

NORTH EAST LINCOLNSHIRE COUNCIL

SCHOOLS & ACADEMIES GUIDE TO RECRUITMENT

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INTRODUCTION & SCOPE

This booklet has been created to guide and support you through the NELC HR Advisory Team recruitment processes for all employees, identifying the HR Advisory Team, School/Academy and Candidate responsibilities.

SAFER RECRUITMENT IN EDUCATION

Safeguarding children is everybody's responsibility therefore it is essential that robust procedures are in place particularly throughout the recruitment and selection process. *"There are many potential pitfalls to be avoided in the recruitment process to ensure fair and safe appointments, especially in the context of child protection and discrimination."* (LSCB Minimum Standards 2010). Schools and Academies must ensure suitable candidates are appointed and equal opportunities in employment are offered to all potential applicants.

Taking into consideration the following:

- DCSF Safer Recruitment Guidelines (Safeguarding Children and Safer Recruitment in Education 2007)
- North East Lincolnshire Local Safeguarding Children Board (LSCB) Minimum Standards for Safer Recruitment 2010
- Ofsted requirements
- Childcare Disqualification Regulations April 2015

Useful websites:

[Childcare Act 2006](#)

[Childcare \(Disqualification\) Regulation 2009](#)

[Keeping Children Safe in Education, DfE 2015](#)

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>

SINGLE CENTRAL REGISTER (SCR)

Ofsted requires every School and Academy to be responsible for and maintain a SCR in order to demonstrate that they have met all regulations and requirements for the purposes of safeguarding.

Further comprehensive guidance on pre-employment checks and the records that must be held in school are contained within 'Safeguarding Children and Safer Recruitment in Education 2007' (currently under review) and the Section 5 briefing provided by Ofsted.

In the case of a new appointment, details should be completed on the SCR as soon as an interview has been held and the successful candidate has been selected. Each record must include all pre-employment checks including, identification, qualifications, eligibility to work in the UK, Barred List (formerly List 99 checks), DBS clearance and overseas checks (where applicable), Disqualification by Association, and Prohibition Checks for Teachers only.

Please note that volunteers details should be recorded as well.

Here is an example of a SCR with the minimum requirements detailed:

Identity			Information about Position	Qualifications/ Professional Registration (if requirement of the post)		Prohibition Check (Teachers Only)	Disqualification by Association
Full Name & Address	Date of Birth	Description of evidence and date (must include some form of current photographic identification where possible)	Role & Date Appointed	Qualification - Description of evidence seen and date	Teacher Reference Number (DfE No.)	National College of Teaching & Leadership	Declaration to be signed by employee
<i>Full name and address of Employee</i>	<i>19/06/1980</i>	<i>Passport + telephone bill, checked by (name, post title and date)</i>	<i>Teacher 01/01/2015</i>	<i>Exam certificates, QTS confirmation for Teachers, checked by (name, post title and date)</i>	<i>07/12345</i>	<i>Sanctions - none</i>	<i>Received by (name, post title and date)</i>
Barred List (formerly List 99)		DBS checks	Right to work in UK		Certificate of Good Conduct		
This will be carried out by HR, confirmation of DOB required to do this		Record Certificate Reference Number and issue date	Description of evidence seen and date		Description of good conduct/ overseas criminal record check seen and date (if applicable)		
Clearance		<i>0012345678910</i> <i>Certificate provided by employee, checked by (name, post title and date) Copy sent to HR</i>	<i>Full UK Birth Certificate + P45 checked by (name, post title and date) Copies sent to HR</i>		<i>Certificate provided by employee, checked by (name, post title and date) Copy sent to HR</i>		

Q. Who can enter the information on the single central register?

This information should be entered by whoever the School or Academy identifies as a responsible person. In order to verify that they have checked each employee's or volunteer's details, each entry must show the name of the person making the check, the position held and the date the check was completed.

Q. Who should be included on the single central register?

- all staff who are employed to work at the School or Academy whether contracted or supply

- all staff who are employed as supply staff to the School or Academy through an agency [written confirmation that all appropriate recruitment checks have been carried out should be obtained from the agency and the individuals' ID should be checked by the school]
- all others who have been chosen by the School such as volunteers or governors to work in regular contact with children
- people brought into the school to provide regular additional teaching or instruction for pupils but are not employees of the local authority; for example, a specialist sports coach or artist.

Schools should not ask employees or visitors to provide a copy of their DBS Certificate as proof of identity.

There is not a requirement for peripatetic staff or visitors supplied by the local authority to be included on the Single Central Register therefore schools are only required to check their proof of identity on arrival (e.g. a local authority ID badge) and request that they sign in/ out.

School visitors who do **NOT** require a DBS check, that is:

- Visitors who have business with the Head or other staff, or have brief contact with children with the teacher present
- Visitors who come on site to carry out repairs of service equipment (i.e. children should not, in theory, have contact with contractors)
- Volunteers or parents who only accompany staff and children on occasional outings or trips that do not involve overnight stays
- Secondary pupils on KS4 work experience
- People on site before or after school hours when children are not present.

For further information on the checks required in order to complete the SCR please refer to the appropriate sections within this guide. For further information about the SCR please refer to <http://www.ofsted.gov.uk> and the 'Safeguarding children and safer recruitment in education' guide.

Extract from 'Keeping children safe in education':

Generally, the information to be recorded on these individuals is whether or not the following checks have been carried out or certificates obtained, and the date on which the checks were completed:

- *an identity check;*
- *a barred list check;*
- *an enhanced DBS check;*
- *a prohibition from teaching check;*
- *further checks on people living or working outside the UK;*
- *a check of professional qualifications; and*
- *a check to establish the person's right to work in the United Kingdom.*

THE BARRED LIST (formerly List 99)

The Barred List (formerly List 99) is a check for **ALL** new employees prior to them commencing employment in your establishment. This is performed by the HR Advisory Team as part of the HR Recruitment SLA.

This check can only be carried out with proof of the employee's name, date of birth and appropriate ID (confirming name and date of birth) any previous names will also have to be checked.

Where it returns 'NO MATCH' this indicates the employee has not been barred from working with children.

A copy of the check is maintained in the employee's personal file, and also sent to the School or Academy to be held on the SCR.

Please note where a DBS clearance has been received prior to the employee commencing work in a School or Academy, the Barred List check is not necessary as it will have been done as part of the DBS check.

DISQUALIFICATION BY ASSOCIATION

Guidelines published by DfE and OfSTED regarding employees working in early years and "later years".

As far as DBS checks are concerned, you should now also be asking both existing staff and new appointments if they live in the same household as someone who has been:

- found to have committed a relevant offence against a child
- made subject to an order or determination removing a child from your care or preventing a child from living with you
- found to have committed certain offences against an adult; for example, murder, kidnapping, rape, indecent assault, or assault causing actual bodily harm
- charged with certain offences against an adult, or an offence that is related to another offence, and had a relevant order imposed
- included on the list of those who are barred from working with children, held by the Disclosure and Barring Service
- made the subject of a disqualifying order
- previously refused registration as a childcarer or have had registration cancelled, unless the cancellation was only for non-payment of fees for continued registration after 1 September 2008
- refused registration as a provider or manager of children's homes or have had registration cancelled.

The implications are that if this is the case for any of your employees, then that employee may themselves be disqualified from working with children "By association" (The theory being they may be influenced by a person who may be a risk to children). In this case they can apply to OfSTED for a waiver.

This check should be held on the School or Academy SCR.

Please refer to the document **Child Care Disqualification Regulations – April 2015** or the NELC Vulnerable Children Team

PROHIBITION CHECKS – TEACHER’S ONLY

Updated statutory guidance for schools ‘Keeping Children Safe in Education’ requires you to ensure all new teachers appointed since 3rd April 2014 have undergone a number of checks, including a prohibition check.

This check should be held on the School or Academy SCR.

Please note, there is no requirement to retrospectively undertake a prohibition check for teachers who commenced employment with you prior to 3rd April 2014.

The HR Advisory Team performs this check, via the National College for Teaching and Leadership, as part of the HR Recruitment SLA. This check can also be completed by the School or Academy if desired.

ADVERTISING

The purpose of an advert is to attract a pool of 'suitably' competent candidates from which to shortlist and to deter unsuitable candidates from applying.

The School or Academy and Governing Body should consider the most appropriate way of advertising the post to reach the target audience. The Governing Body should be aware that adverts for Head Teacher/Principal posts no longer have to be published in printed publications but must still be advertised nationally.

It is desirable that every vacancy to be advertised has a current and relevant Job Description and corresponding Person Specification.

Job Descriptions for support staff are available on the TOPdesk website.

It is the responsibility of the School or Academy to create an appropriate Person Specification. The Person Specification should be accurate and based on the conditions and requirements of the post detailed in the Job Description. There are no generic job descriptions for Teacher and Leadership.

An advert should be drafted by the Appointing Manager based on the Job Description and the Person Specification. The Person Specification is crucial in order to ensure the recruitment process is focussed on the key competencies, qualifications, behaviours and experience that applicants will require.

To produce an effective advert consider your target audience, promote the role and the School or Academy and be clear about the expectations of the candidates enabling them to assess their own suitability.

The HR Advisory Team can provide advice and support to Schools and Academies on the wording of adverts to ensure compliance with discrimination and equalities legislation and safer recruitment practice.

Schools must complete and submit an Advert Pro-forma, and if applicable a Job Description and Person Specification to the HR Advisory Team email hrschooolsrecruitment@nelincs.gov.uk.

The advert will be published on the NELC website within 48 hours of receiving the Advert Pro-forma.

If you require your vacancy to be advertised in an external publication please contact the HR Advisory Team to discuss options and deadlines.

All adverts will close at 12 noon on the closing date. Within 24 hours the HR Advisory Team will forward all application forms submitted unless requested earlier by the School or Academy.

We advise that you do not arrange shortlisting on the day the advert closes as it cannot be guaranteed the applications will be sent on the day of closing.

SHORTLISTING

The aim of shortlisting is to identify the most suitable candidates for interview. All candidates should be assessed equally against the essential & desirable criteria contained in your Person Specification without exception or variation.

All applications should be scrutinised to ensure that they are fully and properly completed, that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment that cannot be satisfactorily explained.

Any anomalies, discrepancies or gaps in employment identified should be noted so that they can be taken up as part of the consideration of whether to short-list the applicant. Obvious gaps in employment, a history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to supply or temporary work, also need to be explored and verified.

In accordance with the Council's commitment to the disability symbol scheme, all disabled candidates who meet the essential criteria should be guaranteed an interview. It should be ensured however that the shortlisting panel do not consider any other information provided on the equal opportunities monitoring forms that are attached to the application form.

All applicants will be asked to declare on their application form any 'unspent' convictions or cautions they have incurred. Such information should not form the basis of a shortlisting decision but may prompt an exploratory discussion with the applicant.

As all posts in schools are exempt from the Rehabilitation of Offenders Act, details of any 'spent' criminal convictions or cautions must be requested and explored at the interview stage. Please refer to the Interview section for further information.

You must retain a record of the shortlisting criteria, reasons for selecting and deselecting candidates and all applications (including those from applicants not interviewed) for a minimum of one year. This will ensure that any query or challenge about shortlisting decisions, whether or not based on a claim of discrimination, can be responded to properly.

INTERVIEWS

Preparing for the Interviews

Once the interview date, venue and panel has been set candidates selected for interview should ideally be given 5 working days notice of the interview date (may be longer if a presentation is required), however this is at the schools' discretion.

In line with the School Staffing Regulations 2009 the Governing Body and Head Teacher or Principal must ensure that at least one panel member has completed Safer Recruitment Training as provided by North East Lincolnshire Council and attend refresher courses every 5 years.

In order to ensure that the formal interview is used as effectively and objectively as possible, interview panels must meet in advance to plan the interview process, questions and model answers. Candidates' suitability for the job role and working with children should be explored.

The invite to interview letter should make reference to the documentation candidates are required to provide at interview as proof of identity, qualifications and eligibility to work in the UK. Candidates should be asked to provide all of the following:

- Valid UK/ European Passport or other nationality with a valid work permit/visa or FULL UK Birth Certificate
- Proof of National Insurance Number (P60, P45, NI Card)
- Photo ID e.g. passport, driving licence, national identity card
- Proof of permanent address e.g. utility bill, bank statement, phone bill etc
- Original certificates/ qualifications

Details of any 'spent' criminal convictions or cautions should also be requested at this stage. This could be requested by enclosing a Disclosure Attachment Form (available on TOPdesk) for completion as recommended in the LSCB Minimum Standards 2010.

If a declaration of a conviction is made this should be explored in more detail with the candidate at interview. For further information please refer to the DBS Risk Assessments section.

You should request references prior to interview, one of which must be requested from the current or most recent employer. The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They should always be sought and obtained directly from the referee. Employers must not accept references or testimonials provided by the candidate, or on open references and testimonials, i.e. "To Whom It May Concern". Open references or testimonials might be the result of a compromise agreement and are unlikely to include any adverse comments.

Please note that, in compliance with section 60 of the Equality Act 2010, references should not routinely request information regarding attendance, sickness and health.

Once a reference is received it is good practice to contact the referee to verify the content of the reference or ask for further information.

THE INTERVIEW

The selection process may not be limited to a formal interview; you may wish to include other forms of appropriate assessment, i.e. presentation, written exercises, observing classroom activity. These must be relevant to the post and your Person Specification and you will need to consider how the assessment will be measured and used in the selection process.

All documents requested on the invite to interview letter should be verified and photocopied at interview. Following the interviews you will be required to send the photocopies of the documentation provided by the successful candidate to the HR Advisory Team. All other photocopies for unsuccessful candidates must be destroyed.

To ensure the formal interview is an effective selection tool, candidates should be assessed equally against a set of core questions and model answers based on the essential criteria detailed in the Person Specification. During the interview, the panel can re-word questions to ensure clarity or ask additional probing questions to gather further information but must be careful not to lead candidates to the required answers. The formal interview is also the panel's opportunity to ask additional questions about specific information provided on the candidate's application form i.e. gaps in employment history or unclear statements about the candidate's experience.

You must retain a record of the interview and assessment criteria, interview notes and reasons for deselecting the unsuccessful candidates for a minimum of one year. This will ensure that any query about an interview decision, whether or not based on a claim of discrimination, can be dealt with in an informed way. Candidates can request to see interview notes relevant to them. The recruitment and selection process should be fair and transparent and you should ensure that any comments you record about a candidate focus on the objective criteria.

Any offer of employment made to the successful candidate will be subject to satisfactory pre-employment clearances (please refer to the Pre-employment Clearances section for further details). Once a verbal conditional offer has been accepted all other candidates should be informed that they have been unsuccessful. All candidates will be offered constructive feedback by a member of the interview panel.

It is recommended that the successful candidate's(s') interview notes and assessment results are retained for the duration of their employment. Please refer to the Conditional Offer section for further guidance on the next stages of the process.

ACCEPTANCE OF CONDITIONAL OFFER

Once a conditional offer has been accepted by the successful candidate you should create a record for them on your SCR detailing the documentation provided and verified at interview.

You should also use the documentation provided to complete the School section of the Pre-employment Checklist and keep this on file for you records.

Complete the appropriate Appointment Details Form and Page 1 of Placement Screening Form and submit to the HR Advisory Team, along with copies of the Application Form and the identity documents.

Please provide the successful candidate with a Bank & Employee Details Form to complete.

All of the above documentation must be completed and submitted as soon as possible prior to the first day of employment.

All forms are available on the NELC Website/HR Services Online, please email them to the HR Advisory Team hrrschoolsrecruitment@nelincs.gov.uk

The deadline for receipt of the above is the 8th of the month if the employee is to receive payment at the end of that month.

Following receipt of the correct documentation the HR Advisory Team will:

For All Staff

- Verify the appointment details
- Request Continuous Service details (if transferring from another Local Authority or applicable organisation)
- Verify eligibility to work in the UK as required by the Asylum and immigration Act (using the documentation photocopied by the School or Academy at interview)
- Carry out a Barred List check (formerly List 99) and inform the School or Academy of any concerns
- Send the employee an appointment letter, Statement of Main Terms of Employment¹, DBS application form (if not previously requested in advance), Medical Placement Screening Questionnaire and Bank & Employee Details form (if applicable).
- Notify Local Government Pension Fund of the new appointment (where applicable)

And additionally for Teachers

- Confirm qualification status, induction status and professional registration, this forms part of the Prohibition check and inform the School or Academy of any concerns
- Notify Teachers' Pensions of the new appointment and administer the Teachers' Pensions scheme requirements

Following receipt of the appointment documentation the employee will be required to:

- Return a signed copy of the Statement of Main Terms of Employment within 7 days of receipt as acceptance of the appointment

¹ All Support Staff terms and conditions of employment are currently governed by the National Joint Council for Local Government Services (Green Book), as supplemented by local conditions. All Teaching terms and conditions are governed by the Conditions of Service for School Teachers in England and Wales (Burgundy Book) and the current School Teachers' Pay and Conditions Document (reviewed annually).

- Complete the DBS Application Form and attend the Customer Access Point at the Municipal Offices in Grimsby as soon possible with the completed form and required identification, which will be checked and verified by a Customer Services Officer before the form is submitted to the HR Advisory Team for counter-signing and submission to the Disclosure & Barring Service.
- The appointing manager and/or the employee can check the progress of the DBS via the website www.gov.uk by entering the unique DBS form reference number (detailed on correspondence sent to the school and the candidate/ employee) and applicant's date of birth.
- Complete the Placement Screening Questionnaire, and post to NELC Occupational Health Department using the pre-paid envelope provided.
- Return the completed Bank & Employee Details Form and P45 (If not done so previously)
- Individuals will need to provide their DBS Certificate to the School or Academy to check the Certificate, record the unique Certificate details (Name, Certificate Number and Issue Date) on their SCR.

PRE-EMPLOYMENT CHECKS & CLEARANCES

Pre-employment Checks and Clearances must be completed prior to an employee's first day of employment.

Identity

A candidate's identity must be verified at interview. Proof of identity must evidence the candidate's name, date of birth, permanent address and photographic identity (except where for exceptional reasons photographic identity is not available).

Employers do not have to retain documents that are evidence of identity. Once the documents have been verified and the SCR updated copies of such documents can be destroyed.

However, the employer will need to keep a copy of every document that a candidate provides to support their right to work in the UK.

Eligibility to Work in the UK

The requirements in relation to the right to work in the UK are set by the UK Border Agency (www.ukba.homeoffice.gov.uk) Failing to carry out identity checks on all potential employees is not a criminal offence, but those employers who only carry out checks on workers who they believe are not British citizens, for example, on the basis of race or ethnicity, could find that this is used as evidence in any proceedings brought under the Equality Act 2010. It is important therefore that employers obtain a statutory excuse for all potential employees; this not only protects the employer from liability for a civil penalty if the employee is not eligible to work in the UK, but also demonstrates consistent, transparent and non-discriminatory recruitment practices.

It is a criminal offence to employ a person who does not have permission to live and work within the UK. The employer or other person(s) making the appointment would be liable to prosecution in such cases. Prosecution could result in an unlimited fine and/or imprisonment. It is therefore important to ensure that the required documentation is validated and copied before employment commences in order for an employer to establish a statutory excuse if the UK Border Agency detects anyone working illegally for that employer.

The School or Academy must check and copy the original document(s) presented from **List A** or **List B** (detailed below) as specified by the UK Border Agency, before the employee starts their employment and securely retain a paper or an electronic copy of the documentation that cannot be edited until it can be submitted to the HR Advisory Team.

Where identity cards, passports and travel documents are provided a copy should be taken of the front cover and any page or side containing personal information or any relevant UK immigration endorsements. All other documentation should be copied in its entirety. If you are presented with two documents with different names you must request further documentation to support the reason for this i.e. Marriage Certificate, Deed Poll or Divorce Decree.

List A Documents (If copied before employment they are valid for full employment)

- A national identity card or a passport that identifies the holder as a national of the European Economic or Switzerland
- Document provided by the Border and Immigration Agency specifying the individual has the permanent right to reside in the UK when produced in conjunction with official documentation specifying the permanent² National Insurance Number (i.e. P60, P45, Number Card etc.)

² Temporary National Insurance Numbers cannot be used: temporary numbers are identified if they begin with TN or any number that ends with the letters from E to Z.

- A full Birth Certificate³ or Adoption Certificate issued in either the UK, Channel Islands, the Isle of Man or Ireland when produced in conjunction with official documentation specifying the permanent National Insurance Number (i.e. P60, P45, Number Card etc.)

List B Documents (Must be checked before employment and every 12 months after whilst they remain employed)

- Passport or other documentation issued by the Border and Immigration Agency endorsed to show the holder is allowed to stay in the UK and is allowed to do the work in question without a work permit when produced in conjunction with official documentation specifying the permanent National Insurance Number (i.e. P60, P45, Number Card etc.)

Copies of all Identification provided by a successful candidate to support the right to work in the UK must be sent to the HR Advisory Team with the completed Appointment Details Form and Pre-employment Checklist.

Please refer to: North East Lincolnshire Council's Guidance for Managers on Employing Non UK Nationals, UK Border Agency, Summary Guidance and UK Border Agency, Comprehensive Guidance (all available on TOPdesk) for further information regarding Employing Non UK Nationals. Please also contact the HR Advisory Team for further information or advice.

Disclosure & Barring Service (DBS) Disclosure Checks

All employment in a School or Academy whether permanent, fixed term, supply or unsupervised voluntary will be subject to a satisfactory Enhanced DBS Disclosure. DBS checks should be received prior to employment. In certain cases at the discretion of the Head Teacher, a DBS Pre-employment risk assessment can be carried out, and a decision made as to whether to commence employment prior to receipt of a satisfactory DBS clearance. The completed Disclosure attachment form, provided at interview will support the risk assessment. Please refer to the DBS Risk Assessment section for further guidance.

As recommended by the Disclosure & Barring Service, North East Lincolnshire Council does not accept portability of DBS checks from one organisation to another, therefore all employees (paid and unsupervised volunteers, where applicable) **must** have a North East Lincolnshire Council DBS clearance.

This does not apply to anyone has joined the DBS Update Service as their check will be portable.

Where a worker is employed via an agency or contractor, however, it is the responsibility of that agency or contractor to administer and provide evidence of an Enhanced DBS Disclosure.

It is also the policy of North East Lincolnshire Council to renew each employee's DBS every 3 years. It is the Schools or Academy's responsibility to keep an up to date register of all DBS certificate numbers and renewal dates.

The DBS now only issue Applicant Only Certificates, putting them in control of their own data.

Individuals will need to provide their Certificate, and it is the responsibility of the School or Academy to check the Certificate, record the unique Certificate details (Name, Certificate Number and Issue Date) on their SCR. The School or Academy need to scan a copy of the certificate and email it to the HR Advisory Team to allow them to update their records.

³ This is a requirement as the short Birth Certificates are vulnerable to forgery

If a DBS certificate details prosecutions, cautions or similar information, it is the responsibility of the School or Academy to carry out a conviction risk assessment to determine the person's suitability to work with children and young people. Please refer to the Conviction Risk Assessment section for further guidance.

Where a person has worked or lived overseas in the past 5 years, they will be required to provide an overseas criminal record check or certificate of good conduct. Guidance on how to obtain such documentation is provided on the Home Office website www.gov.uk Please contact the HR Advisory Team for further information/ guidance.

DBS RISK ASSESSMENTS

Pre-employment Risk Assessment

Ideally DBS Disclosures should be obtained before employment. If a completed DBS Certificate has not been received, it is vital that a completed DBS Pre-employment Risk Assessment is carried out.

The DBS Risk Assessment should be carried out and the form completed with the appointing manager and the new employee in attendance. Points that should be considered are:

- Were any convictions declared on the Disclosure Attachment Form provided at interview?
If yes please refer to DBS conviction risk assessment section for further guidance.
- The nature of the work to be carried out by the employee
- To what extent the individual will/ should be supervised
- Have two satisfactory references been received – to be received prior to employment.
- Has the full employment history (including any gaps) been explored
- Have any concerns been raised following the Barred List (formerly List 99)

If the decision, following the pre-employment risk assessment, is that employment will commence, the employee should be made aware that if the DBS certificate details information not previously declared on the Disclosure attachment Form or during the pre-employment risk assessment the employment may be withdrawn. All decisions should be recorded on the Pre-employment Risk Assessment Form.

A copy of the completed Pre-employment Risk Assessment Form **must** be retained on file in the School or Academy.

Conviction Risk Assessment

If a DBS certificate details prosecutions, cautions or similar information, it is the responsibility of the Appointing Manager to carry out a conviction risk assessment to determine the person's suitability to work with children and young people. Further information to support the risk assessment process can be found in the document [Employing People with Police and Criminal records](#).

An applicant's/ employee's suitability for the post should be determined using the results of all the relevant pre-appointment checks carried out. The fact that a person has a criminal record does not automatically make them unsuitable for work with children. The Appointing Manager in conjunction with the HR Advisory Team must make a judgement about suitability, taking into account only those offences which may be relevant to the particular job or situation in question.

In deciding the relevance of convictions a number of points should be considered:

- **the nature of the offence:** In general, convictions for sexual, violent or drug offences will be particularly strong contra-indications for work with children;
- **the nature of the appointment:** Often the nature of the appointment will help to assess the relevance of the conviction. For example, serious sexual, violent, drug or drink offences would give rise to particular concern where a position was one of providing care. Driving or drink offences would be relevant in situations involving transport of children;
- **the age of the offence:** Offences which took place many years in the past may often have less relevance than recent offences. However, convictions for serious violent or sexual offences or serious offences involving substance abuse are more likely to give cause for continuing concern than, for instance, an isolated case of dishonesty committed when the person was young. The potential for rehabilitation must be weighed against the need to protect children;
- **the frequency of the offence:** A series of offences over a period of time is more likely to give cause for concern rather than an isolated minor conviction.

REFERENCES

Since the Equality Act 2010 came into force on 1st October 2010, under section 60 of The Act employers are no longer able to routinely request information regarding a candidate's health prior to an offer of appointment being made. This includes asking about their attendance record, as this would be interpreted as asking about sickness absence.

To comply with Section 60 of the Equality Act, Schools and Academies must ensure that standard reference requests and other documents/ templates do not routinely make reference to attendance/health/sickness.

However, once an offer of employment has been made we would recommend that you contact referees to obtain information relating to the candidate's attendance history. Pre-employment Medical Checks will continue to be used to assess the prospective employee's suitability for the job role and identify any reasonable adjustments to their work base or duties.

Further information and specific exceptions to the above can be found on [The Equality Act 2010 - The Department for Education](#)

References should be obtained before interview and must be obtained prior to the person commencing employment. At least one reference must be obtained from the current or most recent employer. The information received from references should be used to confirm what has already been determined about the candidate and reflect the essential/desirable criteria within the Person Specification.

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They should always be sought and obtained directly from the referee. Employers must not accept references or testimonials provided by the candidate, or on open references and testimonials, i.e. "To Whom It May Concern". Open references or testimonials might be the result of a compromise agreement and are unlikely to include any adverse comments.

References should:

- Provide relevant information about the job vacancy
- Confirm the applicants current/ recent post and salary
- Confirm any specific verifiable comments about the applicants performance history and conduct
- Detail any disciplinary procedures the applicant has been subject to
- Confirm length of time employee has known the applicant and in what capacity
- Confirm if a DBS check was completed whilst in their employment and suitability to work with children and young people
- Reasons for leaving employment/ suitability for re-employment

It is recommended and considered Safer Recruitment Practice for Schools and Academies to contact referees via telephone to verify the reference provided. A copy of the references should be retained on file at the School or Academy.

QUALIFICATIONS

Qualifications for the job role must always be verified to ensure that the candidate has obtained all academic or professional qualifications specified on the application form.

Evidence and validation of relevant qualifications/accreditation (in the case of overseas candidates, there may be a requirement to validate authenticity of the level of qualifications/accreditation) that are specified as essential should be held on file by the School or Academy.

A Teachers' Reference Number is required in order to confirm Qualified Teacher Status (QTS) and must be provided by the candidate on the application form. If this is not possible in the case of an NQT the Teacher Reference Number must be communicated to the HR Advisory Team. Without confirmation of QTS or the appropriate professional registration a person cannot be employed as a qualified Teacher.

NATIONAL QUALIFICATIONS FRAMEWORK

The National Qualifications Framework (NQF) sets out the level at which a qualification can be recognised in England, Northern Ireland and Wales.

NQF level	Examples of qualifications	What they give you
Entry	<ul style="list-style-type: none"> - Entry level certificates - English for Speakers of Other Languages (ESOL) - Skills for Life - Functional Skills at entry level (English, maths and ICT) 	<ul style="list-style-type: none"> - basic knowledge and skills - ability to apply learning in everyday situations - not geared towards specific occupations
1	<ul style="list-style-type: none"> - GCSEs grades D-G - BTEC Introductory Diplomas and Certificates - OCR Nationals - Key Skills level 1 - NVQs at level 1 - Skills for Life 	<ul style="list-style-type: none"> - basic knowledge and skills - ability to apply learning with guidance or supervision - may be linked to job competence
2	<ul style="list-style-type: none"> - GCSEs grades A*-C - BTEC First Diplomas and Certificates - OCR Nationals - Key Skills level 2 - NVQs at level 2 - Skills for Life 	<ul style="list-style-type: none"> - good knowledge and understanding of a subject - ability to perform variety of tasks with some guidance or supervision - appropriate for many job roles
3	<ul style="list-style-type: none"> - A levels - Advanced Extension Awards - GCE in applied subjects - International Baccalaureate - Key Skills level 3 - NVQs at level 3 - BTEC Diplomas, Certificates and Awards - BTEC Nationals - OCR Nationals 	<ul style="list-style-type: none"> - ability to gain or apply a range of knowledge, skills and understanding, at a detailed level - appropriate if you plan to go to university, work independently, or (in some cases) supervise and train others in their field of work
4	<ul style="list-style-type: none"> - NVQs at level 4 - BTEC Professional Diplomas, Certificates and Awards 	<ul style="list-style-type: none"> - specialist learning, involving detailed analysis of a high level of information and knowledge in an area of work or study - appropriate for people working in technical and professional jobs, and/or managing and developing others
5	<ul style="list-style-type: none"> - HNCs and HNDs - NVQs - BTEC Professional Diplomas, Certificates and Awards 	<ul style="list-style-type: none"> - ability to increase the depth of knowledge and understanding of an area of work or study, so you can respond to complex problems and situations - involves high level of work expertise and competence in managing and training others - appropriate for people working as higher grade technicians, professionals or managers
6	<ul style="list-style-type: none"> - National Diploma in Professional Production Skills - BTEC Advanced Professional Diplomas, Certificates and Awards 	<ul style="list-style-type: none"> - a specialist, high-level knowledge of an area of work or study, to enable you to use your own ideas and research in response to complex problems and situations - appropriate for people working as knowledge-based professionals or in professional management positions
7	<ul style="list-style-type: none"> - Diploma in Translation - BTEC Advanced Professional Diplomas, Certificates and Awards 	<ul style="list-style-type: none"> - highly developed and complex levels of knowledge, enabling you to develop original responses to complicated and unpredictable problems and situations - appropriate for senior professionals and managers
8	<ul style="list-style-type: none"> - specialist awards 	<ul style="list-style-type: none"> - opportunity to develop new and creative approaches that extend or redefine existing knowledge or professional practice - appropriate for leading experts or practitioners in a particular field

MEDICAL CLEARANCE (Placement Screening)

Medical Clearance should be obtained prior to the first day of employment. This will identify any specific requirements the employee may have or any reasonable adjustments that need to be made to the working environment to support the employee in their role.

There is also a risk that an employee has a contagious disease or suffers from a medical condition, makes them unsuitable to work with children and young people. The School or Academy must be satisfied that anyone appointed or engaged in a post involving regular contact with children or young people is medically fit.

The employee must complete the Medical Placement Screening Questionnaire and post it direct to NELC Occupational Health Department, using the pre-paid envelope that is provided.

The HR Advisory Team will be notified of the outcome of the assessment and will notify the School or Academy of the outcome by providing a completed Placement Clearance Form.

PROBATIONARY PERIOD

Every new member of Support Staff appointed to the service of Local Government will be subject to a probationary period of six months during which the employee's performance should be monitored and reviewed by the School or Academy. The terms and conditions of employment do allow for an extension to a probationary period if this is considered necessary.

All Newly Qualified Teachers (NQTs) will be subject to a three term induction period (pro-rata for part time). Once appointed, please complete and submit the NQT Appointment form to the HR Advisory (Consultancy) Team. Please refer to the DCSF Statutory Guidance on Induction for Newly Qualified Teachers in England for further guidance.

LIST OF PRO-FORMAS TO USE

All available on the HR Services Online – Recruitment, Selection & Leavers pages

Process – Support Staff	Form to use
New Starter (contracted post)	Support Staff Appointment Details Form
New Starter (casual/supply post)	Casual Staff Appointment Details Form
Additional Post (contracted post)	Support Staff Appointment Details Form
Additional Post (casual/supply post)	Casual Staff Appointment Details Form
Transfer from one post to another (any change in JE level)	Support Staff Appointment Details Form
Changing Hours (increase or decrease)	Support Staff Variation to Contract Form
Changing Term Time Working Days (increase or decrease)	Support Staff Variation to Contract Form
Extending Fixed Term Contract	Support Staff Variation to Contract Form
Making Fixed Term Contract Permanent	Support Staff Variation to Contract Form
Leaving any post or all posts, or ending fixed term contracts	Notification of Termination of Employment Form (all employees)
Process – Teaching Staff	Form to use
New Starter (contracted post)	Teaching Staff Appointment Details Form
New Starter (casual/supply post)	Casual Staff Appointment Details Form
Additional Post for Teaching Staff	Teaching Staff Appointment Details Form
Additional Post (casual/supply post)	Casual Staff Appointment Details Form
Transfer from Teaching to Leadership post	Teaching Staff Appointment Details Form
Changing Hours (increase or decrease)	Teaching Staff Variation to Contract Form
Increase in Salary (annual performance management)	Teaching Staff Variation to Contract Form
Awarding Allowances (TLR's or other) Teaching Staff	Teaching Staff Variation to Contract Form
Extending Fixed Term Contract	Teaching Staff Variation to Contract Form
Making Fixed Term Contract Permanent	Teaching Staff Variation to Contract Form
Leaving any post or all posts, or ending fixed term contracts (if more than one)	Notification of Termination of Employment Form (all employees)
Process - ALL	
Change of name, or change of address	Change of Personal Details Form

VARIATIONS TO CONTRACTS

The HR Advisory Team must be notified immediately of any changes to an employee's conditions of employment i.e. change in hours, change in allowances, change in salary, maternity/ paternity/ adoption and variations to fixed term contracts.

The School or Academy should complete and submit the appropriate notification form to the HR Advisory Team, via email to hrschooolsrecruitment@nelincs.gov.uk by **8th** of the month in order for any adjustments to be paid and accurate payment to be made at the end of that month.

Ensure that the relevant pro-forma has all the information required is recorded on the form.

Missing or incorrect information will cause delays in actioning your instructions.

Please add any relevant comments or further information in the Additional Comments Section of the pro-formas.

If changes are only temporary then end dates are required on the relevant pro-forma.

The HR Advisory Team will NOT automatically terminate any fixed term contracts or temporary arrangements.

You must inform the HR Advisory Team of any extensions or terminations prior to the original end date, and with as much notice as possible so as to avoid any overpayments or underpayments.

Deadlines for submitting recruitment instructions

This is now **8th of the month**, anything received after this date for the current month will not be processed until the next month.

Only in extreme circumstances and with prior discussion will any 'late' instructions be able to be processed.

TERMINATION OF EMPLOYMENT

It is important that the HR Advisory Team is notified of an employee's intention to resign or retire or a School or Academy's intention to terminate a fixed term contract as soon as possible to avoid overpayment.

Where the School or Academy intends to terminate an employee's fixed term contract, the employee's continuous service must be considered. If an employee has one year or more of continuous service the Procedure for Reduction or Reallocation of Staff in Schools (available on TOPdesk) must be followed. Advice and support should be sought from the HR Advisory (Consultancy) Team at the earliest opportunity.

A completed Notification of Termination of Employment form, available on the NELC Website/HR Services Online, detailing any leave owed to the employee or employer if applicable, and employee's resignation letter must be emailed to the HR Advisory Team hschoolsrecruitment@nelincs.gov.uk by **8th of the month** in which the employment will terminate. This will ensure any necessary adjustments are made and accurate salary is paid at the end of that month.

Advance notification of retirement is crucial to enable the HR Advisory Team to administer the Local Government Pension Scheme and Teachers' Pension Scheme requirements and ensure accurate and timely pension payments are made to the employee on their retirement.

The appropriate notice period an employee is required to give is detailed in the Statement of Main Terms of Employment, a copy of which the School or Academy should hold on file, although this can be negotiable at the Appointing Manager's discretion.

MONTHLY RETURNS

All timesheets etc must be submitted to Fin Payroll by the 12th of the month.

Email to NELC.Payroll@nelincs.gov.uk