

Recruitment, selection and appointments procedure all staff in maintained schools and colleges

For employees based in City Schools/Colleges and other establishments
(including centrally based teachers)

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Although this document refers to the Headteacher, it also applies to the Principal / Line Manager / governors as appropriate. Where there is reference to teacher in this document amendments will be required if the school decides to apply this policy to other staff.

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RECRUITMENT, SELECTION AND APPOINTMENTS PROCEDURE ALL STAFF IN MAINTAINED SCHOOLS AND COLLEGES

Aim

To ensure all staff employed in Leicester City maintained schools/colleges are appointed in accordance with current legislation, safer employment advice, employment best practice, and are paid correctly and in accordance with the appropriate Regulations.

The procedure shows clearly what schools/colleges need to do from the beginning of the recruitment process through to appointment and contract, and where further advice and guidance can be obtained from within the HR services.

The procedure should therefore provide schools/colleges with a recruitment process that is:

- Structured
- Documented
- Auditable
- Equitable
- Fair
- Transparent
- Legally compliant
- Cost effective

Objectives

- i. Advise and inform schools/colleges of the specific requirements of employment legislation and good practice, including safer recruitment.
- ii. Ensure schools/colleges make appointments in a manner consistent with statutory obligations, Leicester City Council policies and procedures and good employment practice.
- iii. To ensure that the payment of staff is in accordance with agreed pay rates.
- iv. To ensure Statements of Particulars for Teaching Staff and Contracts for Support Staff are issued within statutory time scales and in accordance with Conditions of Service.

Section One - Recruitment Overview

Responsibility for Recruitment

The Local Authority (LA) is the employer of staff in maintained schools/colleges, with the Governing Body and Headteacher/Principal having delegated responsibility for recruiting, selecting and managing staff. The Governing Body is the employer of staff in voluntary aided and trust schools. Academies are independent from the LA. This procedure therefore applies directly to schools/colleges maintained by the LA and may act as a guide to voluntary aided, trust schools and academies, where adopted by the Governing Body.

For the appointment of teaching and support staff, the Governing Body, after deciding to recruit to the vacant post, will normally delegate this responsibility to the Headteacher/Principal. The Headteacher/Principal may wish to include one or more governor in the selection process, depending on the post.

For the appointment of a Headteacher/Principal and Deputy Headteacher/Vice Principal, the full Governing Body will establish a selection panel. A representative of the Strategic Director, Children's Services, will also be present to offer advice. The full Governing Body are required to ratify the appointment following the recruitment and selection process, before an offer is made.

For the appointment of a Headteacher/Principal, the 'Appointing a new Headteacher/Principal procedure' should also be used in conjunction with this procedure.

Legislation

A brief overview of the legislation that has a direct impact on the recruitment process and employment relationship is provided below, further information on any of the Acts or Regulations can be found online.

- The Local Government and Housing Act 1989 - *requires that all appointments within the Local Authority are made on merit*
- The Equalities Act 2010 – *makes it unlawful to discriminate against or treat people unfairly because of one or more protected characteristic e.g. Gender, Race, Disability*
- The Employment Rights Act 1996 – *the right to be provided with a statement of particulars/contract of employment within 8 weeks of commencement. The Act also covers numerous provisions throughout the employment relationship, up to and including termination of employment*
- Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 - *the right to equal treatment, pro rata, with their full-time equivalents*
- Fixed Term Employees Regulations 2002 – *the general right to be treated no less favourably than comparable permanent employees, unless that less favourable treatment can be objectively justified*
- The School Staffing (England) Regulations 2009 – *provisions relating to the staffing of maintained schools/colleges*
- Immigration, Asylum and Nationality Act 2006 – *legal obligation on employers to ensure employees have the right to live and work in the UK*
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 – *duty on the individual to disclose details of spent and unspent convictions, providing it has been made clear the post is exempt from the Rehabilitation of Offenders Act 1974*

- Safeguarding Vulnerable Groups Act 2006 as amended (in particular, by the Protection of Freedoms Act 2012) – covers regulated activity and DBS' ISA Children's Barred List

Best Practice Recruitment

Effective recruitment is fundamental to a school/college's success. Finding people with the necessary skills, experience, qualifications and attributes will enable the school/college to deliver quality results.

This procedure is designed to help appoint the best person for the job. It will also help to ensure that the school/college recruits a diverse workforce and that recruitment practices are fair, equitable and transparent, with a process that is cost effective.

The LA recognises the need to increase the diversity of its workforce in order to reflect the community that we serve. Recruiters need to be fully aware of equalities legislation and understand how discrimination can occur both **directly** and **indirectly** in the recruitment process.

Schools/colleges also need to ensure they are committed to safeguarding in the recruitment process, ensuring the safety and welfare of all children and young people. At least one panel member **must** have undertaken safer recruitment training and be in the possession of a valid certificate. Schools/colleges need to be aware that compliance with this statutory requirement may be checked by Ofsted.

Ideally, all those taking part in shortlisting, interviewing and selection should have been appropriately trained in recruitment and selection techniques. However, where this has not been achieved, **at least one** person taking part in the process should have received relevant training.

Where applicants indicate that they have a disability and they meet **all** the essential criteria for the post, the school/college **must** shortlist these candidates.

If you are interested in further training on the recruitment and selection process, please email the hr manager at schools.hr@leicester.gov.uk detailing your requirements and numbers.

Safer Recruitment

All schools/colleges have a statutory duty to safeguard and promote the welfare of children and young people. This includes doing everything possible to prevent appointing people who may pose a risk to children and young people, by ensuring safer recruitment practices are followed.

At least one member of the recruitment panel **must** have completed the safer recruitment training, and be in the possession of a valid certificate, to comply with the mandatory requirement under the School Staffing Regulations. This is also underpinned by inspection requirements imposed by Ofsted.

The school/college policy statement on safeguarding should be included with the application pack.

For further information on safer recruitment and safer employment, please go to <http://schools.leicester.gov.uk/home/management/hr/safer-employment/> or contact the Safer Employment Team <http://schools.leicester.gov.uk/home/management/hr/contactus/>

For further information regarding safer recruitment training please go to <http://schools.leicester.gov.uk/home/management/hr/safer-employment/safer-recruitment-training/>

Section Two - The Recruitment Process

Associated Policies and Procedures

The following policies, procedures and documents should also be referred to as part of the recruitment and appointment process:

- Appointing a new Headteacher/Principal Procedure
- Temporary Employment Policy
- Redeployment Procedure
- Teachers Job-Share Scheme
- Pay Policy
- School Teachers' Pay and Conditions Document (STPCD)
- Single Status Agreement / Job Evaluation
- Part Time Teachers' Calculation Document
- Overseas Trained Teachers
- Probation Procedure (Support Staff)

Pre-advertising

Before commencing the recruitment process, the school/college should be satisfied that there is a genuine need to fill the vacancy.

Consideration should first be given to existing temporary employees, part-timers and/or job-sharers, through internal advertising. Consideration should then be given to redeployees within the Authority, where the school/college has adopted the redeployment procedure. Please note, the recruitment process must still be followed for internal vacancies and redeployment opportunities, there is no right to a direct slot for individuals.

Advertising

All posts must be advertised, the Headteacher/Principal and Governing Body are responsible for adopting the most appropriate method.

Examples of advertising methods:

- Internal* (flyers, notice boards, email alerts) – providing opportunity for progression amongst existing employees
- External* (local media, national media, online recruitment websites) – widening the pool of potential applicants

* In line with The School Staffing (England) Regulations 2009, all Headteacher/Principal **and** all Deputy Headteacher/Vice Principal vacancies should be advertised **nationally**, in such manner as the Governing Body considers appropriate unless it has good reason not to. The only scope for good reason not to advertise and conduct a selection process is provided in paragraphs 2.16 to 2.21, under sections 35(8) and 36(8) of the Education Act 2002, which can be accessed via the following link: [Headteacher and Deputy Headteacher Advertising - Extract from Education Act 2002](#)

All adverts must include:

- Brief details of the job
- Salary & Salary range
- Permanent/Temporary
- Full Time/Part Time
- Hours/Weeks per year
- Start date & End date (if temporary / fixed term)
- Contact details
- Closing date & Interview date
- A statement about the school/colleges' commitment to safeguarding and promoting the welfare of children and young people
- The post is subject to an enhanced DBS (formerly CRB) clearance

Job Descriptions (JD)

The job description outlines the main duties, tasks and responsibilities/objectives of the post, and should also include the job title, pay scale, line management responsibility and location.

All job descriptions **must** make reference to the responsibility for safeguarding and promoting the welfare of children and young people.

Any existing job description should be reviewed prior to advertising the post to ensure it is current and meets the needs and requirements of the role.

The job description should be included in the application pack for candidates.

If your school/college **has** adopted the Single Status Agreement, the new job descriptions for support staff can be accessed via <http://schools.leicester.gov.uk/home/management/hr/je-sbs/bulletins-and-letters-/schools-single-status/copyof-je-sbs/>

If your school/college **has not** adopted the Single Status Agreement, you should ensure the school/college has a robust evaluation method to ensure jobs are graded fairly and ensure equal pay claims cannot be brought against the school/college.

Person Specifications (PS)

The person specification sets out the skills, knowledge, experience and attributes required to perform the duties and responsibilities of the role, this includes experience and qualifications.

All person specifications **must** include a specific reference to the suitability to work with children and young people.

The person specification is the document which will be used to shortlist applicants, and set the interview questions. Each criteria should be marked essential or desirable.

Any existing person specification should be reviewed prior to advertising the post to ensure it is current and meets the needs and requirements of the role.

The person specification should be included in the application pack for candidates.

If your school/college **has** adopted the Single Status Agreement, the person specifications for support staff can be accessed with the job descriptions via the above link.

Application Forms

[Headteacher/Principal Application Form](#)

[Teachers Application Form](#)

[Support Staff Application Form](#)

The Application Guidance Notes for Applicants [Guidance for Applicants](#) should be included in the application pack for candidates.

All candidates must complete an application form, including for internal recruitment exercises, and if internal candidates apply for externally advertised positions. CV's must not be accepted. This is to ensure all candidates are asked the same questions and asked to provide the same core data and supporting evidence, ensuring a fair and consistent approach. Application forms also aid the selection process by ensuring the school/college have all information in an equitable manner.

In order to ensure the recruitment process is compliant with the Equalities Act 2010, and the school/college is not open to a challenge of discrimination, only personal details required for processing the application form are contained in the main body of the form. Other personal details, which may identify protected characteristics, and are not required until after shortlisting, are contained on a detachable section at the end of the application form. Following the process below will help to ensure candidates are objectively shortlisted based on merit of qualifications and experience.

The equality monitoring information is also contained on a separate detachable section at the end of the application. This information does not form any part of the recruitment process, and is only required in order to help the Council monitor the effectiveness of the Equal Opportunities Policy and, should a complaint on the grounds of discrimination be received, help defend such a claim.

Applications must be logged on receipt with a candidate number (on the front page, and the two detachable sections), and then the personal details and equality monitoring information removed, by a member of staff independent of the recruitment panel. This information **must** be held securely and confidentially in line with data protection requirements.

The personal details section must only be referred to after shortlisting, to invite candidates for interview, and should be reattached to the application form at this stage. Where desirable criteria have been used to reduce the shortlist of candidates, a member of staff not involved in the recruitment process must check the equality monitoring forms to ensure any disabled applicants meeting all the essential criteria have been shortlisted. The equality monitoring form **must not** be reattached to the application form.

Please refer to the Application Form Guidance Notes for Schools/Colleges for further information on processing the application forms [Revised Application Forms Guidance for Schools/Colleges](#)

Should an applicant declare a criminal conviction on their application, the additional information provided should be left in the sealed envelope until **after** shortlisting has taken place. Where the candidate has been shortlisted, the additional information may then be reviewed (**by the recruiting panel only**) with a view to discussing it with the candidate at interview. In exceptional cases, a decision may be taken to reject the candidate on the basis of this information. It is permissible to seek further information regarding the conviction at interview. Having a criminal conviction does not automatically bar someone from working within the school/college. This depends on the nature of the position and background and

circumstances of the offence. For further information regarding convictions, please contact the Safer Employment Team <http://schools.leicester.gov.uk/home/management/hr/contactus/>

Panel

The recruitment panel should consist of an odd number, usually 3 or 5, to ensure a majority decision can be reached. The panel should be representative as far as possible, in terms of gender, race etc.

The same panel members should undertake the shortlisting and interviewing of candidates.

Shortlisting

[Shortlisting Matrix](#)

All applicants should be shortlisted against the person specification criteria, measurable from the application form, by completion of the shortlisting matrix. This will provide an audit trail of how candidates were objectively shortlisted for interview or rejected.

All panel members should score the applicants separately, before reviewing the shortlist as a group, and inviting successful candidates for interview.

Where an applicant meets **all** the essential criteria they must be shortlisted. However, where there is a large pool of applicants, it may be necessary to reduce the shortlist using the desirable criteria, in which circumstances the same rules must be applied to all candidates.

If an applicant **does not** meet **all** the essential criteria they **cannot** be shortlisted.

Where it is necessary to shortlist using the desirable criteria, you must ensure that an independent member of staff checks the equality monitoring form (after shortlisting) to ensure any disabled applicants who meet **all** the essential criteria only are called to interview. The equality monitoring form **must not** be reattached to the application form.

Interviewing

[Interview Record Form](#)

At least one member of the recruitment panel **must** be Safer Recruitment trained, and be in the possession of a valid certificate.

All candidates should be asked the same standard questions, which should be derived from the person specification. Questions of a personal nature or unrelated to the requirements for the role must be avoided. Supplementary questions, known as probing questions, may be asked in order to obtain further information to fully answer one of the set questions. Any supplementary questions should be noted on the interview record form.

At least one question should be asked to explore the individuals' motives, attitudes and behaviours in relation to working with children and young people.

Any gaps in employment must be explored and noted.

Each panel member should be provided with an interview record form (pre prepared with the standard questions and expected responses) for each candidate, and each should record the answers given during the interview. The panel members should then independently

score the responses, in line with the person specification, using a consistent system e.g. 1 to 3 where 3 fully answers or exceeds the expected response. The score should be recorded on the form, which should then be signed and dated.

The recruitment panel should then compare the individually scored interview records, and where a consensus view is obtained, the offer should be made to the candidate with the highest mark. Where a consensus decision is not reached, the reasons for differences in scoring/ranking of candidates should be discussed and recorded. The offer will then be made to the candidate with the highest mark based on a majority vote.

Where a test also forms part of the recruitment process, the scores should be recorded on the interview record form and taken into account when reaching the final decision.

Remember, all appointments must be on merit.

Testing

All candidates should be given the same test, the same equipment and the same amount of time in which to complete the task(s).

The tests should be marked using a consistent marking system, e.g. 1 mark for each correct answer. The test marks should be aggregated with the interview marks, or weighting applied to the interview and test results as agreed before the start of the recruitment exercise. The test results should be recorded on each candidate's interview record form.

Correspondence

Template letters for use throughout the recruitment process:

[Application Pack Covering Letter](#)

[Application Reject](#) *

[Invite to Interview](#)

[Reference Request](#) (please note this is the standard pro forma which must be used)

[Reject After Interview](#)

[Hold Letter](#)

[Conditional Offer Permanent - Support Staff](#)

[Conditional Offer Permanent - Teachers](#)

[Offer Permanent - Support Staff](#)

[Offer Permanent Teachers](#)

[Conditional Offer Temporary - Support Staff](#)

[Conditional Offer Temporary - Teachers](#)

[Offer Temporary - Support Staff](#)

[Offer Temporary - Teachers](#)

* The school/college may choose not to automatically respond to unsuccessful applicants, in line with EMAS (Eco-Management and Audit Scheme) and carbon awareness policies, but this must be made clear to applicants at the time of applying.

Retention of Paperwork

All paperwork in respect of recruitment exercises must be retained for a period of 12 months in respect of unsuccessful candidates. This includes all application forms, shortlisting matrices, interview records and test records (if applicable), and should include confirmation of the candidate appointed. The paperwork in respect of the successful candidate should be held on their personnel file.

Section Three – Pre-Employment Checks

All offers of employment (including verbal offers) **must be conditional**, until satisfactory clearance of all pre-employment checks has been received, at which point an offer can be confirmed.

Disclosure and Barring Service (DBS) (formerly Criminal Records Bureau (CRB) Checks

All new appointees are required to undertake a new Enhanced DBS check for Regulated Activity, unless they:

- (a) are currently employed by, or volunteer for, Leicester City Council (either within a school or elsewhere within the Local Authority) and meet the requirements detailed below;
- (b) are a member of the DBS Update Service, and meet the requirements set out on page 14.

All candidates invited to interview should be sent a DBS application form and asked to bring the completed form with the supporting documentation to the interview, or, if applicable, to bring their current original enhanced CRB/DBS Disclosure from Leicester City Council (or, if the individual is a member of the DBS Update Service, from another organisation) to the interview for verification by the school/college that a new check is not required.

Existing employees of the Local Authority / School/College with a current valid Enhanced Disclosure

A new DBS Check does not need to be obtained providing the individual provides their most recent original CRB/DBS Disclosure Certificate, which meets the following requirements:

- The check **must** have been conducted by Leicester City Council no more than three years ago (as at the date of the offer)
- It **must** be at the Enhanced Level
- It **must** include a check against the DBS' Children's Barred List (which confirms that the individual is not barred from working with children)
- They have not had a break in service of three months or more since this check

If an individual is unable to provide the original disclosure, please contact the Pay and Benefits Team to verify the above. A new Enhanced DBS Check will be required if **any** of the above requirements are **not met**.

If the individual's CRB/DBS Disclosure meets the above requirements, in order to complete the checking process, they will need to complete a DBS Disclaimer Form <http://schools.leicester.gov.uk/home/management/hr/safer-employment/document-library/> confirming that they have not been subject to any criminal sanctions since their last Disclosure was issued. A further DBS check should be sought as confirmation of any declaration of criminal record information made on this form, and such information will need to be risk assessed to determine any impact on the individual's new post. The Disclaimer Form makes it clear that a failure to declare relevant information may be considered a disciplinary matter.

If the original CRB/DBS Disclosure Certificate provided criminal record information, or information from Police records, this will need to be risk assessed in relation to the duties and working environment of the new post. This is because criminal record information that

is not relevant to one role may be highly relevant to another, for example, an offence relating to theft or fraud may not be of significant concern for an individual who does not have responsibility for finance or assets, but may be very relevant if such responsibilities are part of a new role.

To assist with this process, with the individual's written consent, the Risk Assessment conducted when the CRB/DBS check was originally obtained can be provided by the Safer Employment Team to the Recruiting Manager. Consent can be given by the individual sending an email from their email account to saferemploymentteam@leicester.gov.uk stating *"I give my consent for the risk assessment documentation relating to the information contained on my CRB/DBS Disclosure to be shared by HR with (Headteacher's name)"*, or providing a signed hard copy of such a statement by fax. The existing Risk Assessment may provide sufficient information for the Manager to make their decision. However, if further information is required, the individual can be invited to a Contra-Indicator Risk Assessment meeting. Please refer to The DBS Contra Indicator Risk Assessment Procedure in the document library <http://schools.leicester.gov.uk/home/management/hr/safer-employment/document-library/> for further details.

New or existing employees of the Local Authority/School/College with a valid Enhanced DBS Check who are Members of the DBS Update Service

Individuals who have subscribed to the DBS Update Service are able to keep their Criminal Record Certificate up-to-date, meaning they can take it with them when moving between jobs/voluntary positions within the same workforce (both within and between organisations), for example, if someone works or volunteers with children for more than one school or organisation.

Schools should ask applicants (including those coming from other schools or from elsewhere in the City Council) if they are members of the DBS Update Service during the recruitment process. If an applicant has subscribed to this service you will be able to carry out a free [online 'status' check](#) to find out whether there have been any changes to the individual's Certificate since their original DBS Check was conducted. A further DBS check would only be required should the online check highlight that there has been a change to the Applicant's record. To undertake a DBS online status check you will need to:

- take a copy of the individual's DBS Certificate (with their consent). Check that the Certificate: (1) is at the Enhanced Level; (2) relates to the 'Children's Workforce'; (3) includes a Children's Barred List Check confirming that the individual is not barred from working with children; and (4) is Genuine: DBS Certificates have three important security features: a 'crown seal' watermark repeated down the right hand side, visible both on the surface and when holding it up to the light;
 - o a background design featuring the word 'Disclosure', which appears in a wave-like pattern across both sides of the certificate. The pattern's colour alternates between blue and green on the reverse of the certificate;
 - o ink and paper that change colour when wet
- request the individual's consent to carry out an online 'status' check;
- email a request for the online status check to be undertaken to the Pay & Benefits Team (dbsteam@leicester.gov.uk). This request will need to include:
 - o Confirmation that the Applicant has given their consent for you to take a copy of their Certificate and for the online status check to be undertaken;
 - o The DBS Certificate Number;
 - o The current Surname of the DBS Certificate Holder (as specified on their DBS Certificate);
 - o The Date of Birth of the DBS Certificate Holder (as recorded on the DBS Certificate)

The online status check will be conducted and the response emailed to you within 48 hours.

The individual's consent for the first two points above must be recorded on the '[DBS Update Service – Consent Statements' Form](#).

For the Pay and Benefits Team's records, as soon as possible the copy of the Applicant's DBS Certificate and their signed consent form should either be scanned and emailed to dbsteam@leicester.gov.uk, or hard copies sent in the internal mail to: Pay & Benefits Team, Employment Service Centre, 2nd Floor, Sovereign House marked 'strictly private and confidential'. **Copies of Certificates must not be retained by Schools**, except where the Local Authority is not the employer, for example, Academies. In such cases, the Certificate and Consent Statement should be retained by the school in the line with the [DBS Code of Practice](#).

New employees of the Local Authority / School/College, or individuals without a current valid Enhanced Disclosure

Following the verbal conditional offer of appointment (or after governor ratification for Headteacher/Principal or Deputy Headteacher/Vice Principal posts), the successful candidates' completed DBS Application should be forwarded to the Pay & Benefits Team for processing.

The result of the Disclosure will be returned by the DBS to the individual **only**. This means that you will need to ask the individual to share their DBS Certificate with you when they receive it, and take a copy of their Certificate and forward this to the Pay & Benefits Team. The Applicant's consent to take a copy of their Certificate will need to be obtained on the Consent Statement Form. The completed Consent Statement Form should be provided to Pay & Benefits along with the DBS Certificate. These documents can either be scanned and emailed to dbsteam@leicester.gov.uk, or hard copies sent in the internal mail to: Pay & Benefits Team, Employment Service Centre, 2nd Floor, Sovereign House marked 'strictly private and confidential'. **Copies of Certificates must not be retained by Schools**, except where the Local Authority is not the employer, for example, Academies. In such cases, the Certificate and Consent Statement should be retained by the school in the line with the [DBS Code of Practice](#).

Where a contra-indicator, i.e., criminal record information or non-conviction information from police records, appears on a Disclosure, you will need to carry out a risk assessment to determine whether this has any bearing on the individual's suitability for the role using this should be done using the DBS Contra Indicator Risk Assessment Procedure. This can be found in the document library <http://schools.leicester.gov.uk/home/management/hr/safer-employment/document-library/> Completed risk assessments, along with the DBS Certificate to which they relate, must be provided to the Pay & Benefits Team. Where the Local Authority is not the employer, schools will need to retain DBS Certificates in line with the requirements of the [DBS Code of Practice](#). Although the Certificate has to be securely destroyed after six months, the risk assessment itself should be retained as a record of the reasons for the decision taken.

Support in undertaking risk assessments can be sought from your nominated HR Adviser/ Assistant HR Adviser <http://schools.leicester.gov.uk/home/management/hr/contactus/>

Information relating to all checks/employees

In the rare circumstances that an unsatisfactory DBS clearance is received, providing the offer of appointment has been made 'subject to satisfactory clearance', and not confirmed, the conditional offer of appointment may be withdrawn. In these circumstances please seek

New appointments will not be set up on the payroll system until the DBS application, Disclaimer Form or DBS Barred List Check (see below) has been processed and the conditional offer of appointment **cannot be confirmed** until satisfactory DBS clearance is received or verified.

All DBS applications for unsuccessful applicants **must** be confidentially destroyed immediately after an offer has been made and accepted by the successful candidate.

Further guidance on DBS checks is available at: www.gov.uk/dbs

Supervision Arrangements & ISA Children's Barred List (Formerly 'List 99')

The Independent Safeguarding Authority (ISA) maintains a list of those who have been barred from working with children and young people.

All individuals who work in schools on a frequent (i.e. once a week or more) or intensive (i.e. on four or more days in one month) basis, or overnight (between 2 and 6am), are engaged in 'Regulated Activity' under the Act. A person who is barred from working with children cannot work in Regulated Activity with children, therefore it is a statutory requirement that a check of the DBS' ISA Children's Barred List is conducted for all newly appointed staff. This check is usually undertaken as part of an Enhanced DBS Check, however, the Barred List can be checked online by HR in **exceptional circumstances**. Requests for a DBS' ISA Barred List Check should be submitted via the online form:

<http://e-forms.leicester.gov.uk/default.aspx/RenderForm/?F.Name=XhE3GbquQZM>

Any queries regarding online DBS' ISA Barred List Checks that have been submitted, or that you wish to submit, should be directed to the Pay and Benefits Team via

<http://schools.leicester.gov.uk/home/management/hr/contactus/> or by email crbteam@leicester.gov.uk

Whilst it is not best practice, there is provision for supervision arrangements to be put in place where DBS clearance has not been received by the expected start date. Such arrangements can only be put in place if the completed DBS Application Form has been provided to the Pay and Benefits Team for processing and a DBS' ISA Children's Barred List check has been undertaken (see above).

A check against the Barred List **does not** negate the need for a DBS Disclosure clearance.

The supervision arrangements procedure and risk assessment (for employment commencing subject to DBS check) can be accessed via

<http://schools.leicester.gov.uk/home/management/hr/safer-employment/safer-recruitment-policies/> and

<http://schools.leicester.gov.uk/home/management/hr/safer-employment/document-library/> respectively.

Identity Checks

The school/college **must** confirm the applicants' identity in order to determine that the identity is genuine, and the individual is rightfully using that identity.

Proof of identification should include name, date of birth, address and photographic identity. Documents that can be evidenced include:

- a current photographic driving licence or passport
- a full birth certificate

- utility bill or financial statement that shows the candidate's current name and address (not more than 3 months old)
- change of name documentation (if applicable)

A conditional offer of employment **cannot** be confirmed until the **original** documents have been verified.

This can usually be done at the same time as checking the DBS documentation (where applicable) and the Right to Work in the UK.

The Right to Work in the UK

All new appointees are required to provide evidence of the Right to Work in the UK. A conditional offer of employment **cannot** be confirmed until the **original** documents have been verified.

Under the Immigration, Asylum and Nationality Act 2006 it is a criminal offence to employ anyone who is not entitled to live or work in the UK.

Documents to establish someone's entitlement to work must be evidenced from List A (not subject to immigration control / no restriction on right to stay) or List B (granted leave for a limited period and/or restrictions on Right to Work). List A and List B documents can be viewed at [The Right to Work in the UK Checklist](#)

Comprehensive advice on checking documentation can be obtained via the following link: <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking/currentguidanceandcodes/comprehensiveguidancefeb08.pdf?view=Binary>

It is a legal requirement of the employer to retain the evidence of an applicant's Right to Work, therefore the document you have evidenced **must** be photocopied and kept in the individual's personnel file.

This can usually be done at the same time as checking the DBS documentation (where applicable) and the candidate's identity.

Health Checks

All new appointees are required to complete a Health Assessment Questionnaire (HAQ), except where the employee is transferring within the City Council **without** a break in service, unless the new job role is distinctly different to that from which they are transferring e.g. may now involve lifting, driving etc.

The review of medical information about new appointees ensures the school/college and Leicester City Council meets its obligations under health and safety and disability legislation, and fulfils the duty of care to all employees. It is important to ensure that new employees are not placed in a situation where a pre-existing medical condition could be aggravated by the requirements of the new job role.

All HAQs should be submitted directly to Health Management Ltd (HML) through the online system. The school/college should request the relevant questionnaire (HAQ + 302 for all school based staff, plus other addendums where appropriate for the job role e.g. driving) via <https://portal.healthmanagement.org.uk/> and complete the required fields. The form is then submitted to the employee for completion of their parts. Please note you will require the employee's email address (which is now requested on the application form) at the submission point. You

are then able to track the referral online to ensure completion and submission by the employee.

Once the questionnaire has been assessed you will be sent an email informing you that the fitness certificate is ready for downloading. If further investigations are necessary, you will be contacted by HML for authorisation to arrange a GP/Specialist medical report and/or a pre-employment medical assessment (Independent Medical Assessment (IMA)).

Further information and guidance on occupational health is available at:

<http://schools.leicester.gov.uk/home/management/hr/employee-support-benefits/occupational-health-service/>

If the new employee is unable to complete the HAQ on-line, you can download a paper version, <http://schools.leicester.gov.uk/home/management/hr/employee-support-benefits/occupational-health-service/> for completion and returned as per the instructions on the form. This should only be used in **exceptional circumstances**.

The conditional offer of appointment **cannot** be confirmed until satisfactory clearance is received.

Qualifications

Qualifications must be evidenced where they are an essential requirement for the post. The school/college must ensure that all staff are suitably qualified and should evidence **original** documentation. A copy of the documentation should be retained on the personnel file for the successful candidate.

Qualified Teacher Status (QTS)

From 1st April 2012, teachers are no longer required to register or pay a fee to the DfE agency (formerly GTCE).

The Teaching Agency will maintain a database of individuals awarded QTS and who have passed or failed induction. Whilst it lies with each school/college to ensure that all staff are suitably qualified, the Pay and Benefits Team, as part of the LA's statutory function, will check the database on the school/colleges behalf. Any concerns identified will be advised to the school/college.

Qualified Teacher Learning and Skills (QTLS)

From 1st April 2012, further education (FE) teachers who have been awarded QTLS by the Institute for Learning (IfL) and are members of the IfL will be recognised as qualified teachers in schools and continue to be recognised as qualified teachers providing they remain a member of the IfL.

QTLS teachers can be appointed to permanent posts in maintained schools and be paid on the qualified teachers' pay scale.

An individual with QTLS status and membership of the IfL will automatically be recognised as a qualified teacher in schools. There is no need for them to apply to the Teaching Agency for QTS. A certificate from the IfL is sufficient evidence.

The IfL holds and maintains the database of all QTLS holders. Schools/colleges will need to check with the IfL that a teacher has QTLS status before they are offered a post as a

qualified teacher. The school/college will also need to undertake an annual check to confirm continued membership. Telephone: 0844 815 3202 Email: qtls@ifl.ac.uk

Further information on QTLS can be obtained from

<http://www.education.gov.uk/schools/careers/traininganddevelopment/qts/a00205922/qtls-guidance>

Overseas Trained Teachers (OTT)

Overseas Trained Teachers can be appointed, subject to demonstrating their eligibility to work in the UK and the following:

- Teachers who qualified in the European Economic Area (EEA), Switzerland, USA, Canada, New Zealand or Australia are usually eligible for QTS without further assessment. These teachers will need to produce confirmation from the Teaching Agency that QTS has been awarded.
- Teachers who qualified outside the European Economic Area (EEA), (excluding Switzerland, USA, Canada, New Zealand and Australia) will need to evidence their non UK Qualified Status by obtaining accreditation for the UK equivalent via UK NARIC www.naric.org.uk **and** complete the Overseas Teacher Training Programme in order that they may subsequently be awarded QTS. Completion of the OTT Programme must be within four years of being employed in England, and until QTS has been obtained, the appointment must be as a temporary unqualified teacher.

Further information can be found in the Overseas Trained Teachers document or obtained from <http://www.education.gov.uk/schools/careers/careeropportunities/overseas-trainedteachers>

References

In line with Safer Recruitment practices, references must be taken up after shortlisting, for all candidates called to interview, using the standard reference proforma (see section two). Please note that the Equality Act 2010 makes it unlawful in general circumstances for employers to ask about a candidate's health prior to an offer of employment being made. To ensure that schools/colleges do not fall foul of the legislation, the pre-employment health question is now included on the last page of the reference proforma. **This page should be removed by a member of staff independent of the recruitment panel prior to references being considered** (if this has not already been carried out by the referee), and only taken into account once the preferred candidate has been conditionally offered the post (pending satisfactory pre-employment clearances).

The job description and person specification need to be enclosed with the reference proforma.

All applicants are expected to provide the details of two referees, one of which should be their current or most recent employer (if applicable). Where they are not currently working with children, but have done so in the past, one referee must be from the employer by whom they were most recently employed in work with children (or vulnerable adults if they have never worked with children but have worked with vulnerable adults).

If the candidate has just completed full-time education they will need to provide the name of the Headteacher/Principal or other professional as a reference.

If they are self-employed they will need to provide details of someone who can provide a professional reference.

References from relatives or people writing solely in the capacity of friends **must not** be accepted.

'Open' references (for example, those simply addressed to "To Whom It May Concern") will not generally be accepted. For further advice on references of this nature please contact the Safer Employment Team <http://schools.leicester.gov.uk/home/management/hr/contactus/>

Other Relevant Information

DfE (Teachers' Pensions)

Part of the LA's statutory duty is to advise the DfE of new teaching appointments in Leicester City, via Teachers' Pensions. The Pay & Benefits Team will confirm the appointment via the online system, and be provided with an Appointment Statement that outlines a teacher's personal details and service. The Pay & Benefits Team will advise the school/college when they have any queries or concerns regarding a teacher's appointment.

Supply Staff

The same rules and processes must be followed for directly engaged supply staff in respect of pre-employment checks, on first appointment to the Local Authority, **or** where there has been a break in service of 3 months or more. Payment will be assessed by the Schools HR Team for directly engaged supply staff, in line with the STPC Document. In respect of agency supply staff, the agency is responsible for all checks, but the school/college must be satisfied these have been carried out.

Single Central Record (SCR)

All new appointees (including supply staff) must be entered onto the SCR, confirming the pre-employment checks undertaken, including the ISA Barred List (List 99) check and DBS details. This statutory requirement now forms part of the Ofsted criteria, and is required to be evidenced during Ofsted inspections. There is no need to submit the SCR to the LA when new appointees are added. On request, annual audits can be undertaken by the Safer Employment Team, who will contact the school/college directly with feedback. Further information can be obtained from the safer employment document library <http://schools.leicester.gov.uk/home/management/hr/safer-employment/document-library/>

Section Four - Pay & Contracts

Offer of Appointment

The letter confirming the **conditional** offer of appointment should be sent to the successful candidate as soon as possible after the conditional verbal offer has been made. The relevant paragraph regarding the HAQ should be selected, and if applicable (in **exceptional circumstances**) a paper version of the HAQ enclosed.

The offer of appointment **must only be confirmed** once **all** the pre-employment checks have been satisfactorily completed.

Enclosures

The following forms should also be enclosed with the conditional offer of appointment letter, and returned to the Pay & Benefits Team with the notification of appointment form or as soon as possible after. The new starter form must be returned in line with published payroll deadlines <http://schools.leicester.gov.uk/home/management/hr/payroll/payroll-deadlines-pay-dates/> to ensure payment can be made in the relevant month, and with correct deductions.

New Starter Declaration Form

<http://schools.leicester.gov.uk/home/management/hr/payroll/other-forms/>

The new starter declaration form includes Bank Details, Tax Declaration and Death in Service/Emergency Contact Details, and needs to be issued to **all** new employees.

Please note, this death in service nomination is in respect of the Council scheme of payment equal to a contribution of salary for a period of four weeks, and is separate to any death in service nomination made in respect of the pension scheme(s).

Member Details Form (LG Pension Form)

<http://schools.leicester.gov.uk/home/management/hr/payroll/pensions/>

A member details form will need to be provided to **all** new support staff employees.

Notification of Appointments

The relevant appointment form <http://schools.leicester.gov.uk/home/management/hr/payroll/payscales-and-contracts/> should be submitted to the Pay & Benefits Team in line with the published payroll deadlines <http://schools.leicester.gov.uk/home/management/hr/payroll/payroll-deadlines-pay-dates/> for payment to be made on time. The school/college should always retain a copy for the personnel file.

If a notification of appointment is received after the published payroll deadlines a charge will be made in order to process the appointment for payment at the next pay date. This will only be processed at the school/college's request, otherwise processing will be delayed until the following month.

For temporary/fixed term contracts an end date must be entered on the form. Where an individual has been employed for a period of 13 weeks or more, they are entitled to be paid until the end of the term in which the employment ends. Where they have not secured alternative employment within an LA the end date should be the notional end of the term i.e. 30th April, 31st August, 31st December.

It is the responsibility of the school/college to ensure the appointment form is fully completed and accurate, ensuring pay grades, points and rates are correct, as per the advert and offer, and in line with the relevant pay and conditions document for the post.

All forms must be signed by the Headteacher/Principal, or in the case of a Headteacher/Principal appointment, by the Chair of Governors.

If a QTLS teacher is appointed, confirmation should be recorded on the T1 that the necessary qualification check has been undertaken.

Where relevant information has been omitted it may be necessary to return the form to the school/college for further completion, which may cause delays in processing and potentially incur a charge and/or delay in payment to the individual.

A copy of the application form, draft statement of particulars (teaching staff), and completed forms e.g. bank credit form should be submitted with the appointment form. The completed DBS form/DBS Disclaimer (if not already submitted) should also be enclosed. Please note, the individual **cannot** be set up on the payroll system until the DBS application, DBS Disclaimer Form or ISA Barred List Check has been processed by the LA.

Statement of Particulars (SoP) – Teachers

The school/college will need to produce a draft SoP for newly appointed Teachers (including Deputy/Vice and Assistant Headteachers/Principals) and submit to the Pay & Benefits Team for checking before it is issued. It is a legal requirement to issue the statement of particulars within eight weeks of starting employment, therefore you must provide this to the Pay & Benefits Team as a matter of priority. Ideally, the draft SoP should be attached to the notification of appointment form. A copy of the application form should also be enclosed for confirmation of continuous service.

The Pay & Benefits Team will either approve the statement or advise of any amendments required before issuing. Once the SoP has been approved two copies should be issued to the individual. The employee should retain one copy and the other signed copy should be returned to the school/college for the personnel file. A copy should be forwarded to the Pay & Benefits Team for the LA's personnel file.

For Headteacher/Principal appointments the Schools HR Team will issue the SoP, where the school/college purchase the Headship Admin Package. Where the school/college conducted their own administration of the Headship, the standard process for Teachers should be followed.

Template SoP's are available at

<http://schools.leicester.gov.uk/home/management/hr/policies-and-procedures/appointment-of-staff-in-schools-and-colleges/>

Contracts – Support Staff

The Pay & Benefits Team will issue two copies of the contract to the individual, via the school/college, within eight weeks of the commencement date. The employee should retain one copy and the other signed copy should be returned to the school/college for the personnel file. A copy should be forwarded to the Pay & Benefits Team for the LA's personnel file.

Pensions

Teachers

With effect from April 2013, all teachers (even those that have previously opted out prior to April 2013) will automatically be entered into the Teachers' Pensions Scheme upon appointment. Please note, where a teacher is appointed to an additional contract over and above a full time contract of 32.5 hours per week this cannot be enrolled into the Teachers' Pensions Scheme, however, if this contract has earnings high enough to meet auto enrolment criteria it will automatically be enrolled into the Local Government Pension Scheme (please refer to the Support Staff section below).

Where a new starter wishes to opt out of the scheme, they must contact Teachers' Pensions directly and complete the relevant form. A valid opt out form must be completed for Leicester City LA 856.

All forms and information are available at <http://www.teacherspensions.co.uk/> or 0845 606616

For further information on auto enrolment please contact the ESC helpdesk esc@leicester.gov.uk or 0116 252 6099

Support Staff

With effect from April 2013, all support staff will automatically be enrolled into the Local Government Pension Scheme (LGPS) upon appointment, where they meet the qualifying criteria on age or earnings. However, a Members Details form must still be completed by all new starters and returned directly to The Pensions Section at County Hall.

Where a new starter wishes to opt out of the scheme, they must contact the LGPS administrators directly and complete the relevant form.

All forms and information are available at <http://www.leics.gov.uk/pensions> or 0116 3054000

For further information on auto enrolment please contact the ESC helpdesk esc@leicester.gov.uk or 0116 252 6099

Probation

Teachers

Teachers' probation period is better known as NQT induction. The induction period usually lasts for the equivalent of three terms, and only applies to NQTs or individuals who have not completed the whole period. Upon satisfactory completion there is no further requirement to undertake further induction throughout the teaching career, even when moving from one school/college or LA to another. Induction information is held by the Teacher Agency, and satisfactory completion will be checked by the Pay & Benefits Team upon appointment, as part of the LA's statutory function. The school/college will be notified of any concerns or queries.

Support Staff

All new support staff employees are required to complete 6 months (26 working weeks if term time only) satisfactory probationary service before their appointment is confirmed. Existing members of staff who are promoted, re-graded or transferred from elsewhere in the Authority (including redeployees) who have successfully completed a probationary period are not required to undertake a further probationary period. If the initial probation period is not yet completed this will be carried over to the new contract of employment and appointment will not be confirmed until the period has been successfully completed.

For employees with a temporary contract for less than nine month's employment the length of the probationary period is at the discretion of the Headteacher/Principal.

Section Five - Additional Information

Checklists

Checklists are available to assist with the recruitment, selection and appointment process.

[Vacancy Checklist](#)
[Application Pack Checklist](#)
[Recruitment Panel Pack Checklist](#)
[Pre-Employment Checklist](#)
[Offer of Appointment Checklist](#)
[Pay & Benefits Checklist](#)
[Retention of Paperwork Checklist](#)

Contacts

Contact details for the Schools HR Team, the Pay and Benefits Team and the Safer Employment Team can be found @: <http://schools.leicester.gov.uk/home/management/hr/contactus/>

Glossary

LA = Local Authority
HML = Health Management Ltd (Occupational Health provider)
HAQ = Health Assessment Questionnaire
JD = Job Description
PS = Person Specification
CRB = Criminal Records Bureau
DBS = Disclosure and Barring Service
ISA = Independent Safeguarding Authority
TA = Teaching Agency
DfE = Department for Education
SoP = Statement of Particulars
QTS = Qualified Teacher Status
QTLS = Qualified Teacher Learning and Skills
IfL = Institute for Learning
FE = Further Education
OTT = Overseas Trained Teacher
EEA = European Economic Area
STPCD = School Teachers Pay & Conditions Document