



# Easterside Academy

## Recruitment & Safeguarding Policy

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## 1. Introduction

The Academy is committed to safeguarding and promoting the safety and welfare of children and young people and expects all staff, governors and volunteers to share in, and demonstrate, this commitment.

The purpose of this policy is to ensure the Academy has appropriate and effective procedures in place for appointing staff in order to prevent people who pose a risk of harm from working with children by adhering to statutory responsibilities to check staff who work with children.

The recruitment and selection of employees will be compliant with current employment legislation and statutory guidance. **Appointments in academies must be made in line with any relevant requirements set out in the Funding Agreement.**

This policy has been developed in response to and in support of the 'Keeping children safe in education' statutory guidance published by the Department for Education (DfE). Those involved in the recruitment process must make themselves familiar with this guidance and other statutory requirements as referenced in this Policy.

A recruitment and selection checklist (of actions and responsibilities) has also been developed to support this process, shown at Appendix A, along with supplementary guidance on pre-employment checks which can be found at Appendix B.

Requirements may change from time to time and this policy will be updated accordingly.

## 2. Scope

This policy applies to all employees and prospective employees and also provides guidance around agency staff, self-employed workers, contractors, volunteers and apprentices. Please note, there are separate policies and guidance for the recruitment of volunteers and apprentices which should both be read in conjunction with this policy.

## 3. Key Aims

- To prevent unsuitable people from working with children
- To ensure that the best possible staff are recruited based on the applicant's suitability for the role
- To ensure that all job applications are considered fairly and consistently
- To ensure that safer recruitment practice and pre-employment checks are rigorously undertaken before any appointment is confirmed
- To ensure compliance with all relevant legislation, recommendations and guidance, including the statutory guidance published by the Department for Education (DfE)

#### **4. Rationale**

It is vital that the Academy creates a culture of safe recruitment and, as part of that, adopt recruitment procedures that will, as far as is reasonably possible, help deter, reject or identify people who might abuse children, or are otherwise unsuited to work with them.

The Academy will act reasonably in making decisions about the suitability of a prospective employee based on checks and evidence including, criminal record checks (DBS checks), barred list checks and prohibition checks together with references and interview information.

This policy will therefore provide a fair, consistent and thorough approach for obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at the Academy.

#### **5. Roles and Responsibilities**

The Governing Body / Trust of the Academy will:

- Ensure the Academy has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with DfE guidance and legal requirements
- Monitor the Academy's compliance with them

The Head Teacher, Academy Business Manager and other Managers involved in the recruitment process will:

- Ensure that the Academy operates safe recruitment procedures and makes sure all appropriate checks are carried out on all employees and volunteers who work at the Academy
- Ensure third party organisations, contractors' and agencies' are compliant with safeguarding policies and legal requirements
- Promote the welfare of children and young people at every stage of the procedure

#### **6. Delegation of Authority and Constitution of Selection Panel**

The Governing Body may delegate the power to offer employment for all posts to the Principal (with the exception of Principal and Vice Principal posts). Selection panels will comprise a minimum of three people to decrease bias and subjectivity. Members of the panel should remain constant throughout the appointment process.

In accordance with statutory requirements at least one member of the panel will have completed appropriate Safer Recruitment Training. The Academy may choose appropriate training and may take advice from their Local Safeguarding Children Board (LSCB) in doing so.

## **7. Recruitment and Selection Procedure**

### **7.1 Advertising**

To ensure equality of opportunity, the Academy will advertise vacant posts (teaching and support staff) to encourage as wide a field of applicants as possible. On occasions the Academy will advertise internally when designated appropriate.

The advertisement will be drafted in accordance with the Job Description and Person Specification and as a minimum, will outline the main terms of employment and other appropriate information, including:

- Salary
- Hours of work
- Clarification regarding term time only/whole time working
- Contractual status, if temporary the proposed end date
- Any other Academy information as appropriate
- Closing date for the receipt of applications
- Planned interview date (where possible)
- Details of how/where applicants can obtain a recruitment pack
- Academy contact details (if applicants require further information about the post)
- Any arrangements for prospective candidates to visit the Academy
- Details of where/who completed applications should be returned to

Any advertisement will make clear the Academy's commitment to safeguarding and promoting the welfare of children and the requirement for Enhanced DBS Disclosure and satisfactory pre-employment clearances.

### **7.2 Job Descriptions and Person Specifications**

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

All posts will have a job description which includes the following details:

- Job Title
- Grade and Salary range
- Responsible to (post title of line manager)
- Responsible for (post title(s) of staff reporting to job holder)
- Statement covering principle purpose of job
- Outline of key responsibilities
- List of duties required to achieve key responsibilities

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job.

All posts will have a person specification detailing the essential and desirable criteria required to fulfil the role against:

- Qualifications
- Knowledge and Experience
- Skills and Abilities
- Other (covering such as specific and justifiable requirements for the post e.g. current driving licence, physical demands and also any personal attributes)

In addition, where the role to be advertised is a public-facing role, which includes, but is not limited to, a teacher, teaching assistant, administrator, the Academy should make clear in the person specification the necessary standard of spoken English required for the sufficient performance of the role. This is in line with the fluency duty which came in to force on 21 November 2016. The Academy may consider using descriptors such as “*Good literacy and communication skills in accurate spoken English*” under the essential criteria and should ensure consistency when advertising for similar types of roles. Further information on the requirements of the fluency duty can be found in the published code of practice.

### 7.3 Recruitment Packs

Applicants, both internal and external, should be provided with as much information as necessary when they apply for a post. Providing the right type of information at an early stage will allow potential applicants to assess their suitability for the role. The content of the recruitment pack will vary from post to post (depending on level and nature), but as a minimum, applicants should have available an Application Form, Job Description and Person Specification and any other Academy information appropriate. An outline of the main terms of employment should be included in the advertisement.

### 7.4 Applications

All applicants will be required to complete an appropriate application form containing questions about their academic and employment history and their suitability for the role. In addition all applicants are required to account for any gaps or discrepancies in their employment history. The application form will also include the applicant’s declaration regarding previous convictions.

A CV will **not be accepted** in place of a fully completed application form but can be submitted in support

Applicants who consider themselves to have a disability may indicate on their application form the reasonable adjustments required to be made to assist them during the recruitment process.

Applicants must fully complete and return a signed application form to the Academy by the specified closing date. Where an application form is completed online, applicants will be asked to sign the form if invited to interview. Applications received after the published closing date will not be considered (unless prior agreement has been sought).

Application Forms will be scrutinised to ensure that they are fully completed. Incomplete application forms will be rejected. Any gaps in employment history will be noted and later explored at interview if the applicant is shortlisted.

The application form will make applicants aware that by submitting an application they are agreeing that the information given is true and correct and that any offer of employment will be made on this basis. Where it is found that false information has been provided this could result in the application being withdrawn or dismissal (through the appropriate procedures) if the applicant has been selected and employment has commenced. This may also result in possible referral to other professional regulatory bodies where appropriate.

## **7.5 Shortlisting**

The selection panel will shortlist applicants against the Person Specification for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview.

As a minimum, only those applicants who fulfil the requirements as outlined in section 7.4 will be considered. The panel will select on the basis of applicants who meet the essential criteria of the person specification. Where a large volume of applicants meet the essential criteria, the panel may wish to apply the desirable criteria in order to reduce the numbers.

## **7.6 References**

At least two written references will be sought for each shortlisted applicant using the Academy's standard pro-forma (adapted as necessary to meet the requirements of the Academy and the specific post advertised). One must be from the current/most recent employer or educational establishment if this is the applicant's first job. The second should be from a previous employer. In the case of no previous employer, the applicant should supply details of a person who can comment upon the applicant's ability to carry out the post. For internal appointments one

written reference from the applicants' current manager is required. If justifiable the Recruiting Manager can request additional references.

**The Academy does not accept open references, testimonials or references from relatives or a partner.**

References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate (i.e. if the answers are vague). References should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies or anomalies should be followed up with the candidate.

## **7.7 Invitation to Interview, Verifying Identity & Qualifications**

The invite letter (letter RS/01) will advise candidates of the interview arrangements, including date, time, location, who to report to, details of any presentation/assessment applicants are required to prepare/deliver, a contact name and number to confirm attendance. The letter should also inform candidates who to contact if they consider themselves to have a disability and require special arrangements for the interview.

Candidates will also be advised of the requirement to present proof of their identity and eligibility to work in the UK and evidence of their educational or professional qualifications that are relevant to the role on attendance at interview. An explanation and list of acceptable documentation should be enclosed (see letter RS/01).

Original documents will only be accepted and photocopies will be taken. Where appropriate, applicants should also provide any official documentation regarding name changes.

If the applicant cannot produce original proof of qualifications, written confirmation must be obtained from the awarding body prior to the appointment being confirmed.

## **7.8 Interview**

**The interview panel shall comprise those who carried out the shortlisting process.**

The panel will agree the questions to be asked of each candidate and the assessment criteria to be used. All interview questions and responses should be recorded and scoring will be carried out by panel members objectively.



The interview process will explore the applicant's ability to carry out the job description and meet the person specification. In addition to exploring the candidate's suitability for the post, the panel should explore:

- The interviewees attitude towards children and young people
- The interviewees willingness and ability to support the Academy's commitment to safeguarding and promoting the safety and welfare of children and young people
- Any unexplained gaps in the candidates employment history
- Any other concerns or discrepancies arising directly from the interview

The panel must also satisfy themselves that the candidate has the necessary level of fluency appropriate for the role they will be undertaking in line with the fluency duty. This can be assessed through the candidate's competency in written and verbal responses to interview questions or through relevant qualifications in English spoken language.

Candidates will also be required to declare any information that is likely to appear on a DBS disclosure. Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process.

## **7.9 Record Retention / Data Protection**

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act. All information received during the recruitment process should be stored securely. After 6 months, all information about unsuccessful candidates will be securely destroyed. The 6 month retention period is in accordance with the Data Protection Act 1998 and will also allow the Academy to deal with any data access requests, recruitment complaints or to respond to any complaints made to an Employment Tribunal.

For those successful applicants, it is recommended that you keep document copies securely for the duration of the individual's employment and for a period of 6 years after employment ceases (covers the time limit for bringing any civil legal action).

There is **no** requirement to keep copies of DBS certificates in order to fulfil the duty of maintaining the Single Central Record. This is to ensure compliance with the DBS code of practice.

## **7.10 Offer of appointment**

The interview panel will determine the most suitable candidate and ensure that at least two references are in place in support of the decision (or one for internal appointments).

An offer of an appointment will be made by the Principal (with the exception of Principal and Vice Principal posts) and will always be made subject to the receipt of satisfactory references and pre-employment clearances (see section 8).

The successful candidate will be informed in writing (see letter RS/02 for Support staff & RS/03 for Teaching staff) that the appointment is conditional on the satisfactory completion of pre-employment checks and will be subject to satisfactorily completing a probationary period (where applicable) or teacher's induction period. The offer letter will also outline the basic terms and conditions of employment.

## 8 Pre-employment Checks

An offer of appointment to a successful candidate will be conditional on the following:

- At least two satisfactory written references (one of which must be from the applicant's most recent/current employer)
- Verification of the candidates identity and Right to Work in the UK (statutory requirement)
- An enhanced Disclosure and Barring Service (DBS) check, including Children's Barred List information (if engaging in regulated activity (see 8.1))
- Overseas checks, where appropriate, for any countries that the candidate has lived or worked in for 6 months or more during the last five years. This would also include completing an EEA teacher sanctions and restrictions check
- Satisfactory Childcare Disqualification check (where relevant)
- Verification of appropriate qualifications (where required)
- Confirmation of QTS/QTLS status and Membership for Teaching posts
- Prohibition from teaching check, required for anyone employed to carry out teaching work to check for any sanctions or restrictions that might prevent the candidate from taking part in certain activities
- Prohibition from Management (Section 128 check)
- Verification of Medical Fitness (a health check must only be carried out once an offer of employment has been made)

**Further guidance on conducting pre-employment checks can be found at Appendix B. Supplementary guidance is also available on completing right to work checks. It is important that both guidance notes are read in conjunction with this policy.**

All checks completed will be:

- Documented and retained on the personnel file
- Recorded on the Academy's Single Central Record
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received

## 8.1 Definition of Regulated Activity and Frequency

For most appointments, an enhanced DBS certificate, which includes barred list information, will be required as the majority of staff will be engaging in regulated activity. Regulated activity for children comprises in summary:

- a) Unsupervised activities including 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;
- b) Work for a limited range of establishments (known as 'specified places', which include academies), with the opportunity for contact with children, but **not** including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly/frequently\*. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) Relevant personal care e.g. washing or dressing (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)

*\*Frequent, as defined by the DfE, is once a week or more on an ongoing basis or four or more days in a 30 day period or overnight.*

For all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. This would include contractors and some volunteers.

A supervised\*\* volunteer who regularly teaches or looks after children is not in regulated activity. The DfE has published separate statutory guidance on supervision and regulated activity which the Academy should have regard to when considering which checks should be undertaken on volunteers.

*\*\*The person who is supervising must be in regulated activity, supervision must be regular and day to day and reasonable in all circumstance to ensure the protection of children.*

## 9 Personnel files and Single Central Record

Recruitment and selection information for the successful candidate will be retained securely and confidentially on the employees file for the duration of their employment with the Academy and for a period of 6 years after employment ceases, after which point the information should be securely destroyed.

The information to be retained on file will include:

- Application form - signed by the applicant
- Interview notes (from all panel members) - including explanation of any gaps in the employment history
- Evidence of pre-employment clearances (see section 8 and Appendix B)
- Offer of employment letter and signed contract of employment
- Copy of the Advert, Job Description and Person Specification

In line with DfE requirements, the Academy will keep and maintain a Single Central Record (SCR) of recruitment and pre-employment checks. The central list will record all staff who are employed at the Academy, including casual staff, supply/agency staff whether employed directly or through an agency, teacher trainees on salaried routes, volunteers, governors, and those who provide additional teaching or instruction for pupils but who are not staff members (sports coach or artists), staff employed by a third party organisation such as cleaners or caterers and any contracting companies.

The information that must be recorded in respect of staff members is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- An identity check
- A barred list check
- An enhanced DBS check/certificate
- A prohibition from teaching check
- A section 128 check (for management positions in independent schools (including academies))
- Further checks on people who have lived or worked outside the UK; this would include recording checks for those EEA teacher sanctions and restrictions
- A check of professional qualifications; and
- A check to establish the person's right to work in the UK

It is recommended, as best practice that other checks, such as, references, medical fitness and disqualification from childcare are also included on the SCR to enable a note of all recruitment checks completed.

For any staff member provided through an agency or a third party organisation, the Academy will need to obtain written confirmation that the agency/organisation has satisfactorily completed the relevant safeguarding checks. The Academy should not need to carry out checks itself, but it must check the identity (ID Badge) of the person arriving at the Academy to verify that this is the person the agency/organisation intends to refer to them.

The SCR should reflect the current workforce. The Academy may wish to retain leavers on their SCR until the end of the current academic year (this would need to be indicated/highlighted on the record). Where the Academy chooses to retain the record for a longer period of time, consideration should be given to retention periods and data protection principles.

It is recommended that the SCR is monitored and checked regularly, perhaps termly, by the Principal and/or Chair of Governors, and a record of this should be documented. Given the importance of the SCR, more than one person should know how to access and update the information.

## **10 Start of employment and Induction**

The pre-employment checks listed above (and Appendix B) should be completed before the employee starts work. Once clearances return as satisfactory, a start date will be agreed with the employee and a contract of employment will be issued.

Induction plays a vital role in integrating new employees into the Academy community, culture and values and will make clear the expectations and codes of conduct which will govern how staff carry out their roles and responsibilities.

All new employees will be provided with an induction programme which will clearly identify the Academy policies and procedures and the systems in place that support safeguarding, which should include:

- The child protection policy
- The staff behaviour policy (code of conduct)
- The role of the designated safeguarding lead

A copy of Part one of the DfE statutory guidance 'Keeping children safe in education' should be provided to all employees at induction. The Academy needs to ensure that mechanisms are in place to assist employees to understand and discharge their role and responsibilities as set out in Part one of this guidance.

A copy of key policies (including above named) should be circulated to all employees. A signed declaration form should be retained to confirm that the employee has read and understood the policy and procedures and that they agree to comply with it.

## **11 Probationary Period (Support Staff)**

All new employees to the Academy will be subject to a 6 month probationary period. Upon satisfactory completion of the probationary period the employee will be confirmed in post. Please refer to the Probationary Period policy for further guidance on this process.

## **12 Induction period for Newly Qualified Teachers**

Newly Qualified Teachers should complete an induction period satisfactorily in accordance with statutory guidance from the Department for Education.

Those with QTLS Status will be exempt from serving a statutory induction period.

## **13. Staff members not employed directly by the Academy**

### **13.1 Supply Staff**

The Academy will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. The Academy will check the Identity (sighting ID Badge) of the supply staff member upon arrival at the Academy.

### **13.2 Volunteers**

The Academy will carry out enhanced DBS and pre-employment checks as appropriate (see section 8 and 8.1) and require regular volunteers to provide details of two referees. Volunteers who help on an occasional basis (e.g. trips/PTA events) will be supervised in accordance with statutory guidance. For further information on appointing volunteers, please refer to the Volunteer Policy.

### **13.3 Trainee/student teachers**

Where trainee teachers are salaried by the Academy, the Academy must ensure that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity an enhanced DBS certificate (including barred list information) must be obtained. Also, where appropriate, a 'childcare disqualification' declaration form will be required to be completed if the trainee/student is working within the relevant childcare setting (i.e. EYFS).

Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks, the Academy should obtain written confirmation from the training provider that these checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

### **13.4 Students on work experience**

Students on work experience will always be supervised.

### **13.5 Contractors**

The Academy will ensure that contractors, or any employee of the contractor, working at the Academy has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required.

If a contractor working at Academy is self-employed, the Academy should consider obtaining the DBS check.

The Academy will check the identity (ID Badge) of contractors and their staff on arrival at the Academy.

#### **14. Equality Statement**

The Recruitment and Selection Policy applies to all employees irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

## Enquire Learning Trust Recruitment Checklist

Task:	Completed By:	Date Completed:
<p><b>Arrange Timetable for Recruitment</b>            Agree dates and method for advertising (including whether internally or externally), shortlisting, interviewing and appointing.</p>		
<p><b>Advertise Vacancy</b>            Use of Trust application pack including job advert and job description.</p>		
<p><b>Prepare Shortlist</b>            Compile shortlisting criteria to be used for attaining an interview and for being successful in interview – although this should be based on the person specification so if applicable, the person specification could be the criteria. Use weighting criteria for any priority aspects of the role.</p>		
<p><b>Receipt of Applications</b>            Scrutinise applications received and highlight any gaps in employment or discrepancies for exploration if the applicant is later short-listed. Ensure referee details have been included.</p>		
<p><b>Shortlist for Interview</b>            Use the shortlisting criteria to benchmark all applications against the required skills, experience, qualifications and knowledge.</p>		
<p><b>Invitation to Interview</b>            Contact all successful applicants to invite to interview, and confirm that references will be sought.</p>		
<p><b>Seek References</b>            Seek references from at least one referee, but both if the applicant has not specified we cannot contact the first referee. Utilise reference request template.</p>		
<p><b>Receipt of References</b>            Check reference against information provided on the application form and highlight any concerns or discrepancies. Contact referee for clarification or discuss with candidate at interview.</p>		
<p><b>Interview Arrangements</b>            Arrange interview panel of at least two members, with at least one having attended Safer Recruitment training. Arrange questions to be asked during interview and required benchmark to be successful. Utilise interview-scoring grid.</p>		
<p><b>Interview</b>            Explore applicants ability to perform the role as well</p>		



as their suitability to work with children. Separate to interview questions, look to explore any queries you may have regarding their application form, previous employment history or references. Make interview notes on the interview scoring grid.		
<b>Interview Note:</b> Identification and qualification documents should be scrutinised at interview stage and copies taken for record.		
<b>Contact Applicants Following Interview</b> Contact all applicants that were interviewed for the post, offering feedback to unsuccessful applicants and offering the role to the successful applicant.		
<b>Conditional Offer of Employment</b> Send conditional offer of employment to the successful candidate, advising that offer is based upon receipt of the below checks. Utilise conditional offer template letter.		
<b>References</b> Received prior to employment started if they were for any reason not received prior to interview.		
<b>Qualifications</b> Check qualifications (including QTS) if not already checked at interview stage.		
<b>Eligibility to work in the UK</b> Check eligibility if not checked at interview stage.		
<b>DBS Certificate</b> Completion of application form submitted to Schools First for processing.		
<b>DBS Barred List</b> Specify to Schools First if this is required prior to employment starting (if employing someone on a pre-DBS risk assessment) – otherwise barred list check will be done with the DBS.		
<b>Medical Form</b> Ask successful applicant to complete a medical form to confirm their health is satisfactory to complete the role. Any issues raised on the form should be discussed with the candidate or with HR.		
<b>Prohibition Check</b> Complete the prohibition check within the academy using the gov.uk website.		

**Guidance on Pre-Employment Checks**

In line with this policy and statutory guidance, the following checks should be carried out prior to any successful candidate(s) commencing employment.

<p><b>Application Form:</b></p>	<p>Fully completed application forms must be obtained and properly scrutinised for each candidate. Any discrepancies, anomalies or gaps in employment must be noted and explored with the candidate.</p>
<p><b>References:</b></p>	<p>Two satisfactory written references must be obtained for each shortlisted applicant, one of which must be from the current or last employer. If internal appointment, at least one reference must be sought.</p>
<p><b>Proof of Identity:</b></p>	<p><i>Verification of the candidate's identity can be carried out at interview stage or once an offer of appointment has been made. Candidates will be required to produce original identification documentation such as passport, full birth certificate, driving licence etc. as outlined in the 'New Starter Verification Form' (see form RS/04).</i></p> <p><i>Identity checks should also be carried out for volunteers, including governors.</i></p>
<p><b>Proof of Qualifications/ Membership:</b></p>	<p>Candidates must provide proof of relevant qualifications/and or membership, which are a specified requirement or are relevant to the position being applied for. This should be recorded on the '<b>New Starter Verification Form</b>' (form RS/04).</p>
<p><b>QTS/QTLS Status:</b></p>	<p>Candidates must provide documentary evidence of QTS or QTLS Status. This should be recorded on the '<b>New Starter Verification Form</b>' (form RS/04).</p> <p>Where QTLS Status is held, proof of membership with the Society for Education for Education and Training (SET) (previously the Institute for Learning (IFL)) must also be evidenced. Without active membership the candidate will not be eligible to work as a qualified teacher in schools in England. This must checked periodically as is subject to renewal.</p> <p>Checks can be made directly with the SET using the <a href="https://set.et-foundation.co.uk/professionalism/qtls-register/">Professional Status register</a> available on the SET website: <a href="https://set.et-foundation.co.uk/professionalism/qtls-register/">https://set.et-foundation.co.uk/professionalism/qtls-register/</a> via email: <a href="mailto:professional.formation@etfoundation.co.uk">professional.formation@etfoundation.co.uk</a> or by telephone: 0800 093 9111.</p>

<p><b>Right to Work in the UK:</b></p>	<p>A check of the candidate’s eligibility to work in the UK must be completed using the ‘<b>Right To Work Checklist</b>’ (form RS/05). Please note, this is a legal requirement. <b>To assist in conducting right to work checks academies should refer to the additional guidance notes.</b></p> <p>UK Visas and Immigration (part of Home Office) also requires volunteers, including governors to complete a ‘Right to Work’ check to ensure individuals have the right to volunteer in the UK (to ensure immigration rules allows individuals to volunteer).</p> <p>If there is uncertainty about whether an individual needs permission to work in the UK, advice can be found on the GOV.UK website:  <a href="https://www.gov.uk/check-job-applicant-right-to-work">https://www.gov.uk/check-job-applicant-right-to-work</a></p>
<p><b>Enhanced DBS Check:</b></p>	<p><b>Under no circumstances</b> should an individual who will have the opportunity for contact with children be recruited without gaining an Enhanced DBS check which is compatible with the needs of the post. Where the post holder will not undertake regulated activity (i.e. supervised volunteer) an enhanced DBS check should still be carried out, but the academy is not permitted to carry out a Barred List check.</p> <p>Candidates should not commence employment prior to the receipt of their DBS Disclosure. If, in exceptional circumstances, delaying a start date is not possible, a risk assessment may be undertaken (refer to DBS Policy). Where an individual is allowed to start work in regulated activity before the DBS certificate is available, the academy should ensure that the individual is appropriately supervised and that all other checks, including a separate <b>barred list check</b> have been completed.</p> <p>For most appointments, an enhanced DBS check, which includes Children’s Barred List information, will be required as the majority of staff will be engaging in regulated activity. Depending on the setting, a check against the Adults Barred List may also be required. For definition of regulated activity please see section 8.1 in policy.</p> <p>If the job offer is made more than 3 months before the employment will commence, it is best practice to wait until 3 months before the commencement date before applying for the DBS check.</p> <p>The Academy should request to see the candidate’s original DBS certificate upon receipt to ensure the correct level of check has been requested and this should be recorded in the personnel file and on the SCR (a copy of the certificate should not be taken).</p>

<p><b>Overseas check, including EEA teacher restrictions check:</b></p>	<p>Where an individual has lived or worked outside of the UK for more than 6 months in the past 5 years, additional checks must be made so that relevant events that occurred outside the UK can be considered. The DBS cannot currently access overseas criminal records as part of its disclosure service.</p> <p>It is the individual's responsibility to obtain appropriate criminal records or certificate of good conduct from the relevant countries where they have lived during this period. Further guidance on obtaining overseas criminal records can be found at: <a href="https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants">https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants</a></p> <p>In the event that criminal/Police records are not available or forthcoming from a country, the Academy will consider full employment references from previous places of study or employment in that country as an acceptable alternative.</p> <p>The Academy will also need to carry out an enhanced DBS check in addition to the overseas criminal record check <b>and</b> an EEA teacher sanctions and restrictions check using the NCTL Teacher Services system.</p>
<p><b>Health Check:</b></p>	<p>Once an offer of employment has been made, candidates must complete a <b>pre-employment health declaration</b> to ensure that they are fit to do the job for which they will be employed and that their health cannot be damaged by the proposed occupation.</p> <p>As a result of the information given, a referral to the Academy's Occupational Health provider may be needed. A direct referral will be made by the Academy to the Occupational Health provider.</p> <p>It is essential that candidates with a disability are not discriminated against in any way. Disability does not in itself indicate ill health or that the individual will have sickness absence problems, if employed. Similarly, people with chronic conditions are perfectly capable of working, provided that their condition is properly treated and the job is an appropriate one, with adequate support and resources provided.</p>
<p><b>Childcare Disqualification:</b></p>	<p>Childcare disqualification checks <b>must</b> be carried out on all relevant staff working in certain childcare settings, which include:</p> <ul style="list-style-type: none"> <li>• Early years provision - staff who provide care for a child up to and including reception age, both during and outside of school hours</li> <li>• Later years provision (for children up to 8) - staff who are employed to work in childcare provided by the school outside of school hours, including breakfast clubs and after school provision.</li> <li>• Staff who are directly concerned in the management of such</li> </ul>

	<p>early years or later years provision i.e. Principal, Senior Leadership Team</p> <p>A <b>‘Disqualification Declaration Form’</b> (form RS/06) is required to be completed by all relevant candidates as part of the pre-employment checking process.</p> <p>Volunteers and casual workers who are directly concerned with the management of childcare provision, or who work on a regular basis, whether supervised or not, in relevant childcare setting, are within scope of the legislation.</p> <p>Where information is received that a candidate is ‘disqualified’ the Academy should inform Ofsted and also notify Human Resources. It should be explained to the candidate that they may apply to Ofsted for a waiver.</p> <p>It is recommended that the academy carries out an annual <b>‘Disqualification Review’</b> (see form RS/07) to certify that there have been no changes in circumstances since completing the original declaration.</p>
<p><b>Prohibitions, Sanctions &amp; Restrictions:</b></p>	<p>Checks are required for anyone employed to carry out teaching work, to check for any prohibitions, sanctions or restrictions that might prevent an individual from taking part in certain activities. This includes those specifically employed as teachers. For those who are not employed specifically as teachers, the Academy should decide on a case by case basis, taking into account the individual roles, as to whether or not a prohibition check is appropriate. Please contact Human Resources for advice.</p> <p><b>Please note:</b> It is recommended that the School carry out an additional check where an individual applying for a support staff position, for example, indicates that they have qualified teacher status or have previously worked as a teacher. Where any prohibitions/sanctions are identified, please contact Human Resources.</p> <p>The system currently allows the record of any teacher that you employ or are considering employing to be checked for:</p> <ul style="list-style-type: none"> <li>• the award of QTS</li> <li>• completion of teachers induction</li> <li>• prohibitions, sanctions and restrictions that might prevent the individual from taking part in certain activities or working in specific positions</li> </ul> <p>The system provides access to separate lists with details of teachers (and others) who have a current restrictions against them in relation to teaching in England. This includes:</p> <ul style="list-style-type: none"> <li>• teachers who have failed to successfully complete their</li> </ul>

	<p>induction or probation period</p> <ul style="list-style-type: none"> <li>• teachers who are the subject of a suspension or conditional order imposed by the General Teaching Council for England (prior to abolition) that is still current</li> <li>• teachers and others who have been prohibited from teaching in England</li> <li>• teachers who have been sanctioned (since 18 January 2016) in other EEA member states</li> <li>• individuals who have been barred from taking part in the management of an independent school (including academies and free schools)</li> </ul> <p>The above information can be verified by carrying out an individual record search (if Teacher Reference Number and Date of Birth known) or via searching the separate lists (alphabetically). A copy of the record should be printed out and placed on the individual's file.</p> <p>For those with QTLS status, checks can be completed in the same way as above, however only information relating to any sanctions/restrictions imposed will be shown. A further check can be made with the SET to confirm membership registration and whether the individual remains in good standing and is complying with the Code of Professional Practice. Confirmation can be obtained via emailing: <a href="mailto:professional.formation@etfoundation.co.uk">professional.formation@etfoundation.co.uk</a></p>
<p><b>Prohibition from Management (Section 128 Direction):</b></p>	<p>A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. Proprietors and staff with management responsibility must be checked to ensure that they are not prohibited from taking part in the management of an independent school.</p> <p>A person who is prohibited, is unable to participate in any management of an independent school such as:</p> <ul style="list-style-type: none"> <li>• a management position in an independent school, academy or free school as an employee;</li> <li>• a trustee of an academy or free school trust;</li> <li>• a governor or member of a proprietor body for an independent school;</li> <li>• a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.</li> </ul> <p>A check for a section 128 direction can be made through either the DBS, where an enhanced check is requested with barred list information (if in regulated activity) and/or the NCTL (Teacher Services system) depending on the nature of the post:</p> <ul style="list-style-type: none"> <li>• If a person is occupying a teaching post (including Principal) <u>both</u> the DBS and NCTL routes should be used. Although the section 128 bar would show on the DBS barred list check, the</li> </ul>

	<p>NCTL check will also show if any teaching prohibitions exist;</p> <ul style="list-style-type: none"><li>• If a person is occupying a non-teaching staff post, or is a member of the proprietor body but is in regulated activity, the DBS route only should be used;</li><li>• If a person is a member of the proprietor body and is not in regulated activity, the DBS route cannot be used because a barred list check cannot be carried out for persons not in regulated activity. Therefore, the NCTL route should be used (this can be done whether or not the person concerned is a teacher).</li></ul>
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