open references e.g. to whom it may concern
- not rely on applicants to obtain their reference
- ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect of any disciplinary investigations)

- obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed
- secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer
- always verify any information with the person who provided the reference
- ensure electronic references originate from a legitimate source
- contact referees to clarify content where information is vague or insufficient information is provided
- compare the information on the application form with that in the reference and take up any discrepancies with the candidate
- establish the reason for the candidate leaving their current or most recent post, and
- ensure any concerns are resolved satisfactorily before appointment is confirmed

The Equality Act 2010 prevents employers from asking health related questions prior to the job offer being made to the successful applicant, therefore requests for references prior to interview should not ask for information relating to sickness absence.

Online searches

KCSiE 2022 says “In addition, as part of the shortlisting process schools and colleges 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.”

Where schools undertake online searches, these should be limited to websites where information is intended to be publicly available. Social media platforms are intended for individuals to share personal information. Searching an applicant's social media presence can introduce discrimination and bias and could potentially be a breach of data protection legislation, particularly if the search is done covertly.

Online searches should be undertaken by someone not on the appointment panel and only information that is of concern and is relevant to the applicant's suitability to work with children should be shared.

Any information recorded as a result of an online search would be disclosable under a Subject Access Request and therefore schools must ensure that the information is fair, factual and does not introduce personal bias.

Any information found as a result of online searches should be compared with the candidate's application form, employment history and criminal / suitability self-disclosure and then discussed with the applicant at interview – the questions asked and responses provided by the applicant should be recorded on the interview notes.

E3 SELECTION TOOLS

The selection process should always include a face-to-face interview using agreed structured questions to find out the following:

- What attracted the candidate to the post being applied for and their motivation for working with children
- What skills and experience the applicant has of working with children
- about any gaps in employment or where the candidate has changed employment or location frequently, and the reasons for this.

The interviews should be used to explore potential areas of concern and to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:

- Implication that adults and children are equal
- Lack of recognition and/or understanding of the vulnerability of children
- Inappropriate idealisation of children
- Inadequate understanding of appropriate boundaries between adults and children, and,
- Indicators of negative safeguarding behaviours.

Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case.

Pupils/students should be involved in the recruitment process in a meaningful way. Observing short listed candidates and appropriately supervised interaction with pupils/students is common and recognised as good practice.

All information considered in decision making should be clearly recorded along with decisions made

Schools should use a range of selection techniques to identify the most suitable person for the post, which could include:

Assessment Centres

This is a programme over 1 to 2 days that assesses candidates over a range of tests and activities that are relevant to the post. It is often a combination of methods that reflect aspects of the job and individual including for example selection tests, in-tray exercises, report writing, teaching observations and presentations.

Selection Tests

Selection testing provides selection panels with more objective information to supplement the information provided by application forms and interviews and thus, enables a more informed selection decision to be made. You must not make a selection decision using only test results.

To ensure that the School fulfils its legal obligations, tests must be objective, standardised, statistically valid and reliable and must not unfairly disadvantage certain groups of people, in particular people of a different race, gender, ethnic background or who have a disability.

Only qualified test users can administer, interpret and feedback on occupational selection tests: a list of qualified test users is available from the Corporate Personnel Team. Test users must comply with the "Test User's Charter" which is contained in Annex B of the Occupational Testing Policy.

All selection testing must comply with the Occupational Testing Policy, which is attached as Annex 9.

Presentations

Presentations are frequently used as a selection tool, particularly in senior jobs. The applicant is provided with a topic and given a strict timeframe to deliver a presentation on that topic. The method of doing this can vary as part of the testing process. The presentation topic can be sent with the interview letter, or it can be given to the applicants on the day of the interview and a set period given to prepare the presentation before the interview.

Which methods are suitable for a particular job?

When determining which selection method is most appropriate, it is necessary to consider the requirements of the job, through analysis of the job description and person specification, and what skills, experience and aptitudes are being sought. More than one selection method may be appropriate for any aspect of a particular job and the person specification should identify what those methods of selection are going to be.

E4 PREPARING FOR THE INTERVIEW/SELECTION TESTS

Informing the Candidates

- (i) Give candidates at least seven working days' notice of the interview/selection tests.
- (ii) Write to all candidates informing them of:
 - date, time and venue of interview (enclose map of location and access details, if appropriate)
 - any selection methods which are to be used in addition to the interview including, where appropriate the areas that will explore their suitability of working with children and test information.
 - the requirement to complete and return the criminal/suitability self-declaration form prior to the interview.
 - names and post titles of Selection Panel
 - estimate of how long the interview, selection tests, etc will take
 - dates reserved for any further stages of the process if necessary (e.g. second interview)
 - the need for qualification certificates and other documents (e.g. driving licence) relevant to the job to be presented at interview
 - a person to contact if they have any particular individual requirements to enable them to take part in the recruitment process e.g. wheelchair access, communicator, mentor.
 - remind candidates those identity checks that will be completed on any successful candidates, e.g. identity, pre-employment medical, DBS etc.
- (iii) Encourage school leavers to bring along their National Record of Achievement.

Administration for Interview

- (ii) Book accommodation - ensure that it will be free from interruptions. Ensure that the room has the required equipment e.g. powerpoint, and is set up in an appropriate manner.
- (iii) Ensure that there are reception and waiting facilities and, where possible, that these are in a quiet area.
- (iv) Book refreshments.
- (v) Ensure that the Interview Panel has a copy of all application forms, the advertisement, a list of candidates, person specification, job description and the schedule of arrangements.
- (vi) Ensure there is a qualified/approved person available to administer selection tests.
- (vii) Ensure interview expenses forms are available (where applicable).
- (viii) If appropriate, arrange for car parking space to be available for candidates.
- (ix) Ensure the venue is accessible to disabled candidates and that any adjustments that have been requested are available e.g. hearing loop.

If a candidate is not available on the day of the interview it is good practice to rearrange the interview. However, if you cannot agree a date for the interview within a reasonable timeframe you may feel that you have to disregard the candidate in the selection procedure.

E5 CONDUCTING THE SELECTION INTERVIEW

- (i) The Panel must each have a copy of the job description, person specification and interview assessment sheets. **Preparation for the interview is essential** and the Panel must meet in advance and allow sufficient time to plan the structure, conduct and content of the interview, agreeing questions and reminding themselves of the rating method to be used.
- i. All members of the Panel must be free from other commitments during the interview period. All the Panel members must be involved in each interview to ensure consistency.
- (ii) In the interests of equity, all candidates must be asked to respond to the same range of pre-determined questions that relate to the criteria on the person specification. These questions will, however, need to be followed up by additional relevant questions which will probe or clarify a response or statement made by a candidate to enable the Panel to thoroughly assess each candidate's suitability and to probe more deeply into a candidate's skills and experiences. The panel may also ask questions about information on the application form, which supplements the response made by the candidate.
- (iii) The panel should ask candidates about any issues or concerns raised by the criminal self-disclosure, information that has come to light online (bearing in mind that old convictions may be filtered and should not be taken into account) or issues raised in the references.
- (iv) Questions based on assumptions regarding personal circumstance must not be asked. If it is considered necessary to assess whether personal circumstances will affect performance (e.g. jobs involving unsociable hours or requiring mobility etc) questions should be objective, related to the job requirements and the applicant's ability to meet those requirements. Such questions must be asked of all applicants.

- (v) Attendance records must not be discussed with applicants at the interview stage. Once a person has passed the interview and they have been offered the job, appropriate health-related questions are then permitted, i.e. reference request /pre-employment questionnaire.
- (vi) Issues should be explored during interview relating to safeguarding and promoting the welfare of children and young people including where appropriate:
 1. *Motivation to work with children and/or young people; ability to form and maintain appropriate relationships and personal boundaries with children and young people; emotional resilience in working with challenging behaviours; and attitudes to use the authority and maintaining discipline*
- (vii) It is recognised that where a school leaver has brought along his/her National Record of Achievement, it may not be possible to fully examine it during the interview. Therefore, arrangements must be made for it to be examined once the interview has ended but before a selection decision has been made ensuring that it is returned to the candidate as soon as possible.
- (viii) Applicants may also wish to bring other information into the interview with them such as notes and aide memoir etc to assist them in telling you about their experiences.
- (ix) Where an applicant has identified him/herself as disabled, the interview must still be solely concerned with the candidates' aptitude for the job and his/her ability to carry out the tasks required. If there is uncertainty about how a candidate might carry out a particular aspect of a job because of a disability, it is reasonable to ask the candidate, providing such questions are not used to make disabled candidates give a greater proof of their abilities. Possible adjustments can be discussed; be open to suggestions about how jobs or working arrangements might be done differently. Disabled people will usually be the experts on the effects of their impairment and how these can be overcome.
- (x) When the Panel has concluded its questioning, the candidate should be given the opportunity to ask questions and/or make a short statement in support of his/her application.
- (xi) If gaps in employment, you should explore their explanation of such gaps along with the reasons behind a history a repeated change of employment without any obvious reason, e.g. progression.
- (xii) Following the conclusion of each interview, individual members of the Panel must each assess the candidate using the School's **Interview Assessment Form R/S3** (see Appendix 9). The panel should not discuss individual candidates until all candidates have been interviewed.

E6 MAKING THE DECISION

Once all the individual assessments have been recorded the panel will discuss their ratings with the objective of reaching an overall consensus on the final ratings to be awarded to each candidate. These must then be recorded separately using the Interview

Assessment Form R/S 3 again but marking clearly on the top of the form" **Agreed Interview Assessment**".

Where a presentation has been part of the assessment, panel members will need to share their assessments of this at this stage. These will have been recorded on the Council's **Presentation Assessment Form R/S4** (Appendix 10).

The findings from all selection methods used, including the interview, should be considered collectively and then, based on all the evidence, the Panel should reach their final decision.

Candidates should be ranked in an order relative to the outcome of the interview/selection tests: should the successful candidate decline the offer of appointment, the Panel may wish to offer the post to the next candidate in the rank order.

Once a decision has been made a conditional offer of employment should be made to the employee verbally and once verbally accepted, followed up in writing. (See section F)

All records of the interview process must be retained on file **for twelve months** unless the person appointed to the post is a migrant worker from outside the EEA in which case see Appendix 12.

F AFTER THE SELECTION PROCESS

F1 OFFER OF APPOINTMENT

The selected candidate should be offered the post verbally as soon after the decision as possible. It should be made clear that the offer is conditional on satisfactory completion of the necessary pre-recruitment checks. The conditional offer must then be confirmed in writing. All offers of appointment must be made subject to verification of identity, Disclosure and Barring Service check including barred list check where applicable, verification of mental and physical fitness, eligibility to work in the UK, further appropriate checks for applicants that have lived outside of the UK, verification of professional qualifications, Secretary of State section 128 direction check (for academies) checks that those employed to undertake teaching work have not been prohibited from teaching or have any sanctions or restrictions imposed on them by the GTCE, and for those that will be working in Early years settings or wraparound care for children up to 8, that they have not been disqualified from working in these settings under the 2018 Childcare disqualification Regulations. Offers of appointment will also be conditional on the school receiving satisfactory references and satisfactory online check The candidate must be advised not to give notice to terminate their current job until confirmation of satisfactory checks has been given.

F2 DISCLOSURE AND BARRING SERVICE CHECK (FORMERLY CRB CHECKS)

The School has a duty to undertake a check on criminal record as part of the recruitment processes for those potential employees whose posts are defined as 'Regulated Activity' relating to children and/or vulnerable adults or posts that are exempt from the Rehabilitation of Offenders Act 1974. This is referred to as a Disclosure and is obtained via the Disclosure and Barring Service (DBS).

If a post is subject to a Disclosure, it must be stated in the advertisement and which level applies. A Disclosure Application form should only be given to individuals who are offered an appointment and arrangements made for arvato's designated DBS representative to interview them. The minimum age at which someone can be asked to apply for a DBS check is 16 years old

A new definition of Regulated Activity

The Safeguarding Vulnerable Groups Act 2006 sets out in Schedule 4 (as amended by the Protection of Freedoms Act 2012) the activities and work which are 'Regulated Activity', which a person who has been barred by the DBS must not do. The Government have scaled back Regulated Activity to focus on work which involves close and unsupervised contact with vulnerable groups including children. The activities and work which have been taken out of Regulated Activity will still be eligible for Enhanced DBS checks (but they will no longer be eligible for barred list checks) – see appendix 13 for the pre-September 2012 definition.

Definition of 'Regulated Activity'

Regulated activity relating to children is:

(a child is defined as a young person under the age of 18).

Unsupervised activities:

teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children.

OR

Work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises. **BUT Not** work done by supervised volunteers.

done regularly

Regular is:

Carried out frequently by the same person (once a week or more often), or on 2 or more days in a 30-day period (or in some cases overnight (between 2am and 6am)).

OR

Work that involves:

- Relevant personal care, or health care provided by or provided under the supervision of a health care professional.
- (Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing)
- (Health care means care for children provided by, or under the direction or supervision of a regulated health care professional.)
- Registered childminding; and foster-carers.

Enhanced Disclosure with the barred List Check are requested for all posts within all schools as the employed post holder may or would be required to work, **unsupervised**, with children (Department of Education Advice on Supervision in Schools is at <https://www.gov.uk/government/publications/supervision-of-activity-with-children>). It is the

highest level of criminal record check. It will contain the same PNC information, a check of police records held locally, and for certain positions working with children and adults, information held by the Disclosure and Barring Service. Where local police records contain additional information that might be relevant to the post the applicant is being considered for, the Chief Officer of Police may release information for inclusion in an Enhanced Disclosure. The DBS have produced a guidance document for the positions eligible for a DBS Check: <https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance> (this link will open in a new window)

It should be noted that there will be criminal penalties for barred individuals who seek or undertake work with vulnerable groups and for employers who knowingly take them on.

EXCEPTION Headteachers have the discretion to allow an individual to begin work within their School pending receipt of the DBS check Certificate as long as the following conditions are met. A DBS application form must be in process, an appropriate risk assessment must have been completed, the individual must be appropriately supervised and all other checks completed, including the barred list check.

Complete Background Screening (CBS) carry out all DBS disclosures through online Ebulk system

Filtering rules for criminal record check certificates

From **29 May 2013**, the DBS began filtering old and minor convictions and cautions, reprimands and warnings from DBS Certificates. This is happening because the Court of Appeal handed down a judgment that the release of a person's full criminal record information infringed Article 8 of the European Convention on Human Rights.

The filtering rules (which will remove certain old and minor convictions and cautions, reprimands and warnings from a DBS Certificate) apply to all DBS Certificates issued from **29 May 2013**.

This means that you will **not** be able to take certain old and minor cautions and convictions into account when making decisions about any individual. The Council's application form will be amended as soon as is possible to reflect the filtering changes and the following paragraph will be included in the Council's application forms:

'The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.'

The Filtering Rules can be found [here](#) on the DBS website or see Appendix 2 for further details.

Commencement of employment is **not permitted** until a Satisfactory Enhanced DBS Disclosure has been obtained.

F3 BASELINE PERSONNEL SECURITY STANDARD CHECKS (BPSS)

Baseline Personnel Security Standard Checks (BPSS) are part of the HMG Security Policy Framework which is aimed at government organisations to lessen the threat of malicious attack of assets or information by bogus employees. The Council is responsible

for ensuring employees recruited to posts which require access and transfer of sensitive data through the Government Connect Secure Xtranet (GCSX/Public Service Network (PSN) are subject to recruitment controls known as the BPSS. Prospective employees, where access is a requirement of the post, must be able to pass the new Baseline Personnel Security Standard (BPSS) checks. The check involves 4 elements;

- Identity check (we identity check all new starters to the Council through verification of specific documents)
- Nationality and Immigration status (undertaken as part of the recruitment process for all new starters)
- Employment history (past 3 years) (reference checks are undertaken with previous employers as part of the recruitment process, however this does not necessarily always cover the BPSS specific 3 year period)
- Verification of criminal record (unspent convictions only) – a basic disclosure from Disclosure Scotland is required.

Non-compliance with the BPSS could have significant effect on the efficient operation of the Council's services and ultimately result in disconnection from the Public Service Network (PSN).

NB. If a prospective employee is subject to a DBS check as a requirement of the post, then a basic disclosure will not be required.

See Appendix 14 for more details.

F4 DISQUALIFICATION UNDER THE CHILDCARE ACT 2006

Under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, some individuals are disqualified from providing childcare or being "directly concerned" in the management of childcare provision.

An individual may be disqualified from working in childcare for example, if they have committed certain violent and sexual offences against children and adults for example and/or been placed on the DBS children's barred list.

School's are prohibited from employing a disqualified person in roles covered by the legislation, unless the individual in question has been granted a waiver by Ofsted for the role they wish to undertake.

The Department for Education have provided statutory guidance on the application of the regulations and obligations under the Childcare Act 2006 in schools [Disqualification under the Childcare Act](#)

The childcare disqualification arrangements apply to staff that are work in these areas:

- Early years provision - any staff who provide any care for a child up to and including reception age. This includes education in nurseries and reception classes or any supervised activity - such as breakfast clubs, lunchtime supervision and after school care provided by the school, both during the normal school day and outside of school hours.

- Later years provision – any staff that are employed to work in childcare provided by the school with children who are above reception age but under 8 **outside** of the normal school day. Staff involved in co-curricular learning activities such as the schools choir or sports teams are not included , but staff that work in before school settings such as breakfast clubs and after school provision are included.
- Staff directly concerned in the management of early or later years provision, this will include the Headteacher and may include other members of the school leadership team and any manager, supervisor, leader or volunteer responsible for the day to day management of the provision.

The criteria for disqualification under the 2006 act and the 2018 regulations include:

- Inclusion on the Children’s Barred List
- Being found to have committed certain violent and sexual criminal offences against children and adults
- Certain orders made in relation to the care of children
- Refusal or cancellation of registration relating to childcare or children’s homes, or being prohibited from private fostering
- Being found to have committed an offence overseas, which would constitute an offence regarding disqualification under the 2018 regulations if it had been committed in any part of the United Kingdom
- Any offence resulting in the death of or bodily injury of a child is considered a relevant offence under the legislation and must be disclosed.

The above list is only a summary of the criteria that lead to disqualification. Further details about the specific orders and offences, which will lead to disqualification, can be found in Appendix A & B of the [Statutory guidance “Disqualification under the Childcare Act 2006”](#)

Schools must ensure that anyone who falls within the relevant categories of staff described in the [staff covered](#) and [staff who may be covered](#) sections is made aware of the legislation.

Schools must keep a record of those staff who are employed to work in or manage relevant childcare provision, this should record the date on which the information about disqualification was provided.

F5 REFERENCES - ALL POTENTIAL EMPLOYEES

A minimum of two written references should be requested (one must be latest/current employer). Where such references do not cover **all employment** within the last 2 years, further references must be obtained to cover this period. Any gaps in employment must be clarified.

If the candidate has previously worked with children and does not currently, one reference should be obtained from the most recent employment that involved working with children even if this employment is not covered within the last two years.

NB. If the post requires BPSS clearance, it is a requirement that references must cover the last 3 years (see Appendix 14).

Reference requests should seek to obtain verifiable, objective and factual information. To get the best value from the reference source you must provide the referee with information about the vacancy, the duties involved and the personal characteristics sought, i.e. the job

description, person specification, JA1 and where applicable, the JA2. The Council's standardised "**Request for Reference Questionnaire**" (Appendix 11) should be used together with a covering letter.

Verbal references must not be sought or accepted unless confirmed in writing.

In addition to the contents of references verification must be sought by speaking directly to each referee, covering a minimum period of the last 2 years. All references should be signed and dated to confirm this check has happened.

If an applicant asks (or names) someone currently employed by the School to be a referee and that person is a member of the selection panel, he/she must refuse and/or ask the applicant to seek another referee.

General Scrutiny of References.

References should be checked upon receipt to ensure that all specific questions have been answered satisfactorily. Should all questions have not been answered or the answers are vague, confusing or nonspecific. The referee should be contacted and asked to provide written answers or amplification as appropriate. You are advised to retain written records of any verbal discussions that you may have with referees.

The information given should be compared with the application form to ensure consistency of information provided by both parties. Any discrepancies should be taken up with the applicant and referee if appropriate.

Additional scrutiny of references from referees where the applicants past post involved working with children.

Any information provided regarding disciplinaries, allegations or conduct, should be considered on an individual basis.

General guidance is as follows:

- a) Cases which were satisfactorily resolved some time ago, or an allegation determined to be unfounded or did not require disciplinary formal sanctions, and in which no further issues have been raised, are less likely to be cause for concern.
- b) More serious or recent concerns, or issues that were not resolved satisfactorily are more likely to cause concern.
- c) A history of repeated concerns or allegations over time is also likely to give cause for concern.

Unsatisfactory References

There is no contractual obligation to employ the person if one or more of the references turns out to be unsatisfactory. There is also nothing restraining the employer from making further and appropriate enquiries of the provider of the reference, the applicant, or anyone else. Any further information supplied should be confirmed in writing.

A job offer can be withdrawn if the conditions on which employment were offered e.g. satisfactory references, DBS clearance or medical etc. have not been met. In these circumstances the candidate should be told that the job offer has been withdrawn and the reason for the withdrawal. If the withdrawal is due to unsatisfactory references and the

candidate requires further information then they should be referred back to the referee(s) of the unsatisfactory reference(s). The School has no further obligation towards them.

Refusal to Supply a Reference / Non Return of Reference

Where a request has not been responded to, every effort should be made to obtain references including contacting previous employers by telephone. If a reference cannot be obtained then the applicant must be asked to contact their previous employer themselves. If there is still no response, ask the applicant for an alternative referee in the same organisation.

If all options have been exhausted then it is down to the school's discretion as to whether to employ the applicant. If all other references are positive then it may be that an applicant is employed, however, if there is any doubt then the School may decide that they are unable to employ the applicant.

F6 OTHER PRE EMPLOYMENT CHECKS.

I. Medical

Maintained schools are legally required to ensure that teachers and other school staff have a sufficient standard of health and physical capacity to undertake a range of relevant activities required of teachers and wider school staff, this is intended to help ensure pupils' welfare.

Medical fitness must be verified **after** an offer of employment has been made but **before** the appointment is confirmed. Without exception pre employment medical clearance must be sought and obtained prior to taking up employment/appointment. Schools are responsible for ensuring that new employees receive the appropriate forms.

II. Proof of identity

Identity checks should be carried out on all employees prior to commencement of employment. Such checks include sighting of the following:

- Birth Certificate
- Marriage certificate
- Photographic identification (passport/driving licence)
- National insurance number
- Immigration Status
- Proof of address

III. Verification of Professional Qualifications

Proof of relevant qualifications should be obtained prior to a new employee/appointee commencing their employment/appointment.

For posts that require professional registration, evidence that the employee is registered to the relevant body, should be obtained prior to their commencement of employment/appointment.

QTS

Individuals must have Qualified Teacher Status to legally take up a teaching post in maintained primary schools, maintained secondary schools, maintained special schools and non-maintained special schools in England.

The Teaching Regulation Agency (TRA) is the competent authority in England for the teaching profession. On behalf of the Secretary of State they are responsible for the award of QTS.

Schools can verify the award of QTS through the online checking system service, by logging onto the Secure Access/DfE Sign-in Portal via the [Teacher Services' web page](#) (See Guidance and Access to Teacher Status Checks **Appendix 17**)

For overseas trained teachers refer to guidance on the employment of overseas trained teacher at the following link <https://www.gov.uk/government/publications/employing-overseas-trained-teachers-from-outside-the-eea>. Overseas-trained teacher (OTT) (i.e. who qualified as a teacher in a country outside of the European Economic Area (EEA) and Switzerland) must have successfully completed a course of initial teacher training which is recognised by the relevant authorities in their home countries. OTTs are allowed to teach in state-maintained schools and non-maintained special schools in England as unqualified teachers for four calendar years. They are not permitted to teach in Pupil Referral Units unless they have been awarded qualified teacher status (QTS).

Teacher Induction

All qualified teachers who are employed in relevant schools (ie maintained schools, non-maintained special schools, maintained nursery schools, nursery schools that forms part of a maintained school, a local authority maintained children's centre; or a pupil referral unit (PRU)) in England must, by law, have completed an induction period satisfactorily, subject to specified exemptions.

Common exemptions include where teachers qualified before May 7 1999 and teachers employed on a short term supply basis working periods of less than a month (in the first 5 years after being awarded QTS) (for a full list of exemptions see DfE document Induction for Newly Qualified Teachers - Annex B).

Schools can verify the award of Statutory Induction through the online checking system service, by logging onto the Secure Access/DfE Sign-in Portal via the [Teacher Services' web page](#) (See Guidance and Access to Teacher Status Checks Appendix 17)

QTLS

A teacher who is qualified to teach in Further Education with QTLS is entitled to work as a qualified teacher in maintained schools in England without Qualified Teacher Status (QTS), provided he or she maintains membership with the Society for Education and Training (SET)

It is for schools and local authorities to decide whether teachers with QTLS status are suitable for a post and to teach a particular subject. Those with QTLS are exempt from serving a statutory induction period in schools.

An employer can check whether someone is a registered member <https://set.et-foundation.co.uk/professionalism/qtls/the-qtls-register/>

The Society for Education and Training (SET) have provided guidance for Headteachers about QTLS and the recruitment of teachers with QTLS <https://set.et->

[foundation.co.uk/professionalism/qtls/guidance-for-headteachers-and-initial-teacher-educators/guidance-for-headteachers/](https://www.foundation.co.uk/professionalism/qtls/guidance-for-headteachers-and-initial-teacher-educators/guidance-for-headteachers/)

Other Non Statutory Qualifications

Applicants should be asked to provide evidence of other non statutory qualifications where these have been identified as essential or desirable criteria for the role (for example PGCE or degree certificates for teachers). Certificates of other qualifications should be treated in the same way as statutory professional qualifications, however there is no requirement to record details of the checks of these other qualifications on the Schools Single Central Record, although schools can if they wish.

Qualifications obtained overseas can be checked for equivalence in the UK by contacting - National Academic Recognition Centre www.naric.org.uk , or, National Reference Point, www.uknpr.org.uk

IV. Prohibitions, Directions, Sanctions and Restrictions

Secretary of State section 128 direction

A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:

- A management position in an independent school, academy or free school as an employee:
- A trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or
- A governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

The Secretary of State is able to make directions prohibiting individuals from taking part in independent school management under section 128 of the Education and Skills Act 2008. Individuals taking part in ‘management’ may include individuals who are members of proprietor bodies (including governors if the governing body is the proprietor body for the school), and such staff positions as follows: head teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from ‘taking part in management’ depends on the facts of each case.

A section 128 direction also disqualifies a person from holding or continuing to hold office as a governor in a maintained school.

Checks for all prohibitions including the section 128 barring direction can be carried out by logging onto the Secure Access/DfE Sign-in Portal via the [Teacher Services’ web page](#) (See Guidance and Access to Teacher Status Checks Appendix 17)

To access an alphabetical list of individuals who are subject to a section 128 direction made by the Secretary of State for Education, choose the option –

▶ [Section 128 barring directions](#)

For Academies, a section 128 direction will be disclosed on the DBS certificate where an enhanced DBS check with barred list information is requested, provided that 'children's workforce independent schools' is specified in the parameters for the barred list check.

Teacher Prohibition

Teacher Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA. A prohibition order is likely to be appropriate when the behaviour of the person concerned has been fundamentally incompatible with being a teacher. The primary purpose of a prohibition order is to protect pupils, maintain public confidence in the teaching profession and uphold proper standards of conduct, referred to as public interest.

In line with KCSIE any member of staff appointed to carry out teaching work will require a check to ensure that they are not prohibited from teaching.

Teaching work (also known as "specified work") is defined as:

- Planning and preparing lessons and courses for pupils
- Delivering lessons to pupils
- Assessing the development, progress and attainment of pupils
- Reporting on the development, progress and attainment of pupils

It is not 'teaching work' if the person carrying out the work does so under the direction and supervision of a teacher, for example, work undertaken by teaching assistants or volunteers.

In maintained schools, it is a requirement that those undertaking teaching work are qualified teachers (unless certain specific criteria apply that allow maintained schools to employ unqualified teachers/instructors to undertake teaching work) however support staff can undertake elements of specified work under the supervision of a qualified teacher. It is not a requirement to undertake a prohibition check in a maintained school on a member of support staff due to this work being supervised.

In Academies it is not a requirement that those appointed to undertake teaching work have QTS, therefore members of support staff or volunteers can undertake what may be considered as teaching work. Anyone appointed to a role that involves undertaking unsupervised teaching work (as detailed above) should be subject to a prohibition check.

Being prohibited from teaching does not prevent an individual from applying for or undertaking a support staff or volunteer role in a school. However schools may want to consider the circumstances of a case where an applicant to a support or volunteer role has been prohibited from teaching before appointing them. Schools are permitted to undertake prohibition checks on support staff and volunteers even where there is no statutory requirement to do so.

GTCE Sanctions and Restrictions

A check should be made to ensure a teacher does not have any sanctions or restrictions placed on them by the GTCE prior to abolition in 2012.

Prohibition checks can be undertaken by schools by logging onto the DfE Sign-in portal via the Teacher Services webpage. (See Guidance and Access to Teacher Status Checks Appendix 17)

Such Checks will be sought by the Transactional HR although it would speed up the process for any documentation sighted by the school to be copied, certified and sent to the Recruitment team

F7 WORK PERMITS / ILLEGAL WORKING

The Immigration, Asylum and Nationality Act 2006 sets out the law on the prevention of illegal working. It makes it a criminal offence to employ someone who has no right to work in the UK or no right to do the work you are offering. It also gives employers a statutory defence against conviction for employing an illegal worker and obliges employers to ensure that their recruitment practices do not discriminate against individuals on racial grounds.

There are three steps that must be carried out before a person begins working for the School:

1. The potential employee must provide
 - One of the single documents, or two of the documents in the specified combinations given from List A (List can be found in Appendix 12); OR
 - One of the single documents, or two of the documents in the specified combinations given from List B (List can be found in Appendix 12)

ONLY ORIGINAL DOCUMENTS SHOULD BE ACCEPTED.
2. Reasonable steps must be carried out to check that the documents are valid and that the person named in the document is the potential employee.
3. Make a photocopy or a scan of the relevant pages including the front cover, pages which give personal details and pages containing UK government stamps. Keep a record of all documents that have been copied.

Legible copies of these documents **must** be kept on the individual's personal file as they could be subject to audits by the Border Agency. Guidance on the authenticity of documents, with examples is available from

<http://www.ukba.homeoffice.gov.uk/business-sponsors/preventing-illegal-working/>

If these checks have been carried out and it has been established that the potential employee is not permitted to work then employment must be refused to that person. It is up to the potential employee to demonstrate that he/she is permitted to do the work that you are offering.

Following the UK's withdrawal from the European Union, and the end of the transition period, freedom of movement ended at 11pm on 31 December 2020. The UK has introduced a points-based immigration system that applies to anyone who wants to come to live, study or work in the UK

Irish citizens can continue to freely enter, live and work in the UK. If you are an Irish citizen, you do not need permission to enter or remain in the UK, including a visa, any form of residence permit or employment permit.

Workers from outside the EEA, are also subject to a “Points Based” Immigration System. The Council Directorates are required to be “Licensed” by the Border Agency to employ these workers. As a licensed employer the Council will be allocated Certificates of Sponsorship to issue to migrant workers who are being recruited into posts which fall into specific categories.

Further information on the right to work in the UK and the requirements for visa’s and sponsorship can be found using the following link:

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

Further information on the employment of migrant workers can be found in **Appendix 12**

F8 UNSUCCESSFUL CANDIDATES

It is good practice to notify candidates that they have been unsuccessful as soon as possible and to offer them constructive feedback, including feedback on how they performed in any selection tests used.

Feedback on the whole selection process should be available from the Chair of the Selection Panel. Information about other candidates' applications must not be given, however the name of the successful candidate can be given out if requested.

F9 WHAT IF THERE ARE NO SUITABLE CANDIDATES

There may be occasions where the recruitment and selection procedure has been carried out but there are no candidates that fit the criteria. In these cases there must be a thorough review of the process to identify issues that could have been approached in a different manner. For example, the wording of the person specification may need revising or the role may need advertising in specialist publications.

Another alternative maybe to look into the capabilities of existing employees to determine if extra training could fill the skills gap caused by the vacant post. A selection procedure must be followed if there are a number of employees who could potentially fulfil the role.

F10 RECORD KEEPING

Recruitment information must be kept securely for a twelve-month period after the selection process (or for 24 months for a statutory officer such as the Finance Director).

The recruitment and selection paperwork relating to the successful candidate should be kept on his/her personnel file. Under the Points Based Immigration System, there are record keeping requirements over and above these in the case of the recruitment of a migrant worker; further details can be found in **Appendix 12**.

Details of the successful applicant and all the checks carried out, should also be held on the Schools Single Central Record.

G THE NEW RECRUIT

G1 COMMENCING EMPLOYMENT

As soon as the relevant 'offer' conditions have been met, a start date should be agreed with the successful candidate. Written confirmation of this including the date, time and place of reporting and name of the person who will meet the successful candidate should be sent. Ideally, as a matter of good practice, some indication should be given of how the first day/week will be spent including induction arrangements. An external appointee will also need to be sent details of the Local Government Pension Scheme/Teachers Pension Scheme, Bank Authority Credit Form, with a request for Income Tax Form P45 and a copy of his/her birth certificate to be submitted as soon after appointment as possible.

Transactional HR is responsible for ensuring that all relevant employee details are placed on the Personnel System (Resource Link & Capita One). Schools are responsible for ensuring that the appropriate paperwork is sent to Arvato Transactional HR within the required timescales.

Schools are responsible for ensuring that the relevant employment details are placed on the Schools Information Management System (SIMS)

Every encouragement should be given to the new employee for them to also supply relevant equality monitoring information.

Arrangements should be made for the reception and induction of the new employee.

G2 STATEMENT OF PARTICULARS

Children, Schools and Families, Controlled and Community Schools and Children's Centres.

A written statement of particulars must be issued to a new recruit prior to or on their start date. The statement outlines the basis of the employment contract and includes specific and general information.

Transactional HR Schools Team is responsible for providing Statement of Terms and Conditions of Employment.

Voluntary Aided Schools and Children's Centres; Trust Schools and Academies

Voluntary Aided, Trust Schools and Academies are responsible for providing employees with a written statement of particulars prior to or on their start date in accordance with the Employment Rights Act.

G3 REASONABLE ADJUSTMENTS FOR DISABLED PEOPLE

Reasonable adjustments may be required for new employees with a disability. For example, a specific computer keyboard or voice-activated software may be required to enable an employee to perform their duties. Funding maybe available from Access to Work on. 0800 121 7479.

G4 INDUCTION

Good Induction of all new entrants (and job movers) is essential. Without proper induction staff are less likely to work as efficiently as they otherwise could, not because they do not try or want to, but because they do not have the necessary information, knowledge, skills and confidence.

Induction should be used to set clear expectations and boundaries of the role and ensure that the individual is clear on what is acceptable and unacceptable behaviour. It should also cover their responsibilities for safeguarding and protecting children and other key policies such as the organisation's child protection policy, whistle-blowing policy and any reporting procedures if they have concerns.

The Line Manager/Supervisor will be responsible for ensuring that an appropriate induction programme is organised for each new recruit/job mover.

Induction should always include information about, and written statements of:

- policies and procedures in relation to safeguarding and promoting welfare e.g. child protection, whistleblowing, Code of Conduct, anti-bullying, anti-racism, physical intervention or restraint, intimate care, internet safety and any local child protection 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 about those issues should be raised; and
- other relevant personnel procedures
- Child protection training is also required if relevant.

G5 PROBATION

Non teaching staff.

New entrants to the local government service are required to complete a six-month probationary period. Regular meetings between the Manager/Supervisor and new recruit during the induction period are essential in order to enable the individual's performance to be monitored and for him/her to raise any queries/concerns or seek assistance in adapting to his/her new employment. As a minimum, review meetings should be held and documented once every four weeks. Further guidance can be found in the Handbook of Personnel Procedures available on Sefton Council's Intranet.

At the end of the probationary period, the new recruit should be informed of whether or not he/she has been successful. This should be confirmed in writing.

In cases where the new employee during the probationary period is proving unsuccessful, advice should be sought from the Human Resources Schools Team at the **earliest possible stage**.

Please see the Schools Non- teaching Probationary Policy for further details, held on the Personnel Pages of the Schools Intranet under Policies and Protocols.

Teaching staff

All qualified teachers who are employed in a maintained school or non maintained special school in England including a maintained nursery school or PRU, must be, by law, have completed an induction period satisfactorily subject to specified exceptions. (for further information please refer to [Induction for Early Careers Teachers](#))

G6 SPONSORED MIGRANT WORKERS

If a sponsored migrant worker does not report for work on his/her first day, this must be reported to the Border Agency within 10 working days and any reason given by the migrant worker for his/her non-attendance should be included.

This is a reporting duty under the Asylum and Immigration Act with which the Council and St Luke's CE Primary School must comply.

H REVIEW THE PROCESS

H1 REVIEW

A candidate accepting a job offer does not automatically signify that the recruitment and selection process has been a success. It is good practice to examine every recruitment exercise with a view to assessing whether anything could have been done better. Following from this, it may be possible to identify training needs or changes that need to be made to current practices. Any suggestions for improvements to the Guidelines will be welcome. Additional reviews could be carried out on which of the publications used have been most effective, what have the costs been, was the internet used to it's full effect, was the post advertised in a wide range of publications specifically for minority ethnic groups, or for people with disabilities.

H2 COMPLAINTS

Any candidate who has reason to believe that he/she has been treated unfairly or discriminated against at any stage of the recruitment and selection process will be requested to submit their complaint, in writing, to the School's Clerk to Governors.

H3 QUALITY CHECKS

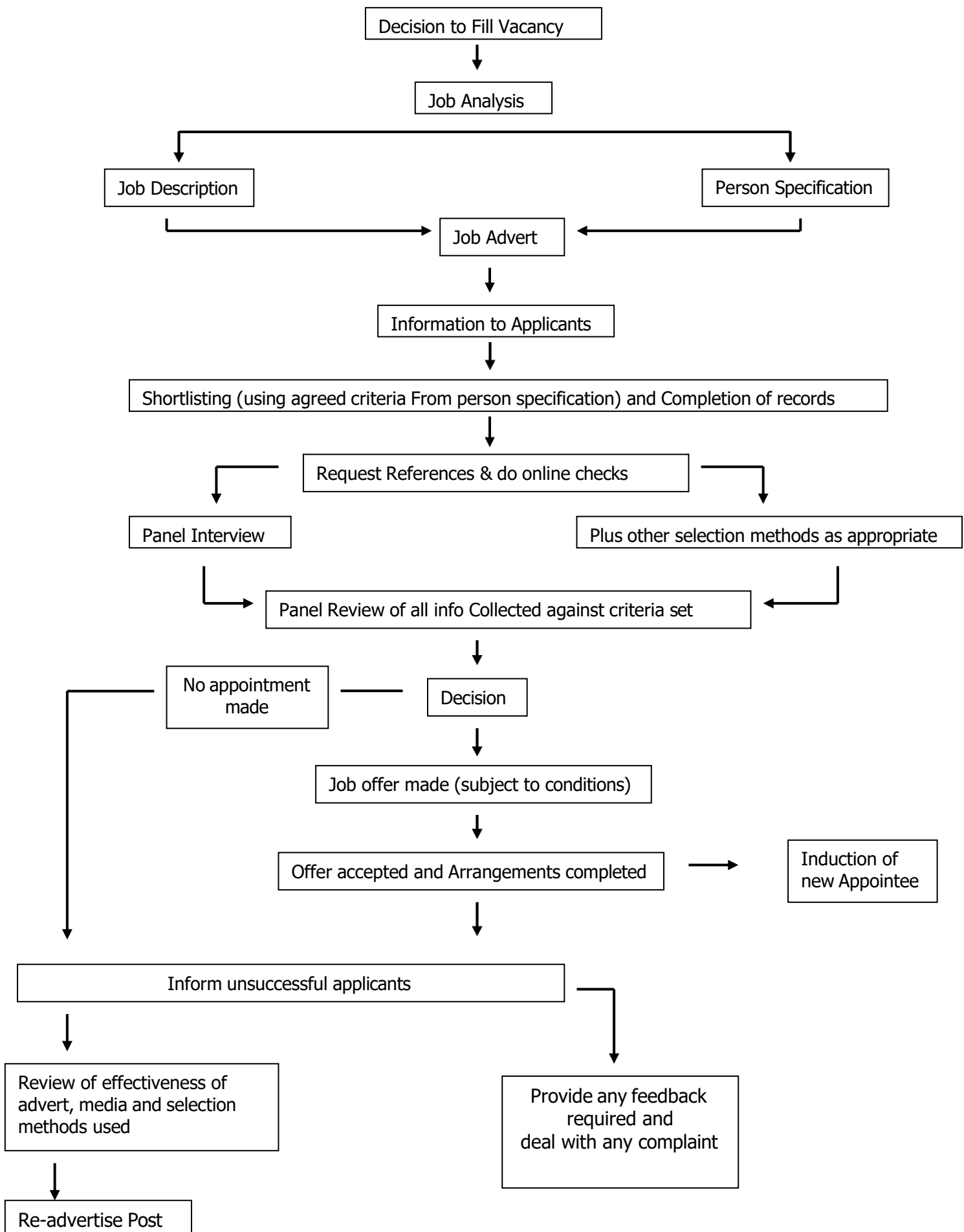
Staffing reports to Staffing Committee on a six monthly basis, including information such as turnover and new starters. Governors can use this information to monitor the success of the recruitment process. Information from Exit Interviews can also be used to monitor the recruitment process.

I LINKS TO OTHER POLICIES

All the below policies are available on Sefton Council's Intranet.

- Appointment of Permanent Employees
- Appointment of Non-Permanent Employees - Including Extension of Temporary Contracts
- Pre Employment Medical Screening Access to Medical Reports Act, 1978
- Aid to Recruitment Scheme
- Equal Opportunities Policy Statement
- Local Government Pension Scheme

- Probationary Periods
- Induction Policy
- Exit Interview Policy
- Work life Balance Policy
- Politically Restricted Posts

THE RECRUITMENT AND SELECTION PROCESS SUMMARY

Appendices

1. Contacts
2. Guidance on the Recruitment of People with a Criminal Record
3. Job Analysis
4. Job Descriptions
5. Person Specification
6. Advert Request Template for Recruiter
7. Short Listing Form
8. Occupational Testing Policy
9. Interview Assessment Form
10. Presentation Assessment Form
11. Reference Request Form
12. Guidance on the Asylum and Immigration Act 1996 and the employment of overseas workers.
13. Disclosure and Barring September 2012
14. HMG Baseline Personnel Security Standard
15. Guidelines involving Children and Young People in recruitment and Selection.
16. Example Self-declaration
17. Guidance and access to Teacher Status Checks

Appendix 1**Contacts****Personnel Schools Team**

POLICY GUIDANCE

Contact	Title	Telephone no/email address
Paul Cunningham	Chief Personnel Officer	0151 934 3209
Karen Holmes	Personnel Manager	0151 934 3466 karen.holmes@sefton.gov.uk
Kathryn Hadley	Principal Personnel Officer(Schools Team)	0151 934 3354 kathryn.hadley@sefton.gov.uk
Anmarie Maloney	Senior Personnel Officer	0151 934 3287 Anmarie.maloney@sefton.gov.uk
Julie Holt	Senior Personel Officer	07816116154 julie.holt@sefton.gov.uk
Gail Jennings	Senior Personel Officer	0151 934 2964 gail.jennings@sefton.gov.uk
Elle Davison	Assistant Personnel Officer	0151 934 3206 elle.davison@sefton.gov.uk

OTHER INTERNAL CONTACTS

Health Unit (Central Personnel):	0151 934 3650
HMG Baseline Personnel Security System	0151 934 3395
Transactional HR	schoolsstarters@sefton.gov.uk

Appendix 2

SEFTON M.B.C. GUIDANCE ON THE RECRUITMENT OF PEOPLE WITH A CRIMINAL RECORD

INTRODUCTION

As a matter of good practice, all employers should have a policy and guidance on the Rehabilitation of Offenders, the contents of which should be known to all staff making recruitment decisions. In addition, the Disclosure and Barring Service stipulates that all organisations registered with it must adhere to the Code of Practice which is designed to ensure that information regarding convictions is used fairly. Registered organisations must also have a written policy on the recruitment of people with a criminal record.

This Authority supports the Rehabilitation of Offenders and the possession of a conviction will not necessarily mean unsuitability of employment. All cases will be examined on an individual basis and given full and fair consideration. A key element in considering the recruitment of an ex-offender will be the undertaking of a risk assessment – comparing the applicants' skills, experience and conviction circumstances with the risk criteria identified for the job – and the extent to which the Authority is bound by legal constraints.

In line with good practice and the DBS Code of Practice, this guidance can be made available to prospective employees on request.

THE REHABILITATION OF OFFENDERS ACT 1974

The Rehabilitation of Offenders Act 1974 was introduced to ensure that ex-offenders who have not been reconvicted for a period of time since the date of their conviction are not discriminated against when applying for jobs. The Act makes it illegal for any organisation to discriminate against an ex-offender on the grounds of a “spent” conviction. The Act states that after a period of time certain offences can be classified as “spent”, which means that the person concerned is no longer legally required to disclose to prospective employers the detail of that conviction. Annex 1 provides full details of the various rehabilitation periods.

However, in order to protect vulnerable groups within society, there are a large number of positions and professions which are “exempted” from the Rehabilitation of Offenders Act. (NB. See para 1.1, page 37 below for new filtering rules which will remove certain old and minor convictions and cautions, reprimands and warning from a DBS Certificate).

Exempted posts include;

- Those involving access to vulnerable groups such as children and young people under 18, the elderly and infirm, the chronically sick and mentally ill;
- Many health service appointments;
- Jobs involving administration of justice, e.g. police, lawyers, probation officers;
- Positions associated with National security;
- Professions that have legal protection, e.g. nurses, doctors, accountants and other financial services.
- Those involving access to the Public Service Network (PSN) and require compliance with the BPSS.

A full listing of exempted occupations is available from the Corporate Personnel Department on request.

Where applications are made to such posts the Authority is legally entitled to ask applicants for details of all convictions irrespective of whether they are deemed “spent” under the Act. (NB. See filtering rules).

The length of time before a sentence becomes spent depends on the sentence received and the age when convicted. Annex 1 provides full details of the various rehabilitation periods. Once the defined period has lapsed the conviction is “spent”. Cautions, reprimands and final warnings are not considered to be criminal convictions but do form part of an individual’s criminal record. They would only be considered in relation to exempted posts.

THE POLICE ACT 1997

Part V of the Police Act 1997 includes measures that enable all organisations to obtain criminal record information about prospective employees and volunteers from a centralised source. Criminal record checks (known as Disclosures) are carried out by the Disclosure and Barring Service (DBS).

Basic Disclosure – This check will only reveal ‘unspent’ convictions and is a requirement for all positions that involve access to the Public Service Network (PSN) in order to be compliant with the Baseline Personnel Security Standard (BPSS). NB. If a prospective employee is subject to a DBS check as a requirement of the post, then a basic disclosure will not be required.

Standard Disclosure – This check is no longer available to anyone working with children or vulnerable adults. The Standard DBS check will be for all other positions covered by the Exceptions Order 1975 to the Rehabilitation of Offenders Act 1974. These checks will **only** reveal information held on the Police National Computer and does not reveal information from the barred lists. A check of the new barred lists can only be made as part of an Enhanced DBS check for those carrying out certain activities or working in Regulated Activity with children and adults.

Enhanced Disclosure – An Enhanced DBS check is the highest level of criminal record check. It will contain the same PNC information as the Standard check but also includes a check of police records held locally, and for certain positions working with children and adults, information held by the Disclosure and Barring Service.

The DBS have produced a guidance document for the positions eligible for a DBS check : <http://www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/dbs-checking-service-guidance/eligibility-guidance> (this link will open in a new window)

What is ‘Regulated Activity’?

The Government are scaling back regulated activity to focus on work which involves close and unsupervised contact with vulnerable groups including children. The activities and work that has been taken out of regulated activity will still be eligible for Enhanced DBS checks (but they will no longer be eligible for barred list checks) – see appendix 13 for the pre-September 2012 definition.

Regulated activity relating to adults is:

Focused on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities.

<p>Six categories of people defined as ‘regulated’ activity (and so will anyone who provides <u>day to day</u> management or supervision of those people):</p> <ul style="list-style-type: none"> i) Providing health care ii) Providing personal care iii) Providing social work iv) Assistance with cash, bills and/or shopping v) Assistance in the conduct of a person’s own affairs vi) Conveying <p>(NB. See appendix 13 for the full definitions)</p> <p>OR</p>	<ul style="list-style-type: none"> • Frequency irrelevant
<p>No specified place - the setting the activity is received is irrelevant.</p>	

Regulated activity relating to children is (a child is defined as a young person under the age of 18):.

Link to the Department for Education website factual note on regulated activity:

<http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a00209802/disclosure-barring>

<p>Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well being, or drive a vehicle only for children</p> <p>or</p>	<p>done <u>regularly</u></p>	<p><u>Regular is:</u></p> <p>Carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period (or in some cases overnight (between 2am and 6am)).</p>
<p>Work for a limited range of establishments (‘specified places’), with opportunity for contact: e.g. schools, children’s homes, childcare premises. Not work by supervised volunteers</p>		

OR:

- Relevant personal care, for example washing or dressing; or health care by or supervised by a professional;
- Registered childminding; and foster-carers.

Link to the relevant page of the DBS website which details the [eligibility, workforce and supervision guidance for those working with children and adults](#) (this link will open in a new window)

Offers of Employment

An offer of employment to regulated and exempt posts will be subject to the receipt of a satisfactory disclosure via the Disclosure and Barring Service. Job advertisements and job descriptions will make reference to whether the position is regulated and exempt from the provisions of the Rehabilitation of Offenders Act.

Information in relation to obtaining a disclosure will be provided in recruitment documentation.

NB. Important information for Recruiting Managers

Employers will **not** be able to take certain old and minor cautions and convictions into account when making decisions about any individual (even if it is disclosed). See the filtering rules below at para 1.1, pg 37.

The Council's application form will be amended as soon as is possible to reflect the filtering changes. The following paragraph will be included in the Council's application forms:

'The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.'

PROTECTION OF CHILDREN ACT 1999 AND THE CRIMINAL JUSTICE AND COURT SERVICES ACT 2000

Under the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000, it is an offence to offer employment that involves regular contact with young people under the age of 18 to anyone who has been convicted of certain specified offences, or included on lists of people considered unsuitable for such work held by the Department for Education and Employment and the Department of Health. It is also an offence for people convicted of such offences to apply for work with young people. Specified offences include murder or manslaughter, rape, grievous bodily harm and a number of sexual offences involving children. Further details are available from the Corporate Personnel Department.

THE SAFEGUARDING AND VULNERABLE GROUPS ACT 2006

Under the Safeguarding and Vulnerable Groups Act, it is an offence for a person to work (either on a paid basis or as a volunteer) in a regulated activity while on the barred list. It will also be an offence for an employer to employ a person in a regulated activity without having checked his or her status. The law will work by creating two, linked, lists of people barred from working in 'regulated activities' with either young people or vulnerable adults. Checks against the barred lists can be made as part of an Enhanced Disclosure for those carrying out certain activities or working in regulated activity with children and adults. Further detailed information can be found at **Appendix 13**.

THE PROTECTION OF FREEDOMS ACT 2012

The Protection of Freedoms Act 2012 contains legislation which made changes to the DBS checking process.

The Protection of Freedoms Bill was introduced into the House of Commons on 11 February 2011, and passed into the House of Lords on 12 October 2011. The bill gained royal assent on 1 May 2012, becoming the Protection of Freedoms Act 2012.

The act includes:

- reform of the vetting and barring scheme and criminal records regime – introducing legislative provisions to implement the outcome of the reviews of the vetting and barring scheme and the criminal records regime, so as to scale them back to common-sense levels

A number of provisions in the Protection of Freedoms of Act 2012 which affect the criminal records checking process came into force on 10 September 2012.

Find out [what changes were introduced on 10 September 2012.](#)

IMPLEMENTING FAIR PRACTICE FOR RECRUITING PEOPLE WITH A CRIMINAL RECORD BASED ON A FULL ASSESSMENT OF THE RISKS INVOLVED

1. Gathering Information about Convictions

All applicants are informed that if the position they are applying for is regulated and exempt from the provisions of the Rehabilitation of Offenders Act 1974 they must not withhold information about any convictions, cautions, reprimands and final warnings that are not 'protected' (i.e. filtered out) as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. For further information, please refer to [DBS filtering guidance at www.gov.uk/dbs](http://www.gov.uk/dbs).

Applicants for posts requiring clearance to the Government's Baseline Personnel Security Standard will be informed of the requirements for a Basic Disclosure from Disclosure Scotland. This is a check for unspent convictions only.

Applicants are invited to disclose any such details and information may be provided under separate confidential cover if the applicant wishes. The information provided must be treated in the strictest confidence. (NB. See new filtering rules below). Information on disclosure statements can be found on the [Nacro website](#).

Candidates invited for interview should be informed that relevant criminal convictions and other associated information will be discussed at interview in order to assess job-related risks.

Candidates should be encouraged to provide any information they wish to draw to the attention of the panel that may improve understanding and fair decision-making.

The interview provides an opportunity to raise issues concerning offences with applicants and is best done as part of a carefully structured and managed process that allows open and honest discussion. As with any job selection process, the first step should be the assessment of the applicant's relevant skills, experience,

qualifications and ability to do the job. All applicants should be judged on merit and the question asked – do they meet the requirements identified in the person specification?

Any references regarding offence information provided by the applicant can be taken up after the interview, for example from a probation officer or specialist employment organisation. Only after a full assessment of the applicant has been completed and a decision made about the person's ability to do the job should criminal conviction and, if relevant, other criminal record information be checked and verified using the Disclosure and Barring Service/Disclosure Scotland.

1.1 **Filtering rules for criminal record check certificates**

From **29 May 2013**, the DBS began filtering old and minor convictions and cautions, reprimands and warnings from DBS Certificates. This is happening because the Court of Appeal handed down a judgment that the release of a person's full criminal record information infringed Article 8 of the European Convention on Human Rights.

The filtering rules (which will remove certain old and minor convictions and cautions, reprimands and warnings from a DBS Certificate) were developed by the Home Office and the Ministry of Justice and introduced with new legislation:

The legislation is:

- Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013 – and can be found [here](#)
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 – and can be found [here](#)

The filtering rules apply to all DBS Certificates issued from **29 May 2013**.

The Filtering Rules.

The Filtering Rules can be found [here](#) on the DBS website and are listed below.

For those 18 or over at the time of the offence:

An adult **conviction** will be removed from a DBS Certificate if,

- 11 years have elapsed since the date of conviction; and
- it is the person's only offence, and
- it did not result in a custodial sentence.

Even then, it will only be removed if it does not appear on the range of offences which will never be removed from a certificate, which include serious sexual and violent offences. (*see Exceptions to the Rules*). If a person has more than one offence, then details of all their convictions will always be included.

An adult **caution** will be removed after six years have elapsed since the date of the caution – and if it does not appear on the list of offences relevant to safeguarding.

For those under 18 at the time of the offence:

For convictions, the same rules apply as for adult convictions, except that the elapsed time period is five and a half years.

For cautions, the same rules apply as for adult cautions, except that the elapsed time period is two years.

Exceptions to the Rules

Some offences will never be removed from a DBS Certificate. These include the most serious sexual and violent offences. You can view this specified list of offences [here](#):

It is important for you to note that applicants cannot dispute a DBS Certificate issued before 29 May 2013 on the basis of filtering alone; however, they **can** on DBS Certificates produced after this date if they think that a conviction or caution should have been filtered in line with the filtering rules.

The DBS will not be reissuing all previously issued DBS (and CRB) Certificates with the new filtering rules applied as these were issued under the legislative provisions in place at the date of issue.

Safeguarding referrals and barring decisions remain unaffected by the introduction of these filtering rules.

2. Applicants should be given the opportunity to discuss disclosure information before a final recruitment decision is made as part of a post-interview process

Any job offer should only be made subject to checks such as references, medical information and Disclosure details. It is at this stage that Disclosure information will be requested from the DBS/ Disclosure Scotland.

If the information provided in the Disclosure contradicts that provided by the applicant, this should be discussed with the applicant in person as part of a post-interview process and the applicant given the opportunity to explain the situation before a final decision is made. It may be that the Disclosure contains information the applicant was not asked about during the interview, or the applicant was unaware they had a criminal record. It may be they have been given inaccurate information and are under the impression their convictions have become spent under the terms of Rehabilitation of Offenders Act. (Sentences of the court can be extremely complex and offenders do not always understand the nature of the sentence(s) they have received). Or, it may be that the information contained in the Disclosure is inaccurate and requires clarification with the DBS/ Disclosure Scotland. (NB. see new filtering rules above).

Applicants have a right of appeal to the DBS/Disclosure Scotland if they feel that any information contained in their Disclosure is inaccurate.

3. Assessing the relevance of Criminal Records

The suitability for employment of a person with a criminal record will vary, depending on the nature of the job and the details and circumstances of any convictions. An assessment of an applicant's skills, experience and conviction circumstances should be weighed against the risk assessment criteria for the job and the criminal record assessed in relation to the tasks he/she will be required to perform. The following issues should be taken into account:

- the age of the offender
- the seriousness of the offence and its relevance to the safety of other employees, customers, clients and property;
- the length of time since the offence occurred;
- any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example the influence of domestic or financial difficulties;
- whether the offence was a one-off, or part of a history of offending;
- whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely.

If those undertaking recruitment exercises are unsure of the relevance of a criminal record or require advice, the Corporate Personnel Department can assist.

4. **Consecutive and Concurrent Sentences**

If an offender receives more than one sentence at the same time, the total rehabilitation period will depend on whether the sentences run concurrently (at the same time) or consecutively (one after the other). If concurrent sentences are imposed, then the longest applicable rehabilitation period will apply to all the sentences.

For example, a four month and six month prison sentence ordered to run concurrently will count as a single term of six months (carrying a "buffer period" of two years from the end of the sentence, giving a total rehabilitation period of two years and 6 months before both convictions can be considered spent).

If consecutive sentences are imposed, then the sentences will be added together to calculate the rehabilitation period.

For example, a four month and six month prison sentence running consecutively will count as a ten month sentence (carrying a "buffer period" of four years from the end of the sentence, giving a total rehabilitation period of four years and ten months before the convictions can be considered spent).

5. **Extension of Rehabilitation Periods**

Rehabilitation periods may be extended if a person receives further convictions while an original rehabilitation period is still running. For full details, please refer to the [updated guidance](#) from the Home Office.

6. **Overseas Information service**

It is important to note that when recruiting people from overseas, the DBS does not currently access overseas criminal records or other relevant information as part of its Disclosure and Barring service. Further information is available via this link to the DBS website: <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants> Consequently, a DBS Check may not provide a complete

picture of an applicants criminal record. To help get a fuller picture of the background for applicants who have spent time overseas, it may be necessary to contact the country concerned. The Corporate Personnel Department can provide further information to assist with such enquiries.

ANNEX 1

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act has been reformed under the Legal Aid, Sentencing and Punishment of Offenders Act. The new rehabilitation periods came into effect on 10 March 2014. Under the new system, rehabilitation periods for community orders and custodial sentences will comprise the period of the sentence plus an additional specified period, rather than all rehabilitation periods starting from the date of conviction as it is under the current regime. So, for an example, an adult offender sentenced to two and a half years custody, who would previously have had to declare their criminal conviction for ten years from the date of conviction, will now have to disclose their conviction for the period of the sentence plus a further four years (giving a total rehabilitation period of 6.5 years).

The Home Office has issued updated guidance in November 2020 which is available via the following link:

[Microsoft Word - Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975.docx \(publishing.service.gov.uk\)](#)

Sentence	Buffer period for adults (18 and over at the time of conviction or the time the disposal is administered). This applies from the <u>end</u> date of the sentence (including the licence period).	Buffer period for young people (under 18 at the time of conviction or the time the disposal is administered). This applies from the <u>end</u> date of the sentence (including the licence period).
Prison sentence of 4 years or more	Never spent	Never spent
Prison sentence - more than 30 months up to and including 48 months	7 years	3 ½ years
Prison sentence of more than 6 months up to 30 months (2½ years)	4 years	2 years
Prison sentence of 6 months or less	2 years	1 ½ years
Probation order/Community Order/Youth Rehabilitation Order	12 months	6 months
Sentence	Rehabilitation period for adults (18 and over at the time of conviction or the time the disposal is administered).	Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered).
Fine	1 year	6 months

Conditional Discharge Order	The last day on which the order has effect	The last day on which the order has effect
Compensation	Once compensation paid in full	Once compensation paid in full
Absolute discharge	No rehabilitation period	No rehabilitation period

NOTE:

A suspended prison sentence is treated as one that has taken effect and the rehabilitation period is the same as for the full sentence. Offences committed whilst serving in the Armed Forces are treated as above.

NB. From 29 May 2013, the DBS began filtering old and minor convictions and cautions, reprimands and warning from DBS Certificates. Employers will not be able to take certain old and minor cautions and convictions into account when making decisions about any individual (see the filtering rules above (para 1.1, page 45).

Appendix 3**FORM JA1 – JOB ANALYSIS : ASSESSMENT OF DEMANDS ON INDIVIDUALS**

Job : _____ Name of postholder (where known/applicable): _____

Dept./Service: _____ Location/ address : _____

Form completed by (name & position): _____ Date: _____

Significant Demands Associated with the Job	Not applicable Insignificant/	Indicative Level of Significance				
		1	2	3	4	5
A - PHYSICAL REQUIREMENTS:						
1 - Exertion (other than lifting) - specify; potential during site work						
2 - Lifting – *HSE guideline maximums				*		
3 - Repetitive movements – specify (upper limb, lower limb, etc):						
4 - Prolonged sitting, standing or static posture						
5 - Bending, stooping, twisting or stretching						
6 - Climbing stairs						
7 - Use of ladders, scaffolding, other equipment or tasks requiring good balance						
8 - Use of respiratory protective equipment						
9 - Precise hand co-ordination/dexterity						
B - SENSORY REQUIREMENTS:						
1 - Sensory work with colours/requirements to distinguish perception of fine visual detail/good visual performance						
2 - Auditory performance (hearing)						
C - CONTACT/EXPOSURES:						
1 - Exposure to high noise levels – *1 st Action Level, + 2 nd Action Level or Peak Action Level			*	+		
2 - Contact with body fluids						
3 - Contact with food/drink						
4 - Contact with animals						
5 - Contact with potentially infectious micro-organisms - specify; potential exposures during site work and from visiting clients						
6 - Exposure to hazardous substances, including sensitisers - specify the substance(s) and whether exposure is via inhalation, ingestion or skin contact; potential exposures during site work			*	+		
* Occupational Exposure Standard (OES) + Maximum Exposure Limit (MEL)						
7 - Contact with vibrating surfaces/equipment						
D - PHYSICAL CONDITIONS:						
1 - Work at height (above 2 metres)						
2 - Work below ground						
3 - Work under high/low air pressures						
4 - Adverse weather/temperatures						
5 - Work in confined spaces						

6 - Lone working (see also F7, overpage)							
E - EQUIPMENT:							
1 - Driving - specify (car, PCV, HGV, motorcycle, other);							
2 - Use of mechanical equipment							
3 - Use of visual display equipment (see Sefton's criteria for classification of display screen users)							
F - NON-PHYSICAL DEMANDS:							
1 - Managerial responsibilities (accountabilities/planning)							
2 - Decision making							
3 - Responsibility for resources - specify;							
4 - Work under pressures of time/service delivery							
5 - Nightwork							
6 - On call/irregular/unpredictable hours/shift work/							
7 - Lone working (psychological demands & lack of immediate support)							
8 - Limited management and/or organisational support							
9 - Limited professional support from colleagues and peers							
10 - Deep concentration and/or concentration for long periods of time							
11 - Contact with client/customer group							
12 - Responsibility for people: specify (staff, clients, customers etc);							
13 - Contact with potentially abusive/violent clients or others							
14 - Exposure to emotionally or psychologically demanding situations							
15 - Work with limited/restricted resources							
16 - Potential for poor results given the level of effort/hope/input							
17 - Inappropriate working conditions/environment given the nature of tasks e.g. noise, temperature, lighting, distractions, etc.							
18 - Limited control over pace of work, work patterns, working conditions, rest breaks and interruptions							
19 - Specialist knowledge/skills							
20 - Need to undertake new or other tasks that may potentially be outside existing competencies							
21 - Mundane or routine tasks							
22 - Limited scope for development and use of initiative							
23 - Potential for lack of clarity over own job role, conflicting demands and expectations, poor understanding of job role by others							
24 - Potential for change in job role, reporting lines, team structures, job demands, etc							
25 - It is not realistic to assess the potential for inappropriate interpersonal behaviours or the management styles of individuals using this format. However, there are expectations: For behaviours to be supportive (both generally and in response to individual needs), to avoid conflict and to promote fairness. That anyone with genuine reason to believe that inappropriate behaviours may be occurring can report them without fear of detriment (note that malicious reporting would itself be treated as inappropriate behaviour). That reports can be made through an appropriate route given the nature of the concerns (e.g. it is not necessary to always use line management channels). That appropriate investigations will be undertaken as soon as there is reason to believe that inappropriate behaviours have occurred, or are occurring, and that these investigations will culminate in appropriate remedial actions without delay.							
G - OTHER (include any demands that are peculiar to the job):							
1 -							
2 -							
3 -							
4 -							
5 -							
6 -							

CONFIDENTIAL

YES NO

FORM JA2: ISSUE : 1 - DATED : SEPTEMBER 1999

JOB ANALYSIS: PROTECTING AGAINST HARMFUL WORK DEMANDS (NON-PHYSICAL)

SECTION (1): TYPE OF ASSESSMENT (circle the appropriate letter):

- (a) General assessment: The demands placed on individuals by work should be assessed for all posts using form JA1. Where demands are high (rated 3 or above on form JA1), or it is otherwise appropriate, a detailed written assessment should be produced that covers the ways in which demands will be controlled and managed. This form should be used for non-physical demands. Alternative documentation should be used for assessment of physical demands, however they should be considered here in so far as they have a potential to affect mental wellbeing.
- (b) Where a problem has been identified: Despite the actions taken following a general assessment, problems will occasionally arise. These may become evident through several routes e.g. absence rates, staff complaints, information received via the Corporate Personnel Department or Occupational Health, exit interviews, staff turnover rates, etc. Once a problem has been identified reasonable and appropriate action must be taken to resolve issues and/or avoid recurrence this may go beyond that identified in a general assessment. Where issues involve personal relationships or are otherwise sensitive it may be appropriate to treat this paperwork as confidential.
- (c) Individuals' susceptibility: Some individuals may be less able to cope with work demands than would usually be expected. This may be because of a medical condition, a mental health condition or circumstances outside work (e.g. caring for dependants, bereavement, divorce, etc.). Existing staff may become susceptible if their circumstances change, alternatively susceptibility may be discovered during recruitment procedures (e.g. at interview or through pre-employment medical checks). Where appropriate and reasonable, supportive actions that go beyond those that are identified through the general assessment, must be taken.

Notes: The onus is on ensuring that all reasonable support is provided and all reasonable actions are taken. This may include the use of existing policies and/or the development of actions that are specific to each problem. You should be able to justify why actions have or have not been taken. In deciding what is reasonable, consideration should be given to;

***the needs of the individual; effect on colleagues; the needs of the service;
the period of time over which the provisions will be necessary; costs and gains (in terms of finance and resource).***

For (b) and (c), attach a copy of the general assessment (a), where one exists.

**SECTION (2): Identify the jobs and/or people to which the assessment relates -
(Department/Section/Establishment/Team/Post Names and/or Individuals/etc).**

SECTION (3): Describe:

- * the nature of the post and how it may affect mental well-being; *and/or*
- * the nature of the problem that has arisen/been identified; *and/or*
- * the exceptional circumstances/susceptibilities of the individual.

SECTION (4): Describe:

- * the procedures, controls and support that are (or will) usually be used to avoid harm to mental well-being; *and/or*
- * the additional procedures, controls and support that will be used where a problem exists or where an individual experiences exceptional circumstances or susceptibilities.

Appendix 4**SEFTON METROPOLITAN BOROUGH COUNCIL
FORMAT JOB DESCRIPTION****Department:****Location:****Division:****Post No:****Section:**

The basic details of the job

Post:

i.e. Department, Division, Sefton Location, official designation, grade, post number

Grade:**Responsible To:**

The designation and grade to whom the postholder reports

Responsible For:

The designation and grades of posts supervised by the postholder

JOB PURPOSE

The main aims and objectives of the job, each summarised in one sentence, if possible

MAIN DUTIES

List of statements briefly describing the main duties of the job, each item normally consisting of one sentence, in the following form:

ACTION VERB

Develop.....

OBJECT OF ACTION

..... systems and procedures

END RESULT

..... to process all incoming

invoices

Below is a list of useful ACTION VERBS

Policy Jobs**Management****Specialist****Specific****General***

Approve

Achieve

Analyse

Check

Administer

Authorise

Assess

Appraise

Collate

Assist

Define

Attain

Enable

Distribute

Control

Determine

Ensure

Forecast

Issue

Co-ordinate

Develop

Identify

Interpret

Obtain

Liaise

Direct

Implement

Justify

Operate

Supervise

Establish

Improve

Propose

Perform

Plan

Increase

Recommend

Process

Prepare

Maintain

Support

Provide

Monitor

Submit

Review

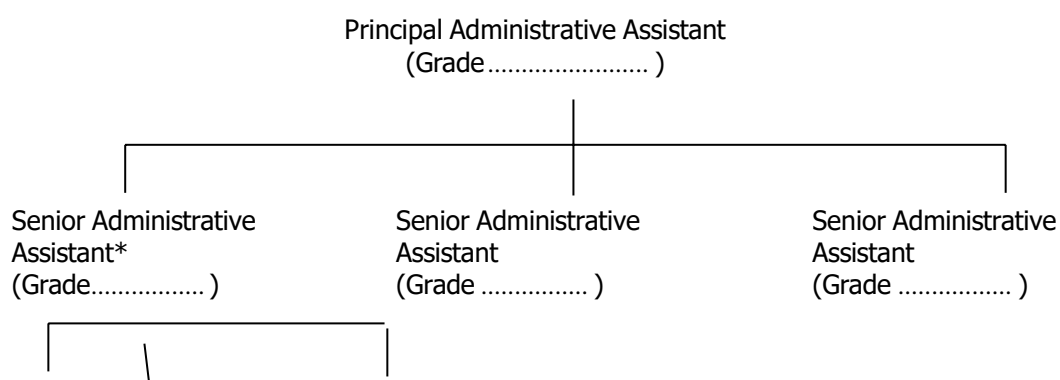
Supply

* These verbs are rather imprecise and should only be used when absolutely necessary

MAIN DUTIES (continued)**ORGANISATION CHART**

Describe, in the form of a diagram, the reporting relationships in the Section in which the job is located. (The diagram should be restricted to the supervisor and the immediate subordinates of the post). Job titles and grades must be shown. The post to which this job outline relates should be identified with an asterisk.

For example



Detail the essential qualifications and/or essential experience required to enable an individual to adequately perform the work outlined. This will normally be the minimum standard required on appointment to the job. You must be able to justify the criteria you select as essential and take care that you do not put anyone at a disadvantage, i.e. an applicant with a disability who may be able to fulfil the minimum criteria of a job with reasonable adjustments.

When relevant, include the qualifications and/or experience it is desirable for an individual to possess over and above those regarded as essential for the best performance of the job.

SPECIAL CONDITIONS (if applicable)

eg car and telephone allowances unless mobile phones are provided, in which case this allowance would not apply, requirements to work outside normal office hours, shift allowance etc.

Due to the nature of the work involved, this post is "exempt" from the provision of the Rehabilitation of Offenders Act 1974 by virtue of the ROA 1974 (Exceptions) (Amendment) Order 1986

GENERAL:

These statements must appear in all job descriptions

This job description is a representative document. Other reasonably similar duties may be allocated from time to time commensurate with the general character of the post and its grading.

All staff are responsible for the implementation of the Health & Safety Policy as far as it affects them, colleagues and others who may be affected by their work. The postholder is also expected to monitor the effectiveness of the health and safety arrangements and systems to ensure appropriate improvements are made where necessary.

The School has an approved equality policy in employment and copies are freely available to all employees. The post holder will be expected to comply, observe and promote the equality policies of the Council.

We are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment.

Note: Where the postholder is disabled, every effort will be made to support all necessary aids, adaptations or equipment to allow them to carry out all the duties of the job.

Other optional paragraphs

Since confidential information is involved with the duties of this post, the postholder will be required to exercise discretion at all times and to observe relevant codes of practice and legislation in relation to data protection and personal information. **(Please note this must be included in posts that have access to Contact Point)**

Undertake, and participate in training, coaching and development activities, as appropriate.

This is a new post. The person appointed will be expected to work flexibly and the exact nature of the duties described above is subject to periodic review and is liable to change.

Prepared by: **Name**

Designation

Date

It is important that all job descriptions are dated and indicate the author

NOTE:

Advice and assistance is available from your Personnel Schools Team on the preparation of job descriptions

PERSON SPECIFICATION PRO FORMA

Post: _____ Post No. _____
 Department: _____ Division: _____

Personal Attributes Required (considerations)	Essential (E) Or Desirable (D)	Method of Assessment (suggested)
<p><u>QUALIFICATIONS/TRAINING</u></p> <p>General/technical/professional – consider standard that the job calls for can the need be justified? Training – consider job related/vocational</p>		AF/Certificate of Attainment
<p><u>EXPERIENCE</u></p> <p>What experience, if any, is relevant? Consider quantify and quality, what previous duties, tasks, activities would be useful preparation for the post. Quality is frequently more important than the actual length of experience</p>		AF/I/T
<p><u>SKILLS/KNOWLEDGE/APTITUDES</u></p> <p>Knowledge - consider type, depth relevant to the post level Skills - and type of eg supervisory/management, keyboard oral/written, planning/organising Aptitude -</p>		
<p><u>SPECIAL REQUIREMENTS</u></p> <p>Conditions of service which differ from the norm and with which the postholder must comply eg shift working, attendance of meetings outside normal hours, driving, physical activity, restrictions under certain legislation eg Rehabilitation of Offenders Act 1974, uniform requirements, residential</p> <p>NB the following must be included:</p> <p>Satisfactory Enhanced Disclosure and Barring Services Check including the Barred List Check. Please note this post is exempt from the Rehabilitation of offenders Act</p> <p>We are committed to safeguarding and promoting the welfare of children and young people therefore expect all staff and volunteers to share this commitment.</p>	<p>E</p> <p>E</p>	<p>AF/I</p> <p>AF/T/I</p>

Be extremely careful with criteria such as 'Current Driving Licence required'. This would be used only if essential to the job (a genuine Occupational Requirement). Otherwise state 'must travel independently over a wide geographical area'

Prepared by: _____

Date: _____

AF = Application Form

I = Interview

T = Test

P = Presentation

Appendix 6**Advertising Request/Content Form****School Vacancy**

Please complete this form and email it to becruiter@sefton.gov.uk.

Incomplete information will be returned to sender.

Contact Details

Contact Name: _____

Contact Tel: _____

Email: _____

**School Name and
Address:** _____

Advertising Details

All adverts will go on the external Sefton Jobs website unless otherwise stated.

If your advert is for internal candidates only, please tick here

If you would like your advert to be placed in the external press, please state the publication:

- Liverpool Echo (Thursday)
- TES (Print & Online)
- TES (Online Only)
- Community Care
- Totaljobs.com
- Guardianjobs.com

- Champion** Sefton Group includes :-
 - Southport & Formby Champion
 - Aintree & Maghull Champion
 - Crosby & Litherland Champion
 - Bootle Champion
- **Trinity** Sefton Group includes :-
 - Midweek & Southport Visiter
 - Crosby Herald & Formby Times
 - Star (Bootle, Maghull, Aintree – Appears Tuesday Echo)

Please attach your school logo to the email if you wish to advertise in the press.

If you would like to advertise in the press please submit this form before 12 noon on Tuesday for publication in the following week's edition.

Vacancy Details

Job Title: _____

Contract type:

- Permanent
- Temporary
- Fixed term until _____

Hours per week:

- Full time
- Part time
- Term time only hours
- Term time plus weeks

Grade:

Salary from to

Advert Details:

Please write your advert text here.

Due to the nature of work the above post is exempt from the provisions of the Rehabilitation of Offenders Act 1974 and relevant care/safeguarding legislation and appointment will only be confirmed if a satisfactory Enhanced Disclosure is obtained from the Criminal Records Bureau.

The School is committed to safeguarding and promoting the welfare of young people and expects all staff to share this commitment.

Application form availability:

Completed Application forms are to be returned to

Closing Date:

SHORTLISTING FORM R/S 2 - EXPLANATORY NOTES

This form must be used by the Shortlisting Panel.

Before examining any application forms, the Panel should discuss and agree the relative importance of each of the desirable criteria and rate them.

The essential and desirable criteria should be taken from the person specification and listed at the top of the shortlisting form in the spaces provided.

Only criteria which can be assessed from the application form must be considered.

Stage 1 - Individual Assessments

Members of the Shortlisting Panel must **individually** read and assess each application form against the person specification and record their findings on this form.

- (i) Eliminate all applicants who do not meet the essential criteria set out in the person specification - in relation to the essential criteria an applicant must meet all these requirements in order to proceed any further.

Essential requirements should not be rated - the question is simply whether or not the candidate does or does not comply with the requirements. Panel members should indicate this by placing a tick or cross in the box provided.

- (ii) Where applicants meet the minimum criteria and identify themselves as disabled, meeting the minimum criteria, they must not be subject to any further shortlisting.
- (iii) Where there is a large number of applicants who satisfy the essential criteria, it will be necessary to examine the desirable criteria (except for disabled applicants, see above). The desirable criteria will have been rated, by the Panel, to draw up a profile which best matches the job description.

Applicants should be rated according to how well they meet the desirable requirements of the post in the following way:

A	=	Comprehensively meets requirements
B	=	Partially meets requirements
C	=	Does not meet requirements at all

Those applicants whose profile is a closest match will be recommended for the shortlist.

Stage 2 - Consensus View of the Panel Once the shortlisting panel members have individually assessed each application form, they will only then discuss their individual findings with the objective of coming to an overall consensus view. The Panel Chair should complete a new Shortlisting Form R/S2, deleting the word "individual" from the top of the form

Sefton Council

Occupational Testing Policy

Purpose of the Occupational Testing Policy

The purpose of the Occupational Testing Policy is to ensure that the use of occupational testing in Sefton Council is consistent with best practice guidelines and to reassure candidates that their individual rights are protected.

While the main emphasis of the Policy is on recruitment and selection, the same principles also apply to the use of occupational testing in areas such as, for example, management development and team building initiatives.

Definition of Occupational Test

The term occupational test is often interchanged with the terms psychological test or psychometric test, regardless of the term used, the following definition applies:

“Occupational tests are tests that can be systematically scored and administered that are used to measure individual differences (for example, ability, aptitude, personality, attainment or intelligence). They are supported by a body of evidence and statistical data that demonstrates their validity and are used in an occupational setting.” (source: CIPD)

Types of Occupational Test

Tests are designed for a purpose and the use of a particular test will vary according to the objectives of assessment. Some broad distinctions between different categories of tests used in an occupational setting (i.e. used for careers guidance, selection and development) can be made as follows:

Tests of Attainment

Are used to assess knowledge and skills acquired through education and instruction. Examples include tests of mathematics knowledge and foreign language proficiency. Such tests tend to be narrowly defined in content and targeted at the achievement of specific standards. Such tests are generally designed so there is only one correct answer to each test question. The test score is usually the total number of questions answered correctly.

Tests of Ability

Assess broader areas of what a person can do. While scores on such tests are influenced by education and training, they are not designed to assess specific areas of knowledge or skill. Examples of such tests include:

- Verbal reasoning—the ability to comprehend, interpret and draw conclusions from oral or written language
- Numerical reasoning—the ability to comprehend, interpret and draw conclusions from numerical information

- Spatial reasoning—the ability to understand and interpret spatial relations between objects
- Mechanical reasoning—understanding of everyday physical laws such as force and leverage involved in the use of tools and equipment

Aptitude Tests

Are used to assess how well an individual is likely to perform in a training programme or a job. Attainment tests, ability tests and personality tests are all used to predict future performance and so the term aptitude has more to do with prediction than with a specific category of test.

Tests of Disposition

Are used to assess how a person is likely to react emotionally to situations and other people, the types of relationships they prefer to establish with others, and the motivational factors that influence a person's actions. Tests of disposition do not usually contain questions to which there is only one correct answer. The answers given to questions reflect a tendency to interpret situations or respond to other people in particular ways. Typical qualities assessed by such tests are anxiety, sociability, perseverance, dominance, fear of failure and resistance to stress. Personality tests are the most widely known form of this type of test.

Tests of Interest and Preference

Focus on the activities, hobbies and types of work that a person might enjoy or might best be suited for. They are frequently used in career counselling to gauge priorities in life and orientation towards work to help focus a person's thinking and to suggest possibilities they may not have considered previously.

Key Characteristics of a Psychometrically Sound Test

- **Objective**—the results obtained from the test are not influenced by the administrator's personal preferences
- **Standardised**—the test is administered and scored according to standard procedures: people's scores on the test are compared to known standards
- **Reliable**—the test measures in a consistent way. The potential error is small and quantifiable
- **Valid**—the test measures the characteristics it sets out to measure. For example, a test for verbal ability should predict this area and not some other skill
- **Discriminating**—the test should be discriminating, showing clear differences between individuals on the behaviour being tested. It must not be discriminatory.

Advantages and Disadvantages of Using Occupational Tests

Advantages	Disadvantages
Standardised and objective: everyone is treated equally and therefore fairly	Internal candidates for jobs can sometimes feel disgruntled because they are being treated in the same way as external candidates
Candidates who have good "interview technique" are not unduly	Some candidates may be nervous about testing and will need to be put

disadvantaged	at ease
Usually quick and easy to score	Some tests are more complex to score: training is required for administration and interpretation
Typically much more reliable, consistent and free from error than other assessment methods	The initial set-up can be costly, including the initial purchase of reusable materials and training of test administrators and interpreters
Statistical research suggests that many aspects of job performance can be predicted from test results. Indeed test results seems to be much more effective in this regard than most other selection methods	There may be an initial resistance to using tests, often based on misconceptions, which need to be overcome before they can be successfully introduced into an organisation
Usage costs are low, sometimes as little as £5 per person. Because most test can be administered in groups of up to 15, there are considerable savings in time and expense	Tests may not be able to measure the “whole candidate” and will typically be used in conjunction with other information
In general, tests measure the attributes they are designed to measure very effectively	

How well do Occupational Tests predict job success?

One key attribute of any assessment method is how well it can predict job success. The following findings from Dr Mike Smith of UMIST illustrate the different predictable measures associated with recruitment and selection:

(Perfect Prediction)	
1.0	
0.9	
0.8	
0.7	Assessment Centres (promotion)
0.6	Work Sample Tests
0.5	Ability Tests
0.4	Assessment Centres (performance), biodata, personality questionnaires
0.3	Structured Interviews
0.2	Typical Interviews
0.1	References
0	Astrology, Graphology
(Chance Prediction)	

No method can perfectly predict later job success, although some assessment centres can be very good at this. The best single methods, however, are occupational tests—work sample tests and ability tests. Personality questionnaires can also be very effective. Interviews tend to be less effective, especially the typical biographical interview. Other methods such as astrology and graphology are no better or worse than chance.

Competent Test Use

All test users in Sefton Council must hold either the British Psychological Society's (BPS) Statement or Certificate of Competence in Occupational Testing Level A and/or Level B.

Being qualified at Level A and/or Level B means that the individual is able to demonstrate knowledge and understanding of the psychometric principles underlying test construction, knowledge of the types of tests that are available, when it is appropriate to use them, and is able to administer, score and interpret tests to provide accurate and meaningful feedback to others.

Level A covers the basic psychometric principles and the skills required to use attainment and ability tests. Level B covers more advanced psychometric principles and the skills required to use tests of personality and interest.

A register of qualified test users in Sefton Council is held by the Corporate Learning and Development Manager, Corporate Personnel Department.

Anyone engaging external consultants to provide occupational testing must ensure that (a) the consultant is BPS qualified, and (b) that the principles contained in the Occupational Testing Policy are followed.

Selecting Occupational Tests

Before selecting a test, users should consider the following questions:

- 1 What is the specific purpose of using a test or tests?
- 2 What specific outcomes will be achieved through testing?
- 3 Are the expected outcomes relevant to the job description and person specification?

The user then needs to select a test by obtaining satisfactory answers from the test suppliers to the following questions:

- 1 How reliable is the test?
- 2 How consistent is it as a measure?
- 3 How valid is the test?
- 4 Does it really identify the attributes or skills that the supplier claims?
- 5 What evidence can suppliers provide that their tests do not unfairly disadvantage certain groups?
- 6 Will the test seem appropriate in the eyes of those taking it?
- 7 What have previous reactions been to this test?
- 8 Has the test been used effectively in similar circumstances?
- 9 Are the norms provided by the supplier for comparative purposes up to date and appropriate for the user's requirements?
- 10 Do the norm results apply to a sufficiently representative mix of occupations, gender or ethnic groups to allow for fair comparison with the user's group?
- 11 Is the method of test evaluation and scoring appropriate to the purpose for which the test will be used?

If the answers to these questions are not available or are unsatisfactory then the test should not be used.

Checklist for Administering Tests

Test users must ensure that all candidates receive:

- 1 Advance notice that they will be required to take tests
- 2 Notice of the duration of the tests
- 3 Access to an environment free from interference in which to take the tests
- 4 Adequate information about the requirements of each test they are required to complete (including a "Test Taker's Guide" where the test supplier provides these for the selected test) and the opportunity to question any arrangements before taking the tests
- 5 Information on the arrangements for feedback
- 6 A request to contact the test user if the candidate has any special needs (e.g. visual impairment etc.) so that appropriate arrangements can be made
- 7 Information on how the test results will be used
- 8 Information on who will have access to the test results both during and after the selection process
- 9 Information on how long the results will be kept
- 10 Information on where the results will be stored

Test Administration

Test users must ensure that they follow the administration, scoring and interpretation instructions contained in the manual of the test instrument concerned to ensure that the tests and questionnaires are properly used.

Test users must ensure that no unqualified person is allowed to administer, score or interpret occupational test instruments.

Test users must keep occupational tests and questionnaires in a safe place to prevent unqualified use and other abuses.

Use of Test Results

Test users are responsible for ensuring that the implications of the test results are clear to the selection panel, including any limitations.

The results of single tests must never be used as the sole basis for decision-making, this is particularly relevant with regard to personality tests.

Test users must ensure that they use the appropriate norm tables for the candidates.

Test results must not be used for any purpose other than the one stated to be the reason for the testing (e.g. selection).

Confidentiality

Candidates will be informed as to who will have access to their test results, i.e. the test user and the members of the selection panel.

The test user will ensure that the scores and other data from testing will be kept in a locked cabinet that is accessible only to the test user.

When scores are held on computer, access will be restricted to the test user.

All candidates will be informed where and for how long the data will be stored.

Scores and data from testing will be confidentially destroyed twelve months after the testing (in line with Sefton's Recruitment and Selection Policy)

Feedback

The test user must offer all candidates feedback on their test results.

Generally, feedback should be given face-to-face, however, this may not be possible with external candidates who live away from the area. In this instance, either telephone feedback or written feedback with the opportunity to discuss it further by telephone, may be used.

The test user must use their best efforts to ensure that candidates understand the implications and limitations of the test results and the basis or theory on which the test is based.

Copyright

Test users in Sefton Council must comply with all copyright of test materials.

Breach of copyright is theft of property. It is an infringement of copyright to make a copy of any test or questionnaire component.

The reproduction of the following by any means is an offence, whether or nor the reproduced materials are sold:

- Manuals and related texts
- Question booklets and all questionnaire items, whether singly or in a group
- Client report or feedback forms
- Profile charts as they appear on report forms
- Scoring templates/patterns of answers
- Software programs and accompanying documentation
- Training materials

This list is not exhaustive.

A publisher's copyrights are its most valuable property. Copyright protects authors' creative efforts and the integrity of its materials. Any infringement of copyright severely affects the ability of publishers to produce materials economically. Moreover, in the case of psychometric instruments, illegal copying of materials leads to poor control of their use, gives respondents a bad impression and can even disadvantage them.

Note: all psychometric test materials are specifically excluded from all UK Copyright Licensing Agency (CLA) photocopy licensing schemes.

Computer Software

It is also illegal to incorporate any of the components listed above into computer software used for the administration, scoring and interpretation of a questionnaire or test. The profile chart as it appears on published forms is also a copyright work, and it may not be

used in a computer presentation system, even one that simply generates reports when data (scores) are input into a computer.

Monitoring

Test use should be monitored continuously to ensure it is not discriminatory, that it remains appropriate to the purpose and that norms are up to date and relevant.

Test users should be aware that testing requirements may differ over time and therefore particular tests may become less appropriate. Test users should also be aware that the effectiveness of particular tests may differ according to the situation to which they are applied.

Recognised Test Providers

ASE
Chiswick Centre
414 Chiswick High Road
London
W4 5TF
Tel: 0208 996 3337
Fax: 0208 996 3390
www.ase-solutions.co.uk

OPP
Elsfield Hall
15—17 Elsfield Way
Oxford, OX2 8EP
Tel: 01865 404500
Fax: 01865 310368
www.opp.co.uk

The Psychological Corporation
Harcourt Place
32 Jamestown Road
London, NW1 7BY
Tel: 020 7424 4456
Fax: 020 7424 4457
www.tpc-international.com

ADC Ltd
3 Lammas Gate
Meadrow
Godalming, GU7 3HT
Tel: 01483 860898
Fax: 01483 860885
www.ADCltd.co.uk

The Test Agency Ltd
Cray House
Woodlands Road
Henley-on-Thames, RG9 4AE

Tel: 01491 413413
Fax: 01491 572249
www.testagency.com

Annexe A: Testing People With Disabilities

Registered Test Users are strongly recommended to obtain a copy of "Testing People with Disabilities" that is available, as a free download, from ASE at www.ase-solutions.co.uk/support.asp

Annexe B: Test User's Charter

Test Users must:

1. Follow the administration, scoring and interpretation instructions contained in the manual of the test instrument concerned to ensure that tests and questionnaires are properly used
2. Ensure that no unqualified person is allowed to administer, score or interpret occupational test instruments
3. Keep occupational tests and questionnaires in a safe place to prevent unqualified use and other abuses
4. Not sell, rent, lease, lend, exchange, give or otherwise dispose of or part with possession of test materials to anyone
5. Tell candidates how long the test results will be kept on file, and indicate to whom and under what circumstances data will or will not be released
6. Take reasonable steps to keep candidates' results confidential, only divulging them to someone other than the candidate when there is legitimate cause and with the candidate's full knowledge
7. Observe all applicable laws on the protection of personal data
8. Ensure the implications of the results are clear to the candidate and explain the limitations of the occupational test in any report
9. Use their best efforts to see that the candidate receives adequate information about the theory on which the test is based and full feedback on their results, preferably in a face-to-face setting
10. Never contravene copyright law by photocopying, computerising or adapting any part of a test or indicator, proprietary scoring system or its profile form
11. Take corrective action where bad practice or breach of copyright or infringement of trade mark is evident in Sefton Council
12. Review results regularly, including the outcome of decisions taken on them, and pay attention to differences between groups, in particular those of a different race, gender, ethnic background or who are disabled.

Appendix 9**INTERVIEW ASSESSMENT FORM R/S3****INDIVIDUAL/CONSENSUS (delete as appropriate)**

Important: Please study explanatory notes overleaf before using this form

Post: _____ Dept: _____

Candidate: _____

Panel Member: _____

Date/Time of Interview: _____

Attribute	Assessment	Comments

CANDIDATE ASSESSMENT FORM R/S3

CANDIDATE: _____

Attribute	Assessment	Comments

OVERALL ASSESSMENT:

CANDIDATE ASSESSMENT FORM R/S3 - EXPLANATORY NOTES

1 Attribute

The experience, skills, knowledge, etc, that have been identified on the person specification for assessment at the interview stage must be identified under this heading.

An indication of whether each attribute is essential or desirable (as shown on the person specification) must be given.

2 Assessment

This is an indication of the extent to which the candidate satisfies each attribute in the opinion of the interviewer.

The interviewing panel should agree a recording scheme **before** the interviews take place. The following is suggested:

- a) Candidate fully satisfies the specified attribute
- b) Candidate possesses the attribute but not to the extend specified
- c) Candidate does not satisfy/possess attribute
- d) Unable to assess from information sought/provided

3 Comments

A brief note should be made to support each assessment particularly where B, C or D are awarded.

4 Overall Assessment

Each interviewer should make a brief note under this heading of his/her overall assessment of the candidate in terms of whether or not the candidate has demonstrated from the interview the ability to do the job.

5 Consensus View

At the conclusion of the interview process, the panel should determine which, if any, of the candidates is the best person for the job by evaluating the outcome of the interviews together with the assessment exercises that may have been undertaken, e.g. in-tray, presentation.

Candidates who do not satisfy all the essential attributes identified on the person specification **must** be rejected.

Appendix 10**PRESENTATION ASSESSMENT FORM R/S4**
INDIVIDUAL/CONSENSUS (delete as appropriate)**Important: Please study explanatory notes overleaf before using this form**

Post: _____ Dept: _____

Candidate: _____

Consensus/Panel Member: _____

Topic: _____

- Assessment: A = Fully satisfies the specified criteria
 B = Possesses the attribute but not to the extent specified
 C = Does not satisfy/possess attribute
 D = Unable to assess from information sought/provided

NB: The panel must agree the purpose of the presentation before seeing any candidates. The attributes to be assessed should be listed below.

Attribute	Assessment	Comments

COMMENTS:

PRESENTATION ASSESSMENT FORM R/S4 - EXPLANATORY NOTES

Why use a Presentation as part of the Selection Process?

Presentations are a useful method of assessing attributes that cannot easily be identified/assessed from the application form/interview etc. For example, the ability to:

- effectively communicate information verbally
- plan and structure information
- manage time
- represent the Authority at external meetings
- represent the Department at Committee/Council meetings
- influence/persuade

The presentation will also assess a candidate's knowledge and understanding of a particular issue.

In addition to the above, an assessment on the use of audio/visual aids, body language, voice, evidence of preparation, presentation style, structure is typical.

NB: When deciding to use a presentation as an assessment method, the panel must decide what attributes they will be looking to assess in relation to the person specification.

Choosing the Topic

The choice of topic must be closely related to the post in question. The length of time to be allocated will vary (10-15 minutes would usually be sufficient).

Giving Prior Notice to Candidates

Candidates must be given equal and adequate notice of the presentation, the topic to be addressed and the time to be allocated. They must also be advised of what visual/audio aids will be available, e.g. PowerPoint, OHP, flipchart.

Assessing the Presentations

The presentation assessment form has been loosely designed **in recognition of the fact that presentations will not always be used to assess the same attributes**. For example, if the purpose of the presentation is to test the candidates' knowledge and understanding of a particular issue, the panel will be focusing more on the content rather than the candidates' voice or body language.

Individual Assessments

The Presentation Assessment Panel must individually assess each candidate against the agreed list of attributes. It is suggested that applicants be rated according to how well they meet these in the following way:

A = Fully satisfies the specified attribute B = Possesses the attribute not the extent specified

C = Does not satisfy/possess attribute provided

D = Unable to assess from information

Panel Consensus

Once members of the Presentation Panel have individually assessed each presentation, they will only then discuss their individual findings with the objective of coming to an overall consensus view.

The Panel Chair should complete a new Presentation Assessment R/S4, deleting the word "individual" from the top of the form.

Appendix 11

Dear

Re:

Home Address:

The above named person has applied for the post of <insert post> within <School name> and has given your name as a referee.

Please find enclosed a copy of the Job Description and Person Specification in relation to this position. I have also enclosed a Pro forma, which I would be grateful if you would complete and return in the envelope provided by <date>

When completing the pro forma, please be aware that my school is exempt from the restrictions of the Rehabilitation of Offenders Act 1974 and due to our commitment to safeguarding and promoting the welfare of children and young people, we follow at minimum the guidance set out by the Department for Education, with regards to Safer Recruitment.

Please ensure that any information provided is accurate and does not contain any material misstatement or omission. Any factual content of the reference may be discussed with the applicant.

To avoid any delays in the selection process, you may send your reply by fax to <NUMBER> and return the original copy in the envelope provided.

I would like to thank you for your assistance in this matter.

Yours sincerely,

**METROPOLITAN BOROUGH OF SEFTON
SCHOOLS REQUEST FOR REFERENCE**

**We are committed to safeguarding and promoting the welfare of Children and
Young people
PRO FORMAT**

Reference for:	
Home Address:	
Post applied for:	
Location	

SECTION 1. Relationship with the applicant.

<p>1. How long have you known the applicant? _____ Years _____ Months</p>
<p>2. In what capacity do you know the applicant?</p> <p>a) As an employee reporting to me. <input type="checkbox"/></p> <p>b) As a work colleague <input type="checkbox"/></p> <p>c) As a fellow member of a professional association. <input type="checkbox"/></p> <p>d) As a friend/socially. <input type="checkbox"/></p> <p>e) Other (please specify) _____</p>
<p>3. If you have selected 'employee reporting to me' please answer the following questions:</p>
<p>a) What is/was his/her period of employment? _____ Years _____ Months</p>
<p>b) What was his/her reason for leaving? _____</p>
<p>c) What is/was his/her position? _____</p>
<p>d) Did his/her role involve working with children? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>e) Please provide details of applicants current salary: _____</p>
<p>f) Please provide brief outline of his/her duties:</p>
<p>g) Would you re-employ the applicant? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no please specify why. _____</p>

SECTION 2. Suitability of applicant.

IMPORTANT: Please ensure that you have fully read the attached Job Description and person specification before completing this section,

4. Do you believe the applicant is suitable for this role? Yes No

If no please specify why: _____

5. How would you rate the applicant for the following:

	Excellent	V. Good	Good	Average	Po or	V. Poor
Work performance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Timekeeping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Honesty & Integrity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Relationship with Colleagues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Do you believe that the applicant is suitable to work with children? Yes No

If no please specify in detail why: _____

7. Considering the Job description and Person Specification, please comment on the applicants:

a) Skills and Competencies

b) Strengths

c) Weaknesses

8. Do you know of any reason why we should not employ this applicant?

Yes No

SECTION 3. Applicant's sickness absence record.

NB Section 3 should be removed from the reference if obtaining references prior a conditional offer of employment.

9. Please provide detail of the applicant's sickness absence record for the previous 2 years		
From	To	Reason

SECTION 4 Applicant's work conduct and performance.

IMPORTANT This section must be completed by employers providing a reference for the applicant who's current or previous employment involved working with children. I.e. if you have answered yes to question 3d in section 1.

10. Please provide verifiable comments on the applicants previous :	
a) Performance	
b) Conduct	

SECTION 5 Applicant's Formal Capability history

IMPORTANT The School Staffing (England) (Amendment) Regulations 2012 require employers to share with prospective employers if teachers have been subject to formal Capability.

11. Please provide details of Formal Capability procedures that the applicant has been subject to and which is current.

--

SECTION 6 Applicant's disciplinary/allegation history

IMPORTANT This section must be completed by employers providing a reference for the applicant whose current or previous employment involved working with children. I.e. if you have answered yes to question 3d in section 1.

12. Please provide details of disciplinary procedures that the applicant has been subject to and which is current.

Date of offence Dd/mm/yyyy	Offence	Action Taken	Sanction	Date of Sanction Dd/mm/yyyy

13. Please provide details of any allegations raised about the applicant that relate to the safety and welfare or behaviour towards children and young people.

Date of allegation	Detail of allegation	Detail of investigation	Details of conclusions of investigations	Details of resolution.

SECTION 7. Additional comments.

Please provide any other comments regarding the applicant that you feel are relevant

--

SECTION 8. Declaration.

I declare that the information provided in this reference is to my knowledge accurate and does not contain any material misstatement or omission.

Name (in capital Letters):	
Signature:	
Date:	
Position in Organisation:	
Tel No. & Extension:	
Organisation Name:	
Organisation Stamp:	

Please be aware that any information disclosed in this reference may be discussed with the applicant.

THANK YOU

PLEASE RETURN TO <SCHOOL NAME/ADDRESS >IN THE ENVELOPE PROVIDED

Appendix 12

GUIDANCE ON THE IMMIGRATION, ASYLUM AND NATIONALITY ACT

Following the UK's withdrawal from the European Union, and the end of the transition period, freedom of movement ended at 11pm on 31 December 2020. The UK has introduced a points-based immigration system that applies to anyone who wants to come to live, study or work in the UK

This means that a Visa will be required where a non-UK citizen wishes to work in the UK. There are a number of different types of Visas that cover different types of work including a Skilled Worker visa and a Health and Care Worker visa which replaced the previous Tier 2 worker category.

Further information on visa requirements to work in the UK can be found using the following link:

[Browse: Work in the UK - GOV.UK \(www.gov.uk\)](https://www.gov.uk/browse/work-in-the-uk)

To enable the Council to employ non UK citizens the Directorates of the Council need to be "Licensed" by the Border Agency to "sponsor" such workers provided certain requirements are met. Further information can be found at [UK visa sponsorship for employers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/uk-visa-sponsorship-for-employers)

Checking a Person's Right to Work in the UK

The Authority should carry out three basic steps before a new employee begins working, in order to establish that they have the right to work in the UK.

- Obtain an officially recognised original document from List A or B.
- Carry out certain checks on the document(s) to be satisfied they relate to the potential employee (Checking the Documents).
- Make a copy of the whole of the document(s) or certain parts of a passport/travel document in a format which cannot be subsequently altered (e.g. a photocopy or scan) (Copying the Documents).

A copy or copies must be kept of the original document(s) in a secure manner for two years after the employment has ended.

A summary of the rules for checking a person's right to work in the UK [An Employer's Guide to Right to Work Checks](#) has been issued by the Home Office.

Types of Documents

Where a person's employment began on or after 29 February 2008, in order to establish that they have the right to work in the UK, their employer must either:

- check and copy one original document or a combination of two of the original documents specified in List A
- check and copy one original document or a combination of two of the original documents specified in List B.

ONLY ORIGINAL DOCUMENTS SHOULD BE ACCEPTED.

LIST A

An employee or potential employee who produces an original document (e.g. a UK passport) specified in List A will not have a time limit on their legal right to work in the UK, and therefore, the Authority is not required to carry out a follow-up check after it has checked such documents.

The documents in List A:

- A passport showing that the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
- A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of the European Economic Area (EEA) or Switzerland.
- A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of an EEA country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of an EEA country or Switzerland
- A current biometric immigration document issued by the Home Office to the holder, which indicates that the person named in it is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK
- A current immigration status document issued by the Home Office to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer (eg P45, P60, National Insurance card).
- A full birth certificate or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer (eg P45, P60, National Insurance card).
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer (e.g. P45, P60, National Insurance card).
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer (eg P45, P60, National Insurance card).

The above list is exhaustive.

LIST B

Documents in List B all have time restrictions and the Authority is required to carry out additional checks as the time limit is reached. The List has been divided into two.

- Group 1 documents, which are time limited and where the Authority must carry out a further check when the original permission to work in the UK expires.
- Group 2 documents, which require checks after 6 months with the Home Office Employer Checking Service.

Please note that the Authority must check that an employee has retained their right to work in the UK on the expiry date of that right (e.g. 29 August 2008) regardless of the length of time between that date and the date of the previous check (e.g. 3 March 2008). An employer who fails to do so may be charged with the offence of knowingly employing an illegal worker. The penalty for such an offence is a maximum two-year prison sentence and/or an unlimited fine.

An employer in such a situation should note that in *Klusova v London Borough of Hounslow* [2007] EWCA Civ 1127, the Court of Appeal held that an employer had unfairly dismissed a foreign employee where it had acted upon incorrect information supplied to it from the Home Office regarding the legal employment status of the employee.

The code of practice also warns employers that job applicants should not be treated less favorably if they produce documents from List B rather than List A. A person producing document(s) from List B will have a time limit on their legal ability to stay and work in the UK, but it is possible for certain categories of entrant to obtain an extension to their entitlement to remain and work in the UK.

Group 1 – documents which are subject to checking when the permitted period expires

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- A current biometric immigration document issued by the Home Office to the holder, which indicates that the person named in it can currently stay in the UK and is allowed to do the work in question.
- A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-EEA national who is a family member of a national of an EEA country or Switzerland or who has a derivative right of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Group 2 - documents which must be checked after 6 months

- A certificate of application issued by the Home Office to or for a family member of a national of a European Economic Area (EEA) country or Switzerland stating that the holder is permitted to take employment which is less than six months old when produced in combination with a Positive Verification Notice from the Home Office Employer Checking Service.
- An application registration card issued by the Home Office stating that the holder is permitted to take the employment in question, when produced in combination with a Positive Verification Notice from the Home Office Employer Checking Service.
- A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

The above list is exhaustive.

Checking the Documents

In order to establish that a person has the right to work in the UK, an employer must also check that the documents presented to it by an employee or potential employee appear to relate to that employee or potential employee.

- Check any photographs, where available, to ensure that they are satisfied that the photographs are consistent with the appearance of the employee or potential employee.
- Check the dates of birth listed to ensure that the dates are consistent with the appearance of the employee or potential employee.
- If the employee or potential employee gives an employer two documents from List A or List B that show different names, the employer should ask them for a further document to explain the reason for this.
- The further document could be a marriage certificate, divorce document, deed poll, adoption certification or statutory declaration.
- Check that the expiry dates have not passed.
- Check any UK Government stamps or endorsements to see if the potential employee is able to do the type of work being offered.
- From 29 February 2008, check:
 - the validity of the document (e.g. a check for any obvious signs that the document has been tampered with)
 - that the employee or potential employee is the rightful owner of the document even if the document itself is genuine.

An interactive guide to help employers check a person's right to work in the UK is available at www.gov.uk/check-an-employees-right-to-work-documents.

The guide includes colour samples of documents that employers can compare with the documents presented by employees or potential employees.

Further information can be found in the attached guide issued by the Home Office
[An Employer's Guide to Right to Work Checks](#)

THE DISCLOSURE AND BARRING SERVICE

From 10 September 2012, a number of legislative changes affected the DBS checking service (formerly the CRB).

The legislative changes that amend the Safeguarding & Vulnerable Groups Act 2006 & the Police Act 1997 Regulations, which the DBS checking service is based on, have been introduced through the Protection of Freedoms Act 2012.

They include:

- a new definition of regulated activity
- the provision of statutory guidance on the supervision of children
- the introduction of a minimum age (16) at which someone can apply for a DBS check and apply to become a countersignatory
- repeal of registration and monitoring
- repeal of additional (brown envelope) information
- repeal of controlled activity
- a more rigorous relevancy test for the police when they release locally held information through an Enhanced DBS check
- a new right of review for applicants of information released by the police
- people who do not fall within the new post-September definition of regulated activity will no longer be eligible for list checks, but everybody within the pre-September definition of regulated activity will remain eligible for enhanced level DBS checks

The primary role of the Disclosure and Barring Service (DBS) is to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups including children.

The DBS was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

A new definition of Regulated Activity

The Safeguarding Vulnerable Groups Act 2006 sets out the activities and work which are 'regulated activity', which a person who has been barred by the DBS must not do. The Government have scaled back regulated activity to focus on work which involves close and unsupervised contact with vulnerable groups including children. The activities and work which have been taken out of regulated activity will still be eligible for Enhanced DBS checks (but they will no longer be eligible for barred list checks). Leaflet on the changes to the Disclosure and Barring Scheme can be accessed via opening this link - <http://www.homeoffice.gov.uk/publications/crime/disclosure-and-barring/>

Being clear about the definition of regulated activity matters because:

- An organisation which knowingly allows a barred person to work in regulated activity will be breaking the law;
- If you dismiss or remove someone from regulated activity (or you would have done had they not already left) because they harmed or posed a risk of harm to vulnerable groups including children, you are legally required to forward information about that person to the DBS. It is a criminal offence not to do so. If you believe that the person has committed a criminal offence, you are strongly advised to pass the information to the

police. For further information on the duty to refer to the DBS, please see <http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/services/dbs-referrals>

- From 10 September, if you consider that a role is within the new definition of regulated activity, then if you ask the individual to apply for an Enhanced DBS check you should request the appropriate barred list check (for children, adults or both). Enhanced DBS checks for work within regulated activity will tell you (where requested) if the person is on one of the DBS's barred lists. They do not generally include that information for work outside regulated activity.

New: Definition of Regulated Activity – Adults

Those who provide:

(i) Health Care

Any health care professional providing health care to an adult, or anyone who provides health care to an adult under the direction or supervision of a health care professional.

(ii) Personal Care

Anyone who provides physical assistance with eating or drinking, going to the toilet, washing or bathing, dressing, oral care or care of the skin, hair or nails because of an adult's age, illness or disability; or prompts and then supervises any adult ... (as above), trains, instructs or offers advice or guidance relating to... as above).

(iii) Social Work

The provision by a Social Care Worker of social work which is required in connection with any health care or social services to an adult who is a client or potential client.

(iv) Assistance with cash, bills and/or shopping

The provision of assistance to an adult because of their age, illness or disability, if that includes managing the person's cash, paying their bills or shopping on their behalf.

(v) Assistance in the conduct of a person's own affairs

Anyone who provides various forms of assistance in the conduct of an adult's own affairs, for example by virtue of an enduring power of attorney.

(vi) Conveying

A person who transports an adult because of their age, illness or disability either to or from their place of residence and a place where they have received, or will be receiving health care, personal care or social care; or between places where they have received or will be receiving health care, personal care or social care. This will not include family and friends, or taxi drivers.

There is no longer a requirement to do activities a certain number of times before a person is engaging in regulated activity.

Scope of Regulated Activity – Children

1. Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children.

2. work for a limited range of establishments ('specified places'), with opportunity for contact, for example schools, children's homes, childcare premises (but not work by supervised volunteers).

Work under (1) or (2) is Regulated Activity if done **regularly**. Regular means carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period (or in some cases, overnight).

3. Relevant personal care, for example washing or dressing; or health care by or supervised by a professional, even if done once.
4. Registered childminding; and foster-carers.

No longer in regulated activity – children (1)

Activities:

- Activity supervised at reasonable level
- Health care not by (or directed or supervised by) a health care professional
- Legal advice
- "treatment/therapy" (instead "health care")

No longer in regulated activity – children (2)

Establishments:

- occasional or temporary services, e.g. maintenance (not teaching etc.)
- volunteers supervised at reasonable level (statutory guidance available on the [DfE website](#)).

Office holders (England):

- All "positions" removed, e.g. governors;
- Inspectorates removed.

Activities and Work No Longer Regulated

Everybody with the pre-September definition of Regulated Activity will remain eligible for Enhanced DBS checks (but no longer eligible for barred list checks), e.g. work by supervised volunteers, specified roles unless the role fulfills the new definition of 'Regulated Activity'.

Pre-September 2012 definition of 'Regulated Activity'

Involves contact with children or vulnerable adults and is:

<p>Of a specified nature</p> <p>e.g. teaching, training, care, supervision, advice, treatment , or transport</p> <p>or</p>	<p>“frequently, intensively and/or overnight”</p> <ul style="list-style-type: none"> • Once a week for most services, <i>but once a month or more for health and social care services involving personal care</i> • Takes place on 4 days in one month or more • Overnight: between 2 am – 6am
<p>In a specified place</p> <p>e.g. schools, children’s homes & hospitals, juvenile detention facilities, adult care homes</p>	
<ul style="list-style-type: none"> • Is a specified role includes Fostering & ‘Defined Office Holders’ E.g. Directors of Children’s Services, Trustees of Children’s Charities, School Governors. • No distinction made between paid and voluntary work 	

Changes that have happened since September 2012

At the start of December 2012

The work of the CRB and of the ISA have merged into a single, new Non-Departmental Public Body. This is called the Disclosure and Barring Service (DBS). The DBS will carry out the CRB’s and ISA’s functions, so this does not represent a change to the services which you receive – it just means that they will be provided by one organisation rather than two.

From April 2013

Position Applied For field (Section x61) on the DBS application form

The DBS application form now needs to be completed differently. This is because the Police will now use a broader definition of ‘workforce’ to assess the relevance of any information that they may consider for release. The form must now include whether the position/role is related to the child and/or adult workforce or other workforce (which applies if the person is not working with children or adults). This change should not reduce the information released by the police and will enhance the relevancy of their decision making.

This change means that the DBS Certificates can be taken from role to role within the same workforce – working with children or adults, both or other.

From 29 May 2013

New Filtering Rules for criminal record check certificates

From 29 May 2013, the DBS began filtering old and minor convictions and cautions, reprimands and warnings from DBS Certificates. This is happening because the Court of Appeal handed down a judgment that the release of a person’s full criminal record information infringed Article 8 of the European Convention on Human Rights. Home Office

Ministers were already considering such a policy change.

Employers will **not** be able to take certain old and minor cautions and convictions into account when making decisions about any individual. See Appendix 2, para 1.1 on pg 37 for further details. The Council's application forms will be updated as soon as is possible.

From 17 June 2013

Applicant only certificates

To coincide with the launch of the Update Service, the DBS will **only** issue a copy of the DBS Certificate to the applicant. The Government changed the law which meant that the DBS can now only send DBS Certificates to the individual on whom the check was carried out.

As a result of this, avarto will now provide a list to the Council each week of any positive disclosures that have been identified for individuals. In addition for any found, avarto will automatically send a letter to the individual requesting that they provide their original disclosure to a named contact in Corporate Personnel. The letter will include a prepaid and pre-addressed envelope for return and this will be marked private and confidential.

The Update Service

The new service from the DBS means that DBS checks are portable and can be carried between jobs or functions, eliminating the need for multiple checking. An online 'Update' Service also makes it easier for employers to assess individuals. (This is an optional service provided by the DBS.)

An individual can choose to subscribe to the Update Service for an annual fee of £13. This will keep their certificate up to date so they can take it with them from role to role – both between and within organisations.

If an individual has subscribed to the Update Service, their employer will be able to go online, with the individual's consent, and carry out a free, instant check to find out if the information set out on the DBS certificate provided by the individual is current – or whether any further information has come to light since it was issued. You can carry out as many checks as you want, as many times as you want.

The Council currently has no plans to take part in the Update Service and any individuals who wish to work for the Council will need to do a separate DBS check to comply with the level of check required for the post. **A trial of the Update Service within the Sefton Supply Service is currently taking place at the present time.** More information will be made available in the near future about the Council's plans to use this new service – in the mean-time, it is business as usual.

Further information

Further updated information will be shared with departments and the guidelines updated accordingly.

For more information:

DBS: <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

The DBS have produced a guidance document for the positions eligible for a DBS Check –<https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance> (this link will open in a new window)

The Department for Education has produced a factual note on regulated activity children and statutory guidance on supervision which can be access via this link:
<http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a00209802/disclosure-barring>

HMG Baseline Personnel Security Standard**The Purpose of Personnel Security and National Security Vetting**

One of the Government's chief responsibilities is to protect national security – that is, to safeguard the country and the community against threats to order and well being. Traditionally, national security has been understood to mean the protection of the state and its vital interests from attacks by other states. Over recent decades this has broadened to include threats to the citizen and our way of life, as well as to the integrity and interests of the state more generally.

To protect national security the Government must have in place a range of protective security measures. Some of these relate to employees, temporary staff or contractors in sensitive or critical posts and may include a range of personnel security and other national security controls.

Government employees (and temporary staff and contractors) and individuals working in other parts of the essential national infrastructure potentially have access to a range of sensitive assets (personnel, physical or information) at risk from a wide range of threats. These threats may be related to terrorism, espionage, sabotage or serious organised crime, but vulnerabilities may also arise from disaffected insiders who could seek to exploit improperly, damage or compromise the assets to which they have access. Similar considerations also apply to UK nationals taking up sensitive posts in international organisations.

The purpose of personnel security controls (such as recruitment checks) is to confirm the identity of individuals (employees and contractors) and provide a level of assurance as to their trustworthiness, integrity and reliability. Whilst personnel security controls cannot provide guarantees, they are sensible precautions that provide for the identity of individuals to be properly established. In circumstances where risk assessments indicate that the necessary thresholds are met, they provide for checks to be made of official and other data sources that can indicate whether individuals may be susceptible to influence or pressure which might cause them to abuse their position or whether there are any other reasons why individuals should not have access to sensitive assets.

Minimum Recruitment Controls – The Baseline Personnel Security Standard (BPSS)

All those with access to government assets are subject on recruitment to the requirements of the Baseline Personnel Security Standard. The Baseline Standard requires the verification of the following four elements:

Identity: to verify identity, candidates will be asked to provide, in advance of any final offer of employment, a selection from the following:

- Confirmation of name, date of birth and address
- National insurance number or other unique personal identifying number (where appropriate)

- Full details of previous employers (name, address and dates), over the past three years
- Confirmation of any necessary qualifications/licences
- Educational details and references where someone is new to the workforce
- Confirmation of permission to work in the UK if appropriate

Employment history (past three years): seek verification of a candidate's employment history including names of previous employers and dates employed. Departments will also seek details of any periods spent overseas for a total of six months or more during the previous three years.

Nationality and Immigration Status: the Council, like any employer, is subject to the Asylum and Immigration Act 1996 and are required to verify whether or not new employees have the right to remain and work in the UK.

Criminal record (unspent convictions only): successful candidates will also be required to disclose an unspent criminal record via the Basic Disclosure service operated by Disclosure Scotland (unless they are subject to a DBS check as a requirement of the post). Prospective employees who have recently come to the UK or lived abroad may be asked to provide overseas police certificates or certificates of good conduct where these are available so that a similar assurance can be gained.

FURTHER INFORMATION / GLOSSARY OF TERMS

Public Services Network (PSN) - This is a secure wide area network (WAN) that allows access to Central Government systems, secure data transfer, secure email and accredited solutions provided by public sector organisations and accredited 3rd parties. At present this includes GCSx secure email, CIS(Benefits), TellUsOnce and Electoral Registration systems. The scope of the PSN network covers local authorities, central government departments, National Health Service, the Criminal Justice Extranet and the Police National Network.

HMG Baseline Personnel Security Standard (BPSS) - As a local authority employing a large number of employees, we have a responsibility to prevent and eliminate fraud within the Council. One of the ways we can achieve this is by undertaking a robust vetting of potential new employees prior to appointment. The BPSS is the minimum standard to ensure the identity and integrity of an employee who has access to official information and involves 4 main elements; Identity Check, Nationality and Immigration status, Employment History (past 3 years) and Verification of Criminal Record (unspent convictions only) – a Basic Disclosure from Disclosure Scotland required. Details of the standard and the governments Security Policy Framework can be found via <https://www.gov.uk/government/publications/security-policy-framework>

Government Security Classifications* – a marking scheme of information assets as used by the UK Government. A new marking classification comes into effect from 2nd April 2014. Details of this scheme can be found via <https://www.gov.uk/government/publications/government-security-classifications> the new marking classification guidelines can be found in Appendix A. Documents marked under the old marking scheme will still be in circulation and details of the scheme are found in Appendix B. There is no direct correlation between the two schemes but we should only

ever receive documents marked 'UNCLASSIFIED', 'RESTRICT' or 'PROTECT' under the old scheme or 'OFFICIAL' under the new 2014 scheme. The latter may have additional descriptors such as '-SENSITIVE', '-COMMERCIAL' or '- PERSONAL'.

Appendix 15**Guidelines for Involving Children and Young People in Recruitment and Selection**

Sefton Children's Services Directorate fully supports the United Nations charter article 12 that states; "*Children and Young People should be involved in decisions that affect their lives*".

In relation to the recruitment and selection of staff, this means that where staff are employed to deliver front line services for Children and Young People (C&YP) either directly, or as managers, C&YP should be involved in some part of the selection process. The majority of posts in the Children's Services Directorate do affect C&YP and so, the extent of their involvement needs to be assessed.

In the wider work of Sefton Council, all Directorates should ensure that Managers preparing to make appointments, assess how much of an impact a post will have on the lives of C&YP and respond accordingly, e.g. leisure, libraries, transport., etc. in addition to posts within the Children's Services Directorate.

Key points to consider

When involving C&YP in recruitment and selection the following points have to be taken into account:

- C&YP should be involved at the very initial stages, as they can contribute immensely to the recruitment and selection process
- C&YP need support, training and time. Involvement may require parental and school/college agreement so their involvement should be organised as early in the process as possible.
- Recruitment and selection panels need to recognise that in involving C&YP, there are issues such as equalities and accessibility to consider. In choosing an interview venue, consideration should be given to its accessibility and the resources available in order to ensure C&YP can get there, as most C&YP do not drive. The timing of the interviews is another factor to be considered as the professional working day often excludes C&YP. Also parental and school/college consent forms for their involvement may be required.
- C&YP's experiences of being involved in recruitment and selection shows that they value having a range of opportunities to get involved, having support from professionals and structures to work in, being able to learn new things, gain experience and be respected for their contribution.

Recruitment

As with all aspects of appointing new members of staff, the recruitment process should begin with a review of the vacant role or, in the case of a new post, consideration and re-defining the purpose of its role and key duties.

Managers can ensure they gain the views and ideas about the role, from the C&YP who will directly receive the service, in a number of ways. C&YP can be asked to contribute to aspects of the job description and the wording of an advert, particularly advertisements for front line posts like Foster Carers, Residential Social Workers and Youth Workers. School and College Governors should ensure C&YP are fully, and appropriately, involved in the appointment of teaching and support staff.

Selection - The Person Specification

In drawing up the 'essential' and 'desirable' criteria of the person specification, C&YP can be invited to contribute in three ways:

- **Informal conversations**
As with recruitment, informal conversations can take place between Managers and C&YP about the key aspects of the role and the qualities and skills that C&YP think the post require. These contributions can be written into the person specification.
- **Generic work**
Directorates may want to consider working with a focus group of C&YP once a year to agree some generic qualities that should go into the person specification for all posts that impact on C&YP.
- **Formal involvement**
For senior posts in particular, a group of C&YP should be consulted on the person specification. This is a very effective way, for example, for School Councils to be involved when appointing Head-teachers and staff to the schools leadership teams.

Selection - The Interview Process

Local Managers have to assess how best to involve C&YP in the interview. There are three types of involvement, passive, active and fully participating.

- **Passive**
C&YP are involved at the "meeting and greeting" stage of the interview process, acting as ambassadors and hosts to the candidates. Generally there is no further involvement in decision-making, although individual members of the Selection Panel do sometimes seek value judgements from the C&YP involved.
- **Active engagement - 1**
C&YP are asked to formulate two or three questions, which are submitted to the Panel. The Panel chooses and asks the questions on the C&YP's behalf. Good practice would be to give feedback on how the questions were answered and why the successful candidate was appointed. As part of their learning, C&YP need to understand that their questions form one part of the selection criteria and other aspects may influence the decisions.
- **Active engagement - 2**
In certain formal settings staff, are asked to give demonstration lessons or invited to meet C&YP in their own environment, e.g. in a youth club or residential home.

The Selection Panel need to consider how the views of the C&YP are fed into the decision-making process. In the case of demonstration lessons, often professionals observe. Assessment of candidates' abilities should not only include a 'good lesson taught', but also an evaluation of what was learnt by involving pupil feedback.

- **Active engagement - 3**
Conversational Panels – normally used when a large group of C&YP wish to be involved. Candidates are asked to meet for 5-10 minutes with a carousel of small

panels in an informal social setting, e.g. with refreshments. Panels should have themes for discussion, but no formal questions. The Conversational Panel feeds the information to a member of the Selection Panel as views and comments, the panels may make some judgements and these can be used in the decision making process in the same way as any group exercise.

➤ **Fully Participative**

C&YP are recruited and trained to take part in the selection process. This requires an appropriate panel of C&YP being identified who have experience of the service in which the vacant post sits. As with the formal panel they are provided with all information concerning the job. In some cases it may be appropriate for involvement in the short-listing of the candidates. With the support of a professional, the group devises its own set of questions and has a formal role on the selection day as part of the main selection process.

The responses from this Panel form part of the main selection process. The weight and significance of the C&YP Panel will vary given the emphasis of the work. For managers and senior professionals, the C&YP panel will provide a perspective. With frontline professionals, the C&YP's judgement should have significant weighting; for Youth Worker/Social Workers/Voluntary sector appointments, then the views of the C&YP Panel should be the key factor.

Very good practice in active engagement would see the Chair of the C&YP Panel involved in the final selection. This would ensure that not only the views of the C&YP Panel are taken into account, but also in the final selection, that there is a C&YP perspective in the final decision.

In certain instances, it may be preferable for the "adult" panel to select two or three suitable candidates and present the C&YP Panel with choices for the appointment from the short-list.

Feedback to the C&YP

Following involvement in the recruitment process, C&YP should be offered the opportunity to discuss the final outcomes with a Panel member, ideally the Panel Chair. It would be considered good practice to facilitate an evaluation session with the C&YP following involvement in the recruitment process to ensure any areas for improvement are highlighted.

Summary

The ideal model is that C&YP are involved in the job description, person specification, short-listing exercises and trained to be able to contribute in the formal Selection Panel. However, recognising that for various posts, and with certain C&YP, this will not always be possible, Managers need to ensure that they involve C&YP as appropriately as they can.

Payment Incentives

Consideration should be given as to whether C&YP should be rewarded on the final day of their involvement in the recruitment process. An appropriate example of a reward is a £5 "High Street" voucher for up to 2 hours input and a £10 "High Street" voucher for up to 4 hours input ([See CSF Remuneration and Reward Good Practice Guidance for further information](#)) C&YP should also be reimbursed for any transport costs incurred.

Payment will be made by the Department directly involved in the appointment process. Any incentive should be registered (with the appropriate Corporate Personnel/HR/Business Support Unit) and be sent formally from the individual heading the recruitment process.

Getting Started

In the first instance a Manager should liaise with one of the following Contact Officers, who will provide advice and assistance on involving C&YP in the recruitment and selection process:

Karen Gray - Children's Participation Officer (x 3226)

Note:

The above Contact Officers will also provide the necessary advice and support regarding Safeguarding issues relative to DBS (Disclosure and Barring Scheme) clearance and/or cover in respect of contact with C&YP.

Appendix 16**Eg. SELF DECLARATION**

Congratulations on being shortlisted. Please return this disclosure to the school **at least one day prior to interview**. If we have not received this, we reserve the right to withdraw the offer of interview.

POST APPLIED FOR:	Date:
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Surname:		Previous name(s) (if any):	
Forename(s):		Preferred title:	Date of birth
National Insurance No:	Teacher Ref. No (if applicable):	Date of recognition as qualified teacher, QTS (if applicable):	

(NAME) School is committed to safeguarding and promoting the welfare of children and we expect all staff to share this commitment. This post is exempt from the Rehabilitation of Offenders Act 1974; pre-employment checks will be carried out, references will be sought and successful candidates will be subject to an enhanced DBS check and other relevant checks with statutory bodies.

We comply with the Disclosure & Barring Service (DBS) code of practice and have a written policy on the recruitment of ex-offenders, both of which are available on request. As you have been shortlisted, you are required to declare any relevant convictions, adult cautions or other matters which may affect your suitability to work with children. As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected (filtered) and should not be disclosed to potential employers, and employers cannot take these offences into account.

Please read the information [here](#) before answering the following questions. If you are unsure whether you need to disclose criminal information, you should seek legal advice or you may wish to contact Nacro or Unlock for impartial advice. There is more information on filtering and protected offences on the Ministry of Justice website.

Nacro - <https://www.nacro.org.uk/criminal-record-support-service/helpline@nacro.org.uk> or phone 0300 123 1999

or email

Unlock – <http://hub.unlock.org.uk/contact/> phone 01634 247350 text 07824 113848

1. Do you have any convictions or adult cautions that are unspent? Yes / No
If yes, please provide details here
2. Do you have any other cautions or convictions that would not be filtered? Yes / No
If yes, please provide details here
3. *Only ask if you are recruiting for a post working in regulated activity with children Are you included on the DBS children's barred list? Yes / No

If yes, please provide details here
4. <i>*Only ask if you are recruiting for a post working in regulated activity with adults over the age of 18 years</i> Are you included on the DBS adult barred list? Yes / No
If yes, please provide details here
5. (Teaching posts only) Are you, or have you ever been, prohibited from teaching by the TRA or sanctioned by the GTCE? Yes / No / Not applicable
If yes, please provide details here
6. <i>*Management posts in independent schools / academies only</i> Have you been prohibited from management of an independent school (s128)? Yes / No / Not applicable
If yes, please provide details here
7. Have you lived or worked outside the UK for more than 3 months in the last 5 years and/or 12 months in the last 10 years Yes / No <i>*This will need to be amended to reflect your school policy</i>
If yes, please provide details here
8. Are you subject to any sanctions relating to work with children in any country outside the UK? Yes / No
If yes, please provide details here
9. <i>*Applicants for posts in early years or later years childcare (wrap around care) only</i> The Disqualification under the Childcare Act 2006 Regulations (2018) state that anyone employed to care for children in early years (children under the age of 5) or later years (wrap-around care for children under the age of 8) is disqualified from that work if they meet certain criteria. These criteria include (this is not an exhaustive list): <ul style="list-style-type: none"> • Certain serious criminal offences • Court orders relating to the care of your own child • Being prohibited from private fostering Do you have any reason to believe you are disqualified from working in childcare? Yes / No
If yes, please contact us for more information on the Regulations.

Please complete the declaration below:

I declare that all the information I have provided in this disclosure is full and correct at the time of application and that I have not omitted anything that could be relevant to the appointment of someone who will work with children. I understand that the recruitment panel may be made aware of any relevant information that I have disclosed in order to discuss the matter(s) with me as part of the recruitment process and that, if my application is successful, a risk assessment of the disclosed information will be held securely on my personnel file. I understand that the declaration of a criminal record will not necessarily prevent me from being offered this role.

Signed:

Date:

Please return this form to: [insert name] (HT, bursar)

Please note that, if you are unsuccessful, this disclosure form will be securely destroyed within 6 months of your application.

Appendix 17**Guidance and Access to Teacher Status Checks**

Teacher Services is a free service for schools to check the record of a teacher they are considering employing.

Registration is required for first time users and can be requested from Teacher Services. Once registered, an individual teacher's record can be viewed and checked for any prohibition, sanction or restriction. To view an individual record the school will require the individual's date of birth and Teacher Reference Number (TRN)

Online access will allow authorised users to see other useful information related to teachers at their school. Schools can see individual teacher records which includes the following information -

- initial teacher training qualifications
- qualified teacher status
- induction status
- supplementary qualifications
- details of any active sanctions

Schools are also able to see and maintain a list of teachers at their school, this includes the functionality to claim new teachers to the school list and disown teachers that have left the school.

Where the teacher reference number is not known, you can use Teacher Services to access alphabetical lists of those teachers and others with current prohibitions, restrictions, sanctions or who have failed Induction.

This information is accessed using the following lists:

- teachers who have failed to successfully complete their induction or probation period
- teachers who are the subject of a suspension or conditional order imposed by the General Teaching Council for England (prior to its abolition)
- teachers and others who are prohibited from teaching in England
- individuals who have been barred from taking part in the management of an independent school (including academies and free schools)

Each list describes how the sanction, prohibition or failure to successfully complete their induction or probation affects the type of work the individual can be employed to do.

Should you find a match to your prospective employee you'll be able to access their individual account and view further information.

Further information about using this system to carry out a range of teacher status checks including verification of Qualified Teacher Status and the completion of teacher Induction can be found at [Teacher status Checks:Information for Employers](#)