



HCAT

Safer Recruitment

Handbook

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HCAT Safer Recruitment Handbook

1. Introduction

1.1 This document has been produced to help support you with safer recruitment and completing pre-employment checks that are set out in Keeping Children Safe in Education, particularly Part Three. **This document is reviewed on an annual basis in accordance with amendments to Keeping Children Safe in Education and any changes to employment law.**

1.2 It also includes guidance on recording information on the single central record and incorporates Induction and Probation processes.

1.3 Please do not hesitate to contact the HR Team with any queries:

01226 704251 – Sally Goodall (Director of Human Resources)
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2. Safer Recruitment – Keeping Children Safe in Education

2.1 The Reason for Safer Recruitment

2.1.1 The need for guidance on Safer Recruitment in Education was a result of the findings and recommendations of Sir Michael Richard's report into the Soham case in 2004. The Keeping Children Safe in Education (DfE 2024) document offers guidance on the checks to be carried out for ALL individuals in an education setting and the policies and practices which should be in place and followed consistently.

2.1.2 It is a statutory requirement that everyone including governors in every academy read and understand all this document and sign to agree they have read Part 1. It is now recommended that all employees also read Annex A. All employees will sign an acceptance form which will be retained in the Academy safeguarding filing system and will be registered on the Single Central Record including dates when this was undertaken.

2.1.3 We recommend that this document is reviewed by all in its entirety, every September as the Department for Education issue a revised version in September each year.

2.1.4 If existing employees have yet to read and sign for this, please arrange for them to do so. Ofsted will check there is evidence that everyone has read and understood at the very least Keeping Children Safe in Education Part 1.

2.1.5 Applying the safer recruitment principles and practices will help to deter or identify people who may be unsuitable to work with children for a variety of reasons. It is important to remember that the same checks are undertaken for volunteers as well as paid employees.

- ❖ *HR1a Keeping Children Safe in Education (updated regularly – please follow link below)*
- ❖ *HR1b KCSiE Register (information to be transferred onto the SCR)*

2.2 The Safer Recruitment Process

2.2.1 It is important to follow a consistent and thorough approach to recruitment to send the right messages to potential employees and to obtain relevant information about each applicant.

2.3 Features of a Safer Recruitment Process

- Set adequate time aside to plan and structure the process.
- Have a clear job description and person specification in place for every role detailing the expectations of the role and requirements for safeguarding.
- Clear messages for safeguarding should be sent to potential applicants. This can be covered in the wording of the advertisement and application pack.
- CVs should not be accepted because the authors will only tell you what they want you to know.
- Wherever possible, references should be obtained prior to interview. Specific enquiries should be made regarding the applicant's background in relation to safeguarding.
- The selection process must involve as a minimum a face-to-face interview. Ideally, the process should also include another observed task such as a lesson observation or other activity involving students.
- Interview questions should be open and probing and explore the applicant's motives for working with children as well as their attitudes, behaviours, skills, and experience. Interview questions should cover safeguarding issues as well as role-related questions.

Any *conditional* offer of employment should clearly state that it is subject to the satisfactory completion of pre-employment checks and the successful completion of an Enhanced DBS (Disclosure and Barring Service) Check.

3. Recruitment

3.1 Each Academy is to advertise their own vacancies and manage their recruitment themselves. HCAT Central Team can support as and when required.

3.2 Templates for: Job adverts, Job Descriptions, Person Specifications, and application forms are provided as a guide to develop your recruitment packs.

- ❖ *HR2a Non-teaching or Support role advert*
- ❖ *HR2b Teaching or Leadership role advert*
- ❖ *HR3 Job Description and Person Specification*
- ❖ *HR4a Application form*
- ❖ *HR4b Equal Opportunities Monitoring Form*
- ❖ *HR4c Wording to go with Job application interest (via post or email)*
- ❖ *HR4d Disqualification under The Childcare Act Form*
- ❖ *HR4e Criminal record confirmation form*

3.3 Please see below some potential methods for advertising vacancies, as used by HCAT Central Team:-

- TES
- BMBC Engage
- Social Media Websites: Facebook, Instagram, X and Linked In
- Totaljobs.com
- Local Authority websites
- Local newspaper

4. Assessing Applications and Shortlisting

4.1 Once the closing date of the advertisement has passed, all completed applications should be reviewed.

- At least 2 people should be involved in the shortlisting process. Ideally, the same people should also form the interview panel.
- Assess applications carefully and identify any gaps in the applicant's employment history, discrepancies, or inconsistencies in their application.
- The person specification should be used to form a basis of the shortlisting criteria checklist.

- Keep a written checklist of your shortlisting notes up to a maximum of 6 months after an appointment has been made.
 - Ensure that at least one person on the recruitment panel has successfully completed statutory Safer Recruitment training.
- 4.2 Suitable candidates, as per the Job Description and Person Specification, identified using the shortlisting template are to be invited to interview and their two references are to be requested (refer to pre-employment checks).

❖ *HR5a Shortlisting*

❖ *HR5b Qualification Framework*

5. Self-Disclosures – Criminal Record/History

- 5.1 Applicants must be given the opportunity to give a signed statement and disclose any criminal record/ history prior to interview. Self-disclosures forms are now separate to the application form and shortlisted applicants must be asked to complete one prior to the interview and given to the recruitment panel at the interview (see form HR4e). It is unfair to discriminate by solely discounting an applicant on the grounds of a self-disclosure. The statement for the employment of ex-offenders should be sent out with application packs and included on your website.

❖ *HR4f Statement for the employment of ex-offenders*

- 5.2 The disclosure is then discussed at interview. Under the Rehabilitation of Offenders Act (ROA) some criminal convictions are spent after a specified period and therefore do **not** have to be disclosed. Applications to work with children are exempt from this, however changes to ROA were made in 2013 and there is no longer the requirement to disclose “protected” convictions. A self-disclosure does **NOT** remove the requirement of a Disclosure and Barring Service check.
- 5.3 The application form also includes a form for Equal Opportunities monitoring. The Equal Opportunities form will be sent as a separate document with the application form and will not be made available to the shortlisting panel.

6. Online Searches

- 6.1 Academies **should** complete an online search as part of their due diligence on shortlisted applicants. This may help to identify any incidents or issues that have happened, and are publicly available online, which the recruitment panel may want to explore with the applicant at interview. Applicants should be informed that online searches **will be** done as part of the due diligence checks. The appropriate form should be completed confirming that the check has been completed and any findings.

❖ *HR23 Online search form6*

7. Invitation to Interview

- 7.1 After shortlisting, a minimum of 2 references should be requested in advance of the interview. Please refer to the next section for guidance.
- 7.2 Using the ‘interview schedule’ document to record information, telephone all candidates in the first instance to invite them for an interview and follow up then with an email to confirm all details including what the candidate needs to prepare for the interview. Once candidates confirm their attendance you can use the interview schedule document to ensure the interview day will flow effectively.

- ❖ *HR6 Interview Schedule*
- ❖ *HR7 Invite to interview (via post or email)*

8. References

8.1 References should be obtained before the interview. Obtaining references for shortlisted candidates plays an important part in the selection process.

8.2 Please see 'pre-employment checks' section for guidance on this process.

❖ *HR8a Reference Request*

8.3 Should you receive a reference request for a colleague or ex-employee this should be forwarded to the Principal/Head of School, and you should use the template below for guidance:

❖ *HR8b Providing a Reference*

8.4 GDPR and References

8.4.1 The giving and receiving of references are covered by a "lawful basis" (reason) for sharing and requesting data as well as a "legitimate interest" basis therefore it is not necessary to seek consent from employees for whom you are seeking a reference or providing a reference for.

9. Preparing for the Interview

9.1 Questions and tasks (if required) should be prepared prior to the day for the applicants. You may also want to consider rooming arrangements and refreshments that need to be booked in advance.

❖ *HR9 Interview Tasks*

❖ *HR10 Interview Assessment form*

9.2 The interview questions can be used as appropriate to each Academy and are examples only. They have been collated from across the Trust and found to be very useful when assessing a person's suitability for the role.

10. The Interview Process

10.1 It is crucial that positive recruitment decisions are made so that those who are not suitable to work with children, for whatever reason, are not given the opportunity to access children.

10.2 Benefits of getting it right:

- Children are kept safe and can learn to the best of their ability.
- Children receive high standards of education.
- The academy is effective and achieves positive outcomes for all children.
- The reputation of the academy is enhanced.
- There will be a lower turnover of staff.
- Less time and resources will be required to deal with staffing issues.
- Parents are less likely to make a complaint.

10.3 Costs of getting it wrong:

- Children will not receive the care or education to which they are entitled.
- There may be damage to the academy's reputation or viability.

- There may be a Police force or LSCB (Local Safeguarding Children's Board) investigation which could be emotional, stressful, and costly.
- You may have to deal with the dismissal of staff.
- Parents will be angry and upset.
- **Children may suffer abuse or even lose their lives.**

10.4 It is important to explore an applicant's motives for working with children as well as their previous experience and qualifications. The Warner Report, published in 1992 proposed new means of recruiting and selecting people to work in residential childcare. The aim was to minimize the risk of abuse to children in children's homes, but it is strongly recommended that Warner style questions are asked in all interviews. This means that applicants should be asked the following types of questions:

- What are your motives for wanting to work with children?
- How do you deal with difficult issues in relation to working with children?
- How do you ensure that you maintain a professional working relationship with children and do not overstep the boundaries of your role?
- How do you maintain your emotional resilience in working with challenging behaviour?

10.5 The above questions should be asked in every interview situation. We do not want to employ the highest qualified applicants if they do not have the right motives for working with children.

10.6 As well as the 'face to face' traditional interview, when recruiting staff to work closely with children, a range of selection tools should also be used to enable you to fully assess the candidate's suitability for the role. Some suggested additional selection tools are:

- Student interview panels
- Group exercises and/or role plays
- Presentations
- Written tasks
- Aptitude/ability tasks
- Lesson observations

10.7 It is vital that notes are taken during all parts of the interview process. This will aid the selection panel when deciding on whether to appoint an applicant rather than relying on memory. It is also recommended that a minimum of 2 people should form the selection panel, one of which must be trained in Safer Recruitment.

11. Interview Questions

11.1 Questions to candidates should be based around the criteria detailed on the person specification. Other questions must be based on safeguarding, motives for working with children and personal values. It is also appropriate to ask questions which are specific to the individual candidate's application form, for example, any gaps in employment history or content that you would like to explore further.

11.2 Trust Value Based Interviewing (TVBI)

11.2.1 TVBI is another way of helping us to recruit the most suitable people to work with our children and assess their values, motives, and attitudes. By focusing on 'how' and 'why' an applicant wants to work for the Trust this provides a further opportunity for us to ensure their suitability for the post.

11.2.2 Value Based questions enable us to identify if an individual's personal values align with those of the Trust.

11.2.3 Examples of Trust Value Based Interview Questions (TVBI):

- What are your core values, both personal and professional?

- How do your values align with the values of the Trust?
- How would you influence and enable students to develop and shape their own future?

11.3 Safeguarding Questions

11.3.1 It is important to incorporate questions that explore a candidates' understanding of safeguarding in an education setting and (for example) what they would do if they were made aware of a potential safeguarding issue. See examples provided.

❖ *HR10 Interview assessment form*

11.3.2 It is recommended that these types of questions are included to assess an applicant's understanding of safeguarding, as well as their motives, attitudes, and behaviours towards children.

12. Completion of Interview Assessment Form

- After considering TVBI, safeguarding and post specific questions populate the interview assessment form in readiness for the interview.
- Set a benchmark for each question.
- Agree which questions to be asked by whom.
- Every member of the panel to score the responses from the applicant individually.
- Consensus to be reached by panel on the highest scoring applicant.
- The chair of the interview panel to contact the preferred applicant and make a conditional offer of employment subject to satisfactory completion of pre-employment checks.

12.1 After the interviews are complete and a decision has been made, contact all interviewees via telephone to advise them of their outcome, for those unsuccessful an email could be an option. If there is a successful candidate, and they have accepted the offer, pre-employment checks may begin.

❖ *HR11 Unsuccessful following interview template*

12.2 NB. recruitment documentation must be kept for a period of six months. However, if you do not recruit on a regular basis, it is advisable to keep the documentation of your last appointment process for longer than six months in case of Ofsted inspection.

13. Offer of Conditional Employment

13.1 Once the Recruiting Manager has verbally offered the successful candidate the position on a conditional basis, a formal written offer of employment must be issued.

13.2 The conditional offer can be sent to the individual via email and post. This advises the individual of their conditional employment and what checks need to be completed before a formal letter and contract of employment is issued.

13.3 The offer letter will also be accompanied by:

- ❖ *HR12a Offer Letter*
- ❖ *HR12b Identification Documents – Routes*
- ❖ *HR12c Right to work in the UK documents – Checklist.*
- ❖ *HR12d Right to work in the UK - Guidance Notes*
- ❖ *HR12e Bank Credit Mandate Form*
- ❖ *HR12f HMRC Starter Checklist*
- ❖ *HR4d Disqualification under the Childcare Act 2006 – Self Declaration form (where applicable)*

13.4 A completed new starter form needs to be input on to the payroll portal, with the individual's bank details.

❖ *HR13 Starter and Leaver Form for payroll template*

14. Pre-Employment Checks

14.1 Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional upon satisfactory completion of the necessary pre-employment checks.

14.2 ***It is Trust practice that a start date for the employee is not agreed until the Academy has received a satisfactory DBS check along with all other pre-employment checks.***

14.3 All offers of employment are subject to the following:

- Receipt of a satisfactory Disclosure and Barring Service Enhanced Disclosure where this is appropriate to the post.
- Identity check.
- Satisfactory Disqualification under the Childcare Act 2006 Self Declaration form if applicable.
- Two satisfactory references (if not already obtained).
- Original qualification documents where required as per the essential requirements of the post.
- Satisfactory pre-employment medical check.
- Evidence of right to work in the UK which satisfies the Immigration Asylum and Nationality Act 2006.

14.4 It is the responsibility of the Academy to ensure these pre-employment checks are completed, recorded, and stored appropriately **within the online personal filing system**.

14.5 If using agency/supply staff in your setting, it is vital to ensure that the agency follows the same standards and vetting procedures when recruiting staff. Agency staff and volunteers have the same access to children as people you recruit. **Please ensure that you have written confirmation from the organisation/agency that they comply with Keeping Children Safe in Education in all their recruitment practices.** The same recruitment and vetting procedures must also apply to volunteers.

14.6 ***You must ensure the following checks are completed for the successful candidate as soon as possible.***

15. Obtaining and Checking Two Satisfactory References

15.1 References should have been obtained before the interview including for internal candidates. Obtaining references for shortlisted candidates plays an important part in the selection process and ensures that any issues of concern can be explored further with the referee (with a written record of discussions) and taken up with the candidate at interview.

15.2 ***An appointment should not be made without sight of a minimum of 2 satisfactory references.***

15.3 References should always be obtained from the candidate's employer or where not currently employed, their most recent period of employment details should be verified and the reasons for leaving obtained.

15.4 If an applicant has worked with children previously (paid or voluntary) at least one reference should be obtained from this provision even if it is not the applicant's most recent or current employment. If the applicant has not named this provision as a referee, they should be informed that they will be contacted for a reference.

15.5 All requests for references should enclose a copy of the job description and person specification. Every request should ask the referee to state whether they are aware of anything which might consider the applicant as unsuitable to work with children as well as their suitability to be able to carry out the duties of the role.

References for current or previous work with children should also specifically ask whether the applicant has been the subject of allegations about their behaviour towards children and any disciplinary action the applicant may have been subject to in relation to their work with children. Any information about past disciplinary action or allegations that are disclosed should be considered carefully when assessing the applicant's suitability for the post. References should always be requested directly from the referee and preferably from a senior person with appropriate authority, not just a colleague. Employers should not rely on open references (to whom it may concern) and where electronic references are received employers should ensure they originate from a legitimate source and print off the accompanying email to be filed with the reference.

- 15.6 This requirement should be made clear to applicants in the information sent out and on the application form. Careful consideration should be given if an applicant requests that references are not sought prior to interview. References should be read carefully to ensure all questions have been answered and there are no vague or ambiguous statements, and the referee contacted to provide further information as appropriate. Reference to current duties and responsibilities should also be cross-checked to the information provided by the applicant and any discrepancies explored at interview.
- 15.7 A copy of all references received should be recorded on the Single Central Record and retained on the personal file for the successful applicant.

❖ *HR8a Reference Request*

16. Identification Verification

- 16.1 When appointing new staff, academies must verify a candidate's identity. Identification checking guidelines can be found at; [Check someone's criminal record as an employer](#) and [DBS ID checking guidelines](#). ID should be requested at the preferred candidate stage. Original documents only can be accepted to verify the applicant's identity, and one form of ID must show a photo of the applicant. These documents should be photocopied, signed, and dated as evidence of a copy of the original document then placed in the personal file.

❖ *HR12b Identification Documents – Routes*

17. Right to Work in the UK

- 17.1 Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then advice should be sought from the Human Resources Team.
- 17.2 It is an offence to employ someone who is not eligible to work in the UK. It is therefore essential that this is checked prior to employment being confirmed. Detailed guidance can be found at [Checking a job applicant's right to work](#) and [An employer's guide to acceptable right to work documents](#).
- 17.3 Please be aware that some right to work in the UK documentation may be time limited and therefore you need to diarize this information to ensure they are still eligible to work in the UK in the future. Some documentation may also be restricted as to what the employee can be employed as therefore, please ensure you check this.
- 17.4 The potential implications of not checking these documents in all circumstances could be criminal sanctions, a custodial sentence of up to 5 years imprisonment and the organisation could be fined for negligence of up to £20,000 per illegal employee.

❖ *HR12c Right to work in the UK documents – Checklist*

17.5 **Employing Individuals from the European Union, European Area, or Switzerland.**

- 17.5.1 Since the UK left the European Union on 1st January 2021, there are different rules that all employers must follow when employing an individual who may not be a British citizen. From 1st January 2021 to 30th June 2021,

individuals from the EU, EEA and Switzerland who were residing in the UK had the opportunity to apply for European Settlement Status if they wanted to continue living and working in the UK.

17.5.2 With effect from 1st July 2021, new rules for the employment of non-British citizens were established. Employers must now check that an applicant can work in the UK before offering employment.

17.5.3 To check that the applicant has the right to work in the UK, you can:

- Check the applicants right to work online if they have given you their share code at <https://www.gov.uk/view-right-to-work>
- Check the applicant's original documentation (HR12c)

18. Evidence of Qualifications

18.1 Verify professional qualifications as appropriate. Applicants are requested to bring in original certificates as evidence of all relevant qualifications. Documents should be checked to ensure that they refer to the applicant and that they match what the candidate has stated they have on their application form. Copies should be retained for the personal file and should be signed and dated as evidence that it is a copy of the original certificate. The system 'check a teachers record' should also be used to verify any award of qualified teacher status (QTS) and the completion of teacher induction. A start date for a preferred candidate should not be arranged until the original qualification certificates are provided to the Recruiting Manager.

<https://check-a-teachers-record.education.gov.uk>

❖ *HR5b Qualification framework*

18.2 You must then ensure the following remaining pre-employment checks are carried out.

19. DBS Regulated Activity

19.1 Regulated activity is any activity that involves contact with children or vulnerable adults irrespective of whether this is paid work or voluntary. All paid work within Academies is classed as regulated activity.

19.2 This may include activities such as:

- Any activity of a specified nature which involves contact with children or vulnerable adults frequently, intensively and/or overnight.
- Any activity allowing contact with children or vulnerable adults that is in a specified place frequently or intensively.
- Fostering and childcare.

Based on working:

- Frequently – the activity takes place once a week or more.
- Intensively – the activity takes place on 4 or more days in a 30-day period.
- Overnight – between 2am and 6am.
- NB – The Protection of Freedom Act 2012 allows barred persons to volunteer with children if they are supervised.

19.3 Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes relevant personal care or health care provided by or provided under the supervision of a health care professional (i.e., helping a child with eating or drinking for reasons of illness or disability or in connection with toileting, washing, bathing, and dressing for reasons of age, illness, or disability).

20. Disclosure and Barring Service

20.1 It is Trust policy to obtain enhanced DBS checks on all new starters.

20.2 DBS Certificate

20.2.1 Everybody employed and people volunteering (including Governors) who are **in regulated activity** are required by law to undertake an enhanced DBS disclosure – with a Childrens Barred List check. This still applies even if they have a recent existing DBS check with a different employer. Details of this certificate should be recorded on the Single Central Record and the person responsible for completing recruitment checks should print off the notification from the DBS and place this on the personal file. The approval certificate is the property of the individual and copies should not be taken and retained in the academy. ***Everybody employed to work in an Academy in regulated activity is required by law to undertake a DBS disclosure.***

20.2.2 Currently HCAT use Barnsley Council Disclosure and Barring Service to complete DBS checks, and they send us details of the disclosure number for this purpose, there is no need to have sight of the original certificate.

20.2.3 Staff recruited before March 2002 and who have continuity of service - that is, no break in service longer than three months - are not required to have been subject to DBS checks. However, a DBS check should be undertaken where there are concerns about the person's suitability to work with children or when they move to a post that involves greater contact with children than their previous post did, and their previous post did not require an enhanced disclosure (i.e., moving from a non-regulated activity to a regulated activity).

20.2.4 Staff recruited after March 2002 should have a renewed DBS check if there has been a break in service of three months or longer, or when there are concerns about the individual. Ideally any member of staff recruited prior to 2002 should have a retrospective Enhanced DBS check.

20.2.5 ***The Trust operates a three-year rolling programme of re-checking DBS information.***

20.2.6 Where there is a disclosure on a DBS check, the Academy must undertake a formal written risk assessment and keep a copy in the employee's personal file. Here is a template provided for guidance.

❖ ***HR14 Cause for Concern DBS Risk Assessment***

20.3 Barred List Check

20.3.1 Where the individual will be or is engaging in regulated activity and the DBS check has not been received the Academy **must** obtain a separate barred list check if an individual is to start work in regulated activity before the DBS certificate is available. **However, it is Trust practice that employees only commence in employment once the Academy has received a satisfactory DBS check.**

20.3.2 Academies have a legal duty under the Protection of Freedoms Act 2012 to check that any person being appointed to work in regulated activity is not barred from working with children. **This check must be completed before the person commences employment.** Even if the DBS check is not fully completed, a separate barred list check must be undertaken. Academies may be prosecuted if they appoint someone who is barred from working with children. The check is then to be logged on the Single Central Record and filed in the employee's personal file.

20.3.3 Should a Barred List check confirm that the candidate is barred the conditional offer must be withdrawn. This also applies for regular volunteers or un-supervised volunteers.

20.3.4 This check can be completed by following this link: <https://check-the-childrens-barred-list.education.gov.uk>.

20.4 Applicants from Overseas

- 20.4.1 If the person has lived or worked outside the UK, further checks are required as outlined below.
- 20.4.2 Detailed guidance on how to obtain overseas checks and contact details for individual countries can be found at [Criminal records checks for overseas applicants](#).
- 20.4.3 In some cases, applicants will be able to provide evidence from the relevant border agency which is received when they leave the country. In such cases a copy of the evidence should be retained on the personal file and signed and dated as evidence that it is a copy of the original document. If an applicant requires a Visa to be able to work in the UK, a copy of this documentation should be obtained as part of the Right to Work in the UK checks. A note should be made of the renewal date to ensure that copies of updated Visas are obtained at the appropriate time.

20.5 Checking via the Disclosure and Barring Service

- 20.5.1 The DBS check will only provide information held by police forces within the UK. However, this should still be completed. DBS cannot access criminal records held overseas, but it is possible to apply to the DBS while the applicant is overseas. As the DBS cannot access criminal records held overseas, a criminal record check may not provide a complete picture of an individual's criminal record and further checks should be made.
- 20.5.2 In a small number of cases, overseas criminal records are held on the Police National Computer, and these would be revealed as part of a criminal record check.
- 20.5.3 The DBS does not check whether an applicant is permitted to work in the UK. The employer is responsible for ensuring employees have the right to work within the UK.
- 20.5.4 Overseas criminal record - Wherever possible a check of the applicant's criminal record should be obtained from the relevant country. If this is not possible, extra care should be taken with checks relating to identity, qualification and obtaining satisfactory references

20.6 Checking via Embassies

- 20.6.1 If you are recruiting people from overseas to check their overseas criminal record, you should contact the Embassy or High Commission of the country in question.
- 20.6.2 Find contact details for Embassies and High Commissions in the UK on the Foreign and Commonwealth Office (FCO) website [Foreign embassies in the UK](#).
- 20.6.3 You can also contact the Foreign, Commonwealth and Development Office on 020 7008 5000 or email fcdo.correspondence@fcdo.gov.uk.

20.7 Certificate of Good Conduct

- 20.7.1 You should try to obtain a certificate of good conduct and any other references from potential overseas employees. The standard of foreign police checks varies. To find out the standard, you should contact either the authorities in a particular country, or their embassy.
- 20.7.2 Please note that in some cases it may be necessary for documents to be translated into English. Either you or the employee should obtain a certified translation of the certificate of good conduct. The DBS does not offer a translation service.

21. Disqualification Under the Childcare Act 2006 (revised guidance 31 August 2018)

- 21.1 Under the Childcare Regulations 2009 – the DfE issued revised guidance in June 2016, but in brief the regulations apply to anyone working in childcare with either under 5's or in wrap-around care where there are children under 8.
- 21.2 In Academies this would apply specifically to classroom-based staff and lunchtime supervisors in nursery and reception classes. It applies to all Headteachers/Heads of School of primary Academies and others who manage under 5 child-care. In the case of Ofsted-registered breakfast or after-Academy care, the regulations also apply to this provision.
- 21.3 The full document can be downloaded by following this: [Disqualification under the Childcare Act 2006](#).
- 21.4 In summary, Academies must ensure that they are not knowingly employing a person who is defined as disqualified.
- 21.5 Any data should be handled fairly and lawfully, taking care not to breach relevant legislation such as the General Data Protection Regulations 2018, Rehabilitation of Offenders Act 1974, and the Human Rights Act 1998.
- 21.6 New employees should be advised:
- of the regulations and be asked to confirm that they are not disqualified from working in a childcare setting
 - that they do not need to provide details about any protected caution or protected conviction
 - that they are required to complete a self-declaration form (see template).
- 21.7 It is vital that Academies do not ask staff or third parties to make requests for their criminal records in connection with employment as this will be considered as an offence under section 56 of the Data Protection Act and could make an Academy potentially subject to prosecution
- 21.8 If you think that you, or a person you are considering employing, may be disqualified, you can email the disqualification team at Ofsted, disqualification@ofsted.gov.uk. They may be able to tell you if they are disqualified straightaway. The employee must be informed that Ofsted have been notified and explain the implications of disqualification, and provided they are not on the Children's barred list, they are required to apply for a waiver from disqualification.
- 21.9 The employee should be advised how to make an application for a waiver, and a copy of the form can be found on the Ofsted factsheet: [Applying to waive disqualification: early years and childcare providers](#). The employee will be expected to provide accurate details about themselves, or about any person who lives or is employed in their household who satisfies the disqualification criteria.
- 21.10 An Academy **must not** continue to employ an individual who is disqualified, in connection with early or later year's childcare provision, nor be directly concerned in the management of such a provision until a waiver is received. Ensure you inform the HCAT Human Resources Team of any positive disclosures. Advice should also be sought from the HCAT HR Team in the first instance.
- 21.11 Further information in relation to disqualifications can be found on the following link: [Disqualification factsheet](#)

❖ *HR4d Disqualification Under the Childcare Act 2006 Self Declaration form*

22. Health Clearance – Medical Check, Fitness to Undertake Role

- 22.1 Verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role (captured in the pre-employment medical screening).
- 22.2 It is now unlawful for an applicant's previous health and sickness absence record to be checked at the application stage because of the Equality Act 2010. However, once a successful candidate has been identified, you should ascertain their fitness to undertake the role.
- 22.3 With effect from 1st September 2024, HCAT will be using Barnsley Hospital directly or reviewing pre-employment questionnaires.
- 22.4 The new employee will be asked via the offer letter to complete the pre-employment medical questionnaire and return via email to Barnsley Hospital.
- ❖ *HR15a Part A Exposure Profile*
 - ❖ *HR15b Email for low-risk candidate*
 - ❖ *HR15c Email for high-risk candidate*
- 22.5 Please contact the HR Team should any cause for concern be highlighted.

23. Teacher Prohibition Check

- 23.1 From the 2nd of September 2013, under the School Staffing Regulations (Amended) 2013, a check was put in place to ensure that schools made sure that anybody coming to work in their school was not prohibited from teaching or indeed under an interim Prohibition Order.
- 23.2 Prohibition checks need to be carried out for any employee involved in teaching work i.e., qualified teaching and relevant support staff such as HLTA's, coaches and Cover Supervisors (unless subject to the direction and supervision of a qualified teacher). The Teachers' Disciplinary (England) Regulations 2012 define teaching work as: planning and preparing lessons and courses for pupils; delivering lessons to pupils; assessing the development, progress, and attainment of pupils; and reporting on the development, progress, and attainment of pupils.
- 23.3 Relevant unqualified members of staff will not have a Teacher Reference Number; therefore, the search function (right hand list (named GTCE)) directs you to the Prohibition Check. The check should be done retrospectively, and cover staff who have been appointed since 1st April 2012. Please note that there remain several individuals who are still subject to disciplinary sanctions, which were imposed by the GTCE prior to its abolition in 2012.
- 23.4 The prohibition checks should be completed by following the link below. This website replaces the Employer Access function and is a free service available to all Academies.

<https://check-a-teachers-record.education.gov.uk>

24. Status, Teacher / DfE Check

- 24.1 To be employed as a teacher, applicants must have qualified teacher status (QTS or QTLS) and must be registered with the appropriate body. Confirmation of the check must be logged on the Single Central Record and a copy on the individual's personal file.
- 24.2 Please follow the link above which takes you to the 'check a teachers record'. This service allows you to search for a teacher using their last name and date of birth.

24.3 A teacher's record includes their qualifications and tells you if they:

- Passed their induction.
- Have been prohibited, sanctioned, or restricted from working in certain education settings.
- Have been found guilty of professional misconduct but did not receive a prohibition order.

25. Section 128 Direction Check

25.1 A Section 128 Direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as: a management position in an independent school, academy, or free school as an employee; a trustee of an academy or free school trust; a governor or member of a proprietor body for an independent school; or a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

25.2 Academies should undertake a Section 128 Direction check when making an appointment to any management positions which involves regulated activity (which encompasses all teaching posts, above classroom teachers and all ancillary posts where the person is a member of the senior leadership team). A Section 128 direction will be disclosed when an enhanced DBS check with children's barred list information is requested, provided that 'child workforce independent schools' is specified on the application form as the position applied for.

25.3 This check can also be completed using the TRA's Teacher Services website [Teaching Regulation Agency](#). Where the person will be engaging in regulated activity.

25.4 You must ensure that Supply Agencies and Contractors have undertaken all relevant checks for their staff.

25.5 You must record those staff on the Single Central Record.

25.6 For the purposes of creating the record of checks for supply staff provided through a supply agency, the Academy will request written confirmation from the supply agency that it has satisfactorily completed all relevant checks (template letter enclosed). The Academy does not carry out or see the checks itself except where there is information contained in the DBS Disclosure.

25.7 Identity checks will be carried out by the Academy to confirm that the individual arriving at the Academy is the individual that the agency intends to refer to them.

25.8 Information received as part of a DBS Disclosure must be treated as confidential.

25.9 The Single Central Record will indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained and by whom:

- An identity check.
- A barred list check.
- An enhanced DBS check/certificate (including Section 128 check).
- A prohibition from teaching check.
- Disqualification under the Childcare Act 2006 check if applicable.
- 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.
- References.
- Medical clearance.

- 25.10 The letter from the Supply Agency/Contractor confirming that all relevant checks have been carried out will be retained by the Academy.

❖ *HR16 Supply Agencies and Contractors checks*

26. Volunteers

- 26.1 From a safeguarding perspective volunteers pose no less of a risk to children than employed members of staff.

26.2 Regular Volunteers

- 26.2.1 It is important for children to see volunteers as safe and trustworthy adults. Therefore, when recruiting volunteers, the same process and checks should be completed as for paid employees. This means completion of an application form and obtaining pre-employment checks including an Enhanced DBS and disqualification under the Childcare Act where necessary. Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity. Although a supervised volunteer is not deemed to be in regulated activity, but because 100% supervision cannot always be guaranteed, an enhanced DBS check should be obtained.

- 26.2.2 If a volunteer is deemed to be 'teaching' and has previously been a qualified teacher, the Academy should check on the Employer Access portal that they are not prohibited from teaching. However, the childcare regulations (including disqualification under the Childcare Act) apply to all volunteers providing early years or later years childcare.

26.3 One-off Volunteers

- 26.3.1 In circumstances, for example, where a parent is helping as part of a group on an Academy trip on a one-off basis, it is not necessary to carry out recruitment, pre-employment checks or barred list checks as this activity would not be classed as regulated activity. However, a risk assessment should be completed prior to the event. Under no circumstances should a volunteer in this type of activity be left unsupervised.

❖ *HR17 Risk Assessment Educational Visits – one off activity*

27. Trainee / Student Teachers

- 27.1 Where trainee teachers are placed in salaried positions by the Academy, all necessary checks should be carried out. Where the trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. Written confirmation from the provider that it has carried out all pre-employment checks that the Academy would otherwise have been required to perform, and that the trainee has been judged by the provider to be suitable to work with children should be obtained. There is no requirement for fee-funded trainees to be recorded on the Single Central Record, but it is advised that they are.

28. Single Central Record

- 28.1 Academies are required to maintain a Single Central Record which evidences the following checks for all staff have been completed:

- Identity check
- Right to Work in the UK check
- Barred List check
- Enhanced DBS check
- Teacher Prohibition check
- Section 128 Direction (for management positions only)

- Additional checks on people living or working outside of the UK.
- Professional qualifications check
- Disqualification under the Childcare Act 2006 check where applicable
- The name of the person completing the individual checks should also be recorded as evidence on the Single Central Record. There should be no gaps – every box must be completed.

28.2 An employment start date should not be agreed, and the candidate should not be placed on any payroll system until ALL the above checks have been completed even if this means a delay to the anticipated start date.

28.3 There should be one Single Central Record (SCR) for each Academy and the Central Team of all staff in place including:

- All staff who are employed to work in the Academy/Central Team.
- Governors and people in the Academy under PFI, i.e., catering, cleaning, premises.
- All staff who are employed as supply staff, whether employed directly by the Academy, Local Authority or through an agency.
- Any volunteers that the Academy has recruited to work regularly with children and for whom Disclosure and Barring Service (DBS) checks have been requested because they are unsupervised.
- People brought into the Academy to provide regular additional teaching or instruction for pupils but who are not staff members, e.g., a specialist sports coach or artist.

28.4 For all visitors not included on the Single Central Record, Academies should require them to sign in. Where unsupervised access to children is likely, e.g., by visiting Academy colleagues - the Academy should check the identity of the individual upon entry to the Academy.

28.5 Information can be entered on to the SCR by whoever the Academy identifies as responsible for doing so. To verify that they have checked the employee's or volunteer's details, each entry must show the name of the person making the check, the position held and the date when the check was completed. Academies, may, if they wish to do so, record any other information in relation to other checks they deem relevant e.g., disqualification checks, safeguarding and safer recruitment training dates.

28.6 Input candidate details onto your Single Central Record and set up a personal file using the personal file checklist as a guide, then ensure that the pre-employment checks are completed.

28.7 The Single Central Record must be regularly monitored to ensure that any outstanding checks are completed promptly.

28.8 Evidence of regular monitoring of the Single Central Record by the nominated child protection governor and the designated safeguarding lead and the Principal/Executive Headteacher/Head of School is to be recorded on the SCR template. The SCR must be kept in electronic form, should be securely stored and easily accessible to those who need to see it, including Ofsted Inspectors.

❖ *HR18 Single Central Record template*

❖ *HR19 Personal file checklist template*

29. Recording Pre-Employment Checks / Keeping Employment Records

29.1 All records, including the Single Central Record, either electronic or hard copy MUST be always kept secure and only be accessed by authorised personnel. Items must be locked away in a cabinet/drawer in a secure room, or be password protected, in an authorised access only folder.

30. Verification of Continuous Service Data

- 30.1 Prior to generating the contract of employment, you will need to verify the employees' date of continuous service, this verification is important because where the employee has previous continuous service with an organisation covered by the Redundancy Payment (Continuity of employment in Local Government, etc.) (Modification) order 1999 (as amended) this will be included in calculating the Redundancy Payment (Continuity of employment in Local Government, etc.) (Modification) order 1999 (as amended) this will be included in calculating their entitlement to:
- Redundancy payment
 - Sickness allowance
 - Annual leave entitlement
 - Maternity leave
 - Pension
- 30.2 Previous employers must be contacted and asked to confirm this date. They can confirm this via the reference request form or the Employee Details Request form.
- 30.3 If you are unsure if an establishment is a registered body, please contact the HR Team for further advice.

❖ *HR8a Reference Request*

❖ *HR20 Employee Details Request Form*

31. Payroll

- 31.1 Once all the documentation is in place and verified, you can confirm for the individual to start employment. Ensure that the new starter form information is inputted into the Payroll Portal before payroll deadline for the appropriate month.
- 31.2 Once the P45 is available, ensure the details are entered into the Payroll Portal.
- 31.3 Confirm continuous service date, if not already verified via reference and the employee details form.

❖ *HR13 Starter and Leaver Form for payroll*

32. Contract of Employment

- 32.1 A nominated colleague, usually the Business Manager, will populate the Microsoft form with the appropriate information. The HCAT Human Resources Team will generate a letter of appointment and statement of particulars and forward this by email to the employee. This will ensure that contracts are issued in a timely manner in accordance with employment law and are quality assured.
- 32.2 All contracts of employment must be issued by the first day of employment.
- 32.3 Should there be any changes to an employee's contract ensure that the variation form is processed through Payroll and a Microsoft form is completed so that the HCAT Human Resources Team can issue a revised letter of appointment and statement of particulars if appropriate. Forms are to be stored in the personal file along with copies of the contract.

❖ *HR21 Induction Checklist – First Day, Week and Month of Employment*

33. Induction

- 33.1 All new starters must commence an induction programme within the first week of their employment starting, including volunteers where applicable. This is a good time to agree targets and review dates. An induction checklist must be completed and signed by both parties then filed in the new employee's personal file. Also,

ask the employee to complete a personal details form for you to keep on file in case of emergency. Advise new employees about claiming expenses, holidays, equipment (issue if in hand). All forms to be stored in the personal file, electronically or hard copy.

❖ *HR21 Induction Checklist – First Day, Week and Month of Employment*

34. Prevent Training

- 34.1 The Prevent Strategy, published by the Government in 2011, is part of our overall counter-terrorism strategy, CONTEST. The aim of the Prevent Strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act this has simply been expressed as the need to “prevent people from being drawn into terrorism”.
- 34.2 All Academy staff need Prevent training and the Single Central Record will need updating once this training has been completed.

35. Probation

- 35.1 In line with the induction process, all new support staff joining the Trust will be required to undertake a six-month probationary period regardless of previous Local Government continuous service. This initial review should commence within the first week of employment. Employees will have their employment confirmed on successful completion of their probationary period. Should the employees’ performance, conduct or attendance be unsatisfactory during the probationary period early advice should be sought from the HR Team.

- ❖ *HR22a Probationary Period Guidance*
- ❖ *HR22b Probationary Period Form 1*
- ❖ *HR22c Probationary Period Form 2*
- ❖ *HR22d Successful Probation letter*

36. Pre-Employment and Induction Checklist

- 36.1 This must be completed and filed on the personal file at the earliest opportunity.

❖ *HR19 Personal file checklist*

37. Contact Details

If you have any questions or queries, please do not hesitate to contact us, we are here to help:

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The children in our care are our main priority, which is why following procedures to ensure their safeguarding is key.

