

Final Draft

**A Guide to Making Safe and
Appropriate Appointments in
Schools and all Services for
Children and Vulnerable Adults**



**OXFORDSHIRE
COUNTY COUNCIL**

www.oxfordshire.gov.uk

A Guide to Making Safe and Appropriate Appointments in Schools and all Services for Children and Vulnerable Adults

Table of Contents

Summary and Easy Reference Vetting Grid	5-16
About this guide	17-18
Related Documents	18
Background	19
The Recruitment Process Flowchart	20
Introduction	20
Extended Schools	21-22
Step 1 – Getting Ready to Recruit	23
Step 2 – Recruiting <ul style="list-style-type: none"> - Application Packs - Advertising - Application Forms - Scrutinising and Shortlisting - Declaration of Criminal Convictions 	24-25
Step 3 - Selecting <ul style="list-style-type: none"> - Pre Employment Checks - References - Collating & Retaining Details - Minimum Check (Identity / List 99) - The Panel - Interviews - Scope of Interviews - Questioning - Ground Rules for Interviewing - Group Exercises and Other Activities - Assessment - The Successful Candidate <ul style="list-style-type: none"> • Health • Additional Checks for Teachers • Registration with GTCE and GSCC • CRB Disclosures (starting work pending CRB disclosure) - Volunteers - Recruitment Record Keeping 	26-36
Step 4 - Off to a good start, Induction <ul style="list-style-type: none"> - Summary Element of Induction - Post Induction - Monitoring and Evaluation 	37-40

Appendices

Appendix 1 – Exemptions from Rehabilitation of Offenders Act and Model Risk Assessment	41-45
Appendix 2 – Reference Questionnaire	46-50
Appendix 3 - Qualified Teacher Status (QTS)	51
Appendix 4 – Pre Offer Checklist	52
Appendix 5 – Example Questions Designed to Examine an Interviewee’s Attitude towards Safeguarding Children	53
Appendix 6 – CRB Disclosures / CRB FAQs and Permission to work and Documents for Overseas Staff	54-60

Summary and Easy Reference Vetting Grid

Safe recruitment practice is essential to ensuring that unsuitable persons do not gain access to work (either on a paid or voluntary basis) with children or vulnerable adults.

New statutory obligations around the safe recruitment process have been introduced over recent months across much of the children and vulnerable adults sector and still more is to come through the vulnerable persons bill.

This guidance seeks to update current requirements around safe recruitment practice and bring together the main elements of safe recruitment practice for all those employing staff (or volunteers) to work with children and/or vulnerable adults, into one document.

This guidance is not a comprehensive guide to the whole recruitment process however, and should therefore be read in conjunction with existing recruitment guidelines where necessary.

Many of the expectations around safe recruitment are not new; enhanced CRB; checking references and identification checks etc have been required for a long time, but nationally there has been much confusion and little consistency of practice because of differing interpretation of past guidance.

This guidance aims to set the basic benchmark for safe recruitment practice across all agencies as of December 2006.

The key elements of safe recruitment practice are;

- Consideration to safeguarding at every stage of the process; planning, advertising, interview and appointment
- Ensuring the job description makes reference to the responsibility for safeguarding children and/or vulnerable adults
- Ensuring the person specification includes reference to suitability to work with children or vulnerable adults
- Obtaining and **scrutinising** all required information from applicants and ensuring that any gaps/anomalies are satisfactorily explained
- Ensure receipt of independent professional references, which address specific questions. Ideally references to be accessed prior to interview
- Face to face interview. Interview panel to have received appropriate training i.e. OCC Recruitment and Selection Training, NCSL On-line Recruitment Training (for schools), or supplementary Warner Interview in residential establishments
- Verification of candidates identity. (Photographic ID required)
- Verification of academic qualifications (and/or professional body status) (original copies required)

- Full check on employment/experience history. All gaps accounted for
- Check on health/physical capacity to undertake role. Medical questionnaire
- Enhanced CRB disclosure and or List 99/POCA/POVA on staff/volunteers
- Permission to work in the UK documentation
- CRB Disclosures and additional checks required for those who have lived abroad

At the end of this summary we have included a reference grid which sets out the basic vetting requirements for posts across the authority and schools. Depending on the sector of employment the type of checks and the need to review these checks varies.

The grid presents an easy reference guide for a wide variety of posts.

Easy Reference Vetting Grid

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First ⁱ	Waivers ⁱⁱ	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer ⁱⁱⁱ	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications ^{iv}	Medical Clearances	Quals ^v	Identity Checks	Legislation behind these actions	Notes
Early Years & Support																	
All posts excluding the areas below	Enhanced	POVA & POCA & List 99	N/A as CRB has to be returned before commencing work	No	Yes	N/A	Pre	Yes	3 years	Full disclosure form held until annual inspection has taken place, whereupon top section is to be retained on the personal file.	Yes	Yes	Yes	Yes	Yes	Fostering & Adoption National Minimum Standards. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975	
Children's Homes	Enhanced	POVA & POCA & List 99	N/A as CRB has to be returned before commencing work	No	Yes	N/A	Pre	Yes	3 years	Full disclosure form held until annual inspection has taken place, whereupon top section is to be retained on the personal file.	Yes	Yes	Yes	Yes	Yes	Children's Homes National Minimum Standards. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975	Warner Interviews are required
Casual Workers	Enhanced	POVA & POCA & List 99	N/A as CRB has to be returned before commencing work	No	Yes	N/A	Pre	Yes	1 year	Full disclosure form held until annual inspection has taken place, whereupon top section is to be retained on the personal file.	Yes	Yes	Yes	Yes	Yes	Fostering & Adoption National Minimum Standards. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975'	Warner Interview required if working in a residential establishment

continued ...

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Early Years & Support cont...																	
Agency Workers as per area above	Enhanced	POVA & POCA & List 99	N/A as CRB has to be returned before commencing work	No	Yes	N/A	Pre	Yes	1 year	Full disclosure form held until annual inspection has taken place, whereupon top section is to be retained on the personal file.	Yes	Yes	Yes	Yes	Yes	Fostering & Adoption National Minimum Standards. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975. The Protection of Children Act 1999	

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Adult Services – (all post with physical access to vulnerable adults)																	
Head of Service, Home Support, ICS, Adult Placement, Supported Living Scheme	Enhanced	POVA & POCA & List 99	POVA First	Yes	Yes	N/A	Pre	Yes	When a person moves post. However, OCC additionally renews every 3 years.	Full disclosure form held until annual inspection has taken place, whereupon top section only retained on the personal file.	Yes	Yes	Yes	Yes	Yes	Domiciliary Care National Minimum Standards. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975'	
Volunteers as per above area	Enhanced	POVA & POCA & List 99	POVA First	Yes	Yes	N/A	Pre	Yes	When a person moves post. However, OCC additionally renews every 3 years.	Full disclosure form held until annual inspection has taken place, whereupon top section only retained on the personal file.	N.A	Yes				Domiciliary Care National Minimum Standards. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975'	
Agency Workers/Casuals as per area above	Enhanced	POVA & POCA & List 99	POVA First	No	Yes	N/A	Pre	Yes	3 years	Full disclosure form held until annual inspection has taken place, whereupon top section only retained on the personal file.	Yes	Yes	Yes	Yes	Yes	Domiciliary Care National Minimum Standards. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975'	
All other Adult Social Care posts	Enhanced	POVA & POCA & List 99	No	Yes	Yes	N/A	Pre	No - but good practice	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	The Rehab. Of Offenders Act 1974 & Exemptions Order 1975'	
Volunteers as per above area	Enhanced	POVA & POCA & List 99	No	Yes	Yes	N/A	Pre	No - but good practice	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	The Rehab. Of Offenders Act 1974 & Exemptions Order 1975'	

... continued

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Adults Services Cont...																	
Agency Workers/Casuals as per area above	Enhanced	POVA & POCA & List 99	N/A	N/A	Yes	N/A	Pre	No - but good practice	N/A	Top Section only retained on personal file - However, we require proof CRB has been carried out	Yes	Yes	Yes	Yes	Yes	The Rehab. Of Offenders Act 1974 & Exemptions Order 1975'	

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
BSPM																	
BSPM staff who may have physical contact with service users	Enhanced	POVA & POCA & List 99	Unless working in an area governed by Domiciliary NMS	No - for Children and YES for all other areas	Yes	N/A	Pre	No - but good practice	N/A unless they work in an area governed by National Minimum Standards	Top Section only retained on personal file, unless they work in an area governed by NMS	Yes	Yes	Yes	Yes	Yes	The Rehab. Of Offenders Act 1974 & Exemptions Order 1975.	
BSPM staff who may work within Adoption Regulations (children)	Standard	POVA & POCA & List 99	N/A	No	Yes	N/A	Pre	No - but good practice	3 years	Full disclosure form held until annual inspection has taken place, whereupon top section only retained on the personal file.	Yes	Yes	Yes	Yes	Yes	The Rehab. Of Offenders Act 1974 & Exemptions Order 1975 - Adoption Regulations 19.4	
HR staff working with CRBs	Enhanced	POVA & POCA & List 99	No	Yes	Yes	N/A	Post	No - but good practice	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	Police Act 1997. The Rehab. Of Offenders Act 1974 & Exemptions Order 1975	
All other staff who do not have access to children & vulnerable adults or personal service user information	N/A	N/A	N/A	N/A	N/A	Yes	Post	No - but good practice	N/A	N/A	Yes	Yes	Yes	Yes	Yes	The Rehab. Of Offenders Act 1974	

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Schools inc. special maintained and other																	
Teachers	Enhanced	POVA & POCA & List 99	N/A	Yes	Yes	N/A	Pre	Yes	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	Dfes Recruitment Standards	
Teaching Assistants	Enhanced	POVA & POCA & List 99	N/A	No	Yes	N/A	Pre	Yes	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	Dfes Recruitment Standards	
Care Takers & Administration	Enhanced	POVA & POCA & List 99	N/A	Yes	Yes	N/A	Pre	Yes	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	Dfes Recruitment Standards	
Governors with regular access to children	Enhanced	POVA & POCA & List 99	N/A	Yes	Yes	N/A	N/A	N/A	N/A	Top Section only retained on personal file	Yes	Yes	N/A	N/A	Yes	Dfes Recruitment Standards	

continued ...

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Schools inc. special maintained and other cont...																	
Volunteers with regular access to children	Enhanced	POVA & POCA & List 99	N/A	No	Yes	N/A	Pre	Yes	N/A	Top Section only retained on personal file	No	Yes	N/A	N/A	Yes	Dfes Recruitment Standards	
Work experience (at placement)	Enhanced	POVA & POCA & List 99	N/A	Yes	N/A	N/A	N/A	No - but good practice	N/A	Top Section only retained on personal file	Yes	Yes	No	Yes	Yes	Dfes Recruitment Standards	
Residential Schools	Enhanced	POVA & POCA & List 99	N/A	Yes	Yes	N/A	Pre	Yes ????	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	Dfes Recruitment Standards	Warner Interviews are required prior to commencement

Staff Group	Level of CRB	POVA / POCA / List '99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Central Office Administration																	
Administrators	Standard	POVA & POCA	N/A	Yes	Yes	N/A	Post		N/A		Yes	Yes	Yes	Yes	Yes		
Schools advisers (As per teachers)	Enhanced	POVA & POCA & List '99	N/A	Yes	Yes	N/A	Pre	Yes	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	Dfes Recruitment Standards	
Supply teachers	Enhanced	POVA & POCA & List '99	N/A	Yes	Yes	N/A	Pre	Yes	N/A	Top Section only retained on personal file	Yes	Yes	Yes	Yes	Yes	Dfes Recruitment Standards	

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Cultural and Adult Learning Services																	
Front Line Library Staff (all)	Enhanced	POVA & POCA	N/A	N/A	Yes	N/A	Post	No - but good practice	N/A	Top Section only retained on personal file.	Yes	Yes	Yes	Yes	Yes	Police Act 1997 + Recommendation by Chartered Institute of Library Professionals.	
Casuals (only in areas where there will be unsupervised access to children - risk assessment carried out)	Enhanced	POVA & POCA	N/A	N/A	Yes	N/A	Post	No - but good practice	N/A	Top Section only retained on personal file.	Yes	Yes	No	Yes	Yes	Police Act 1997 + Recommendation by Chartered Institute of Library Professionals.	
Casuals where only supervised access to children	N/A	N/A	N/A	No	No	Yes	Post	No - but good practice	N/A	No	Yes	Yes	No	Yes	Yes		
Museum Services - frontline inc. Ed. Officers	Enhanced	POVA & POCA	N/A	N/A	Yes	N/A	Post	No - but good practice	N/A	Top Section only retained on personal file.	Yes	Yes	Yes	Yes	Yes	Police Act 1997	
Museum Services - support staff	N/A	N/A	N/A	No	No	Yes	Post	No - but good practice	N/A	No	Yes	Yes	Yes	Yes	Yes		
Archives	No	No	No	No	No	Yes	Post	No - but good practice				Yes	Yes	Yes	Yes		

continued ...

Staff Group	Level of CRB	POVA / POCA / List 99	POVA First i	Waivers ii	Applic. form with Rehab of Offenders Exempt	Applic. Form with Unspent Convic.	Refs pre or post interview	Refs verbally checked with most recent employer iii	CRB Renewal time frame	Storage of CRB	Asylum & Immigration	Verification of essential qualifications iv	Medical Clearances	Quals v	Identity Checks	Legislation behind these actions	Notes
Cultural and Adult Learning Services cont...																	
The Mill (holiday and activities)	Enhanced	POVA & POCA	N/A	N/A	Yes	N/A	Post	Good Practice	N/A	Top Section only retained on personal file.	Yes	Yes	Yes	Yes	Yes	Police Act 1997	
Pegasus Theatre	Enhanced	POVA & POCA	N/A	N/A	Yes	N/A	Post	Good Practice	N/A	Top Section only retained on personal file.	Yes	Yes	Yes	Yes	Yes	Police Act 1997	
Creche Workers	Enhanced	POVA & POCA	N/A	N/A	Yes	N/A	Post	Good Practice	N/A	Top Section retained on personal file	Yes	Yes	Yes	Yes	Yes	Police Act 1997	

¹ POVA First (needs to be carried out only if the CRB Disclosure has not been returned by start date)

² Waivers (Permissible only if complete CRB request form & Exemptions to Rehab of Offenders form returned plus two satisfactory references)

³ References Verbally Checked with most recent employer (NB Mobile telephone numbers for referees are not acceptable) – requirement under Care Standards Regulations

⁴ Verification of essential qualifications (appointing manager to sign file copy)

⁵ Qualifications (appointing manager to sign file copy)

About this guide

For general information about Oxfordshire County Council's recruitment practices please refer to the standard guidance, which covers many aspects of the 4 steps in a recruitment process, 'A Guide to Recruitment & Selection'

(OCC intranet: Homepage > HR > Recruitment > Recruitment and Selection Guide > A Guide to Recruitment & Selection – full guide)

The 4 Steps:

- 1) Getting Ready to Recruit;
- 2) Recruiting;
- 3) Selection;
- 4) Induction.

This Safe Recruitment guidance must be followed by anyone who is involved with the recruitment, selection and induction of staff who work with children and vulnerable adults.

The measures described in this guidance should be applied when bringing staff into any setting within the organisation (this may include workers not on the payroll such as contractors, volunteers or casual workers) where there are children under 18 years of age or adults who are defined as vulnerable.

(A Vulnerable Adult may be anybody over the age of 18 who is getting, or may be entitled to care and/or support from Social & Community Services. This may include:

- People with a mental health problem or mental illness (including dementia);
- People with drug and alcohol related problems;
- People with a sensory impairment;
- People with a learning disability;
- People who have a physical illness;
- People with an acquired brain injury;
- People who are frail and/or are experiencing a temporary illness.

Who may be:

- Living in their own home;
- In hospital;
- In residential care and/or a nursing home;
- Attending a day centre;
- Attending a social club;
- Without a permanent home

(The above lists are not meant to be exhaustive)

Source: Oxfordshire Multi-Agency Codes of Practice – Guidance for all staff for the Protection of Vulnerable Adults.

Responsibility for ensuring that these guidelines are followed rests with the appointing manager. This is accepted as being the manager of the immediate line manager for the position and both managers should be involved in all aspects of the recruitment process. In a school, the appointing manager will often be the Head Teacher.

Schools should also refer to the DfES revised guidance on Safeguarding Children and Safer Recruitment in Education issued November 2006. Other agencies/ settings need to refer to appropriate guidance as necessary e.g. National Minimum Standards for Fostering and Adoption.

The purpose of this guidance is to refresh understanding of the principles of safe recruitment and selection practice and provide guidance on how this best practice incorporates legal requirements and the nationally recommended approaches to safeguarding children and vulnerable adults.

Related documents are:

National Minimum Standards and Regulations for Children's Homes and Fostering Services in accordance with Section 23(1) of the Care Standards Act 2000

National Minimum Standards for Voluntary Adoption Agencies and Local Authority Adoption Services in England and Wales, in accordance with Sections 23(1), 49(1), 4(7) and 43(3)(a) of the Care Standards Act 2000

National Minimum Standards and Regulations for Domiciliary Care Agencies, in accordance with Section 23(1) of the Care Standards Act 2000

National Minimum Standards and Regulations for Adult Placement, in accordance with Section 23(1) of the Care Standards Act 2000

DfES Safeguarding Children: Safer Recruitment and Selection in Education Settings (ref DfES/1568/2005)

DfES Safeguarding Children in Education (Ref DfES/0027/2004)

NCSL (National College of School Leadership) Safer Recruitment web pages and training.

Background

This guidance sets out procedures and strategies to help those involved in the recruitment process to deter, identify and reject applicants who are unsuitable to work with children and vulnerable adults. This guidance has been developed taking into consideration safer recruitment legislation, the Warner Report and the guidance and recommendations from the Bichard enquiry, following the Soham tragedy and applies them to operational practice.

The information contained within this document is designed to be an Oxfordshire specific approach and should be read in conjunction with Oxfordshire County Council's (OCC's) standard guidance 'A Guide to Recruitment & Selection' and for those within education 'Safeguarding Children and Safer Recruitment in Education' November 2006.

(OCC intranet: Homepage > HR > Recruitment > Recruitment and Selection Guide > A Guide to Recruitment & Selection – full guide)

It will ensure that children and vulnerable adults in Oxfordshire are appropriately safeguarded and that recruitment, selection and induction procedures are robust and rigorous.

In schools, it is recommended that at least one of the interviewing panel has completed the NCSL (National College of School Leadership) training package. For residential sector, it is recommended that at least one of the interview panel has completed the Warner Interview Training. The person who completes the training should ensure the messages in such training are shared with all on the selection panels. Please note that Warner Interviews should be conducted as a separate interview to the selection interview.

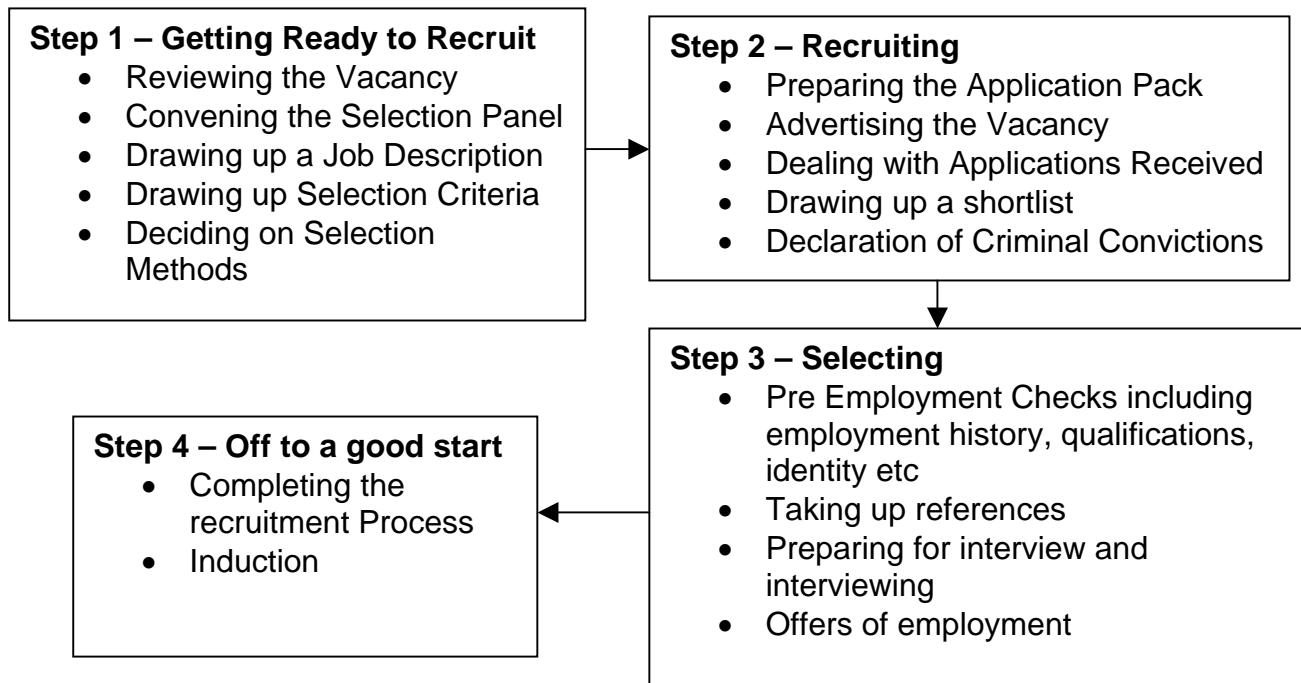
In all interviews outside schools it is recommended that all appointing managers have received the Oxfordshire County Council HR recruitment and selection training as a minimum.

For details of the next recruitment and selection training course, contact your directorates learning & development team. NCSL Training can be accessed via the website: www.ncsl.org.uk/saferrecruitment.

In all cases where the appointing manager has concerns or finds the information/ process unclear, please contact your directorate HR team for clarification

The Recruitment Process

The Recruitment Process Flowchart



Introduction

Safer practice in recruitment requires people to consider a range of issues to do with child and adult protection and safeguarding and promoting the welfare of the child and adult at every stage of the process. This process starts at the point of advert and continues through and beyond induction of new staff.

For most recruitment activities, the processes will follow those laid out in the standard guidance with some additional steps to ensure safe and appropriate appointments are made. A consistent and thorough process of obtaining information, collating, analysing and evaluating from all the applicants is essential.

The main area of difference for those people applying to work with children or vulnerable adults is the need to:

- Obtain references before interview wherever possible
- Verify qualifications, skills, experience and professional status (where required)
- Verify the referees identity, suitability and validity by telephone contact.
- Complete mandatory employment checks, such as List 99, POCALs and Enhanced Criminal Records check via the Criminal Record Bureau.
- Induction programmes that ensure a 'safeguarding children' culture is adopted and embedded into continuing practice

The following sections in this document provide best practice suggestions and practical advice to strengthen safeguards against employing unsuitable people.

Extended Schools

Schools are an extremely valuable resource, which parents know and trust. The provision of extended services will help pupils, families and the wider community get the best out of their local school. Many primary and secondary schools already offer breakfast and after school clubs and other out-of-hours services. This provision is developing further, with schools offering a wide range of services, including childcare, study support and a range of family learning and parental support. In a number of cases, these services will be offered on the school site.

Requirements placed upon schools relating to existing staff and volunteers at the school will extend to incorporate those involved in the provision of extended services. So where the governing body provides services or activities directly under the supervision or management of school staff, the school's arrangements for staff appointments and record keeping will apply. Where schools are planning to deliver childcare directly, they should contact Ofsted for information about the registration process as childcare provision for children aged under eight must currently be registered separately by Ofsted.

Where a third party is responsible for running the services there should be clear lines of accountability and written agreements setting out responsibility for carrying out the checks on staff. This also applies in the case of Sure Start Children's Centres, which will increasingly be situated on school sites. Local authorities can advise schools on registered providers with whom they might link to provide services.

In the case of childcare providers, schools wishing to extend should use Ofsted registered providers for provision for children aged under 8 years. Ofsted will apply to the CRB for Enhanced Disclosures in the case of the registered childcare provider and the manager. It is the responsibility of the childcare provider to make sure that any new members of staff, or new people who live or work on the premises are suitable to care for or have regular contact with children. Generally, in order to fulfil this responsibility they will have to apply to the CRB for an Enhanced Disclosure. The school should check (where the provider is not registered) that the provider has made such checks and has arrangements in place to carry them out.

Written agreements should be in place with any third party providers or groups using the site. These should set out the respective responsibilities of the governing body and those of the provider or group. Local authorities are well placed to advise on the practical implementation of extended services, and to share written agreements that have worked well elsewhere. These should set out responsibility for areas such as health and safety, recruitment and vetting checks. Where services are being developed, the schools' insurance provider should be consulted to ensure that the provision is covered adequately. All staff and providers working on or managing the site out of hours should have training on issues such as emergency evacuation procedures. Staff and their professional associations must know who they are accountable to and for what and must be consulted when services are developing.

Child and user safety is paramount. Schools should only work with providers that can demonstrate that they have effective procedures, training and vetting arrangements for their staff, appropriate child/adult ratios and contingency arrangements in place for emergencies or the unexpected e.g. arrangements for managing in the event that a child is

not picked up after a session run by a provider. If a registered childcare provider for under 8's is used, then these areas should be covered by the provider's adherence to the National Standards.

Where the Governing Body provides services or activities directly under the supervision or management of school staff, the school's arrangements for staff appointments will apply. Governors need to be aware that it is their responsibility to ensure that proper records are kept.

Where services or activities are provided separately by another body, the Governing Body should be satisfied that the provider concerned has appropriate policies and procedures, including those for staff appointments in place in regard to safeguarding children and child protection and there are arrangements to liaise with the school on these matters where appropriate.

Under the Childcare Act 2006, from 2008 maintained and independent schools will be required to have their early years provision for children from birth to 3rd birthday registered by Ofsted, but no longer will they be required to register any early years provision above that point if it is provided for pupils of the school and run by the governing body on the school site. From 2008, where a school's governing body provides the childcare for children from the beginning of Key Stage 1 directly it will not be required to be registered separately with Ofsted, but should comply with the principles of the Ofsted Childcare Register. Where a school wishes to engage a third party provider instead, it should only link with registered provision.

Safer Recruitment in Practice: From Advert to Appointment

It is very important to plan the whole recruitment process from the outset so that sufficient time is left between each stage to enable a professional and thorough approach to be adopted.

Step 1 – Getting Ready to Recruit

Please note, Steps 1 – 4 of the recruitment guidance are covered in “A Guide to Recruitment and Selection”

(OCC intranet: Homepage > HR > Recruitment > Recruitment and Selection Guide > A Guide to Recruitment & Selection – full guide)

This additional guidance highlights additional expectations to be applied in posts involving contact with children, young people and/or vulnerable adults.

Drawing up Job Descriptions / Role Profiles and Person Specification / Selection Criteria

An outline job description for the post need not be expansive but should give a clear description of the main purpose or function of the job.

All job descriptions where the post holder is in contact with children or vulnerable adults should detail the individual’s responsibility for promoting and safeguarding the welfare of children or vulnerable adults and include one of the following statements:

“The post holder is responsible for ensuring that all county child protection policies are adhered to and concerns are raised in accordance with these policies.”

“The post holder is responsible for ensuring that all county adult protection policies are adhered to and concerns are raised in accordance with these policies.”

Please see ‘A Guide to Recruitment & Selection’ for further details of how to write an appropriate job description and person specification.

(OCC intranet: Homepage > HR > Recruitment > Recruitment and Selection Guide > A Guide to Recruitment & Selection – full guide)

Step 2 – Recruiting

Preparing Candidate Applications Packs

In addition to the standard information outlined in ‘A Guide to Recruitment & Selection’, the following statement **must** be included in candidate information packs for any post working with children and/or vulnerable adults:

“This Service/School is committed to safeguarding and promoting the welfare of children and vulnerable adults and expects all staff and volunteers to share this commitment. All successful candidates will be subject to Criminal Records Bureau checks along with other relevant employment checks.”

We would further recommend that all application packs (for those posts working with children) includes a copy of the establishment child protection policy.

Advertising

Please see the standard guidance ‘A Guide to Recruitment & Selection’ for further details about planning and advertising a vacancy.

Application forms

Applicants must complete and sign an application form. It is **not** acceptable practice to rely on a curriculum vitae produced by a potential employee. The relevant application form specific to the category of staff being employed should be used. There is an application form specifically for Teachers and another one for posts involving contact with children and/or vulnerable adults. Applications forms are available on line on the OCC website.

Word of mouth recruitment or unsolicited applicants should, generally, be avoided as a means of filling a vacancy. Applicants making speculative contact should be asked to apply for a specific post and complete the relevant application form.

Using standardised application forms ensures a common set of core data from all applicants and will make certain that all necessary recommended information is collected.

Scrutinising and Shortlisting

Where possible all employment checks (excluding CRB disclosure) should be completed between shortlisting and interview. By doing this, any information about past disciplinary action, allegations or discrepancies can be followed up at interview.

Information from referees should be compared with information on the application form to ensure that the information provided is consistent. Any discrepancies should be taken up with the applicant.

All applications should be carefully scrutinised to ensure they are fully and properly completed. Any anomalies or discrepancies or gaps in careers or employment should be accounted for and checked. You must have a full chronological history of the individual down to the month. Reasons for repeated and regular changes in employment should be explored.

Declaration of Criminal Convictions

All employment and voluntary work with children, young people and vulnerable adults are exempt from the provisions of the Rehabilitation of Offenders Act in cases where an applicant discloses a conviction a Risk Assessment should always be carried out prior to an offer of employment being made (**see Appendix 1**). Please refer to policy on checking criminal records for further details

(OCC intranet: Homepage > HR > Policies > Policies A-Z > Checking Criminal Records)

Step 3 - Selecting

Pre Employment Checks

By undertaking the appropriate checks on all new employees or volunteers, the employer can be certain that they have taken the necessary steps to make an effective, lawful and safe appointment, which maintains the integrity of the appointment and ensures that child and adult protection is a key consideration throughout.

The following checks must be carried out on **all** people who seek employment with children and vulnerable adults (including overseas and agency staff). This should include casual staff who will have direct contact with children or vulnerable adults. In addition, it is strongly recommended that these checks should also be carried out on all who work in schools (when they are not in the schools' employment) which involve contact with children, such as volunteers, and in some cases school governors.

Where the check is a statutory requirement, this guidance makes clear that it **must** be carried out and in other circumstances where the check is **strongly recommended** that it **should** be carried out unless there are compelling reasons not to do so.

In the case of agency staff, agencies are required to carry out the checks below in the same way as for permanent staff, and schools/services must confirm with the agency that the appropriate checks have been carried out.

References

The purpose of collecting references is to obtain objective and factual information to support the appointment decision. The use of a pro forma, tailored to the specific needs of the service, will help achieve this. Open testimonials are not a substitute for reference requests and are not acceptable. Job descriptions and person specification/selection criterion should always be provided so that the referees can comment on the individual's suitability for the specific post in question.

Ideally all references should be taken up on all shortlisted candidates, including internal ones, before interviewing so that any concerns can be explored further with referees and investigated further at interview. It is good practice and a Care Standards Regulation requirement to verify the referee's identity and suitability by telephone in addition to receiving the written reference for the successful candidate.

Referees **must** be from the most recent employer together with the next chronological order of similar type of work. References must be from a person who is in a supervisory position who can give a balanced and objective reference on the individual. For posts regulated by National Minimum Standards one referee must be from the most recent employer and only from an employer with whom the individual has been with for over 3 months. If the person has worked with a care provider one referee must be from that provider.

Every reference request should ask the following;

- Referees' relationship with candidate – how they know them, how long they have known them
- Whether the referee is satisfied that the person has the ability and is suitable to undertake the job in question, based on the information provided in the job description and person specification/selection criteria
- Confirmation of person's current job title and salary
- Sickness record and reasons for sickness
- Specific verifiable comments about the applicant's performance and conduct
- Details of any disciplinary procedure in which the sanction is current
- Details of any disciplinary procedures the applicant has been subject to involving issues related to safety and welfare of children or vulnerable adults, including and in which the sanction has expired
- If any concerns about the candidate's suitability to work with children or vulnerable have arisen, what these were and how they were dealt with
- Whether there are any previous convictions which may be declared under the Rehabilitation of Offenders Act
- Whether or not you would re-employ.

See standard reference outline in **(Appendix 2)** for further guidance on what information should be requested.

On receipt of these references any anomalies or areas that are vague should be thoroughly investigated further.

Previous Employment History

Employers should always ask for information about previous employment and obtain satisfactory explanations for any gaps in employment. If a candidate for a post is not currently employed in a role which involves working with children or vulnerable adults, it is also advisable to check with the school, Further Education institution, local authority or service at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

Identity

It is important to be sure that the person is who he or she claims to be. The employer must ask to see proof of identity such as a birth certificate, driving licence, or passport combined with evidence of address, before an appointment is made. Some form of photographic ID should be seen. Please note that proof of identity is required in connection with an application for a CRB Disclosure.

If a teacher or worker is provided by a third party, such as an employment business or agency, the school, or Further Education institution or service must check that the person who comes to them is the person referred by the employment business or agency and that all relevant checks have been carried out (i.e. checks according to this guidance) prior to the individual commencing employment.

Academic Qualifications

Employers must always verify that the candidate has actually obtained any academic or professional qualifications that are **identified as essential** for the job and claimed in their application by asking to see the relevant certificate or diploma, or a letter of confirmation from the awarding institution. If original documents are not available, employers must see a properly certified copy. This should be applied to schools and all agencies. For schools, registration with the GTC (General Teaching Council) is not enough. Qualifications and DfES reference number must be seen. For clarification the definition of Qualified Teacher Status is included as **Appendix 3**.

Collating and Retaining Details of Pre-Offer Checks

Separate pre-offer checklists have been compiled which outline the appropriate checks that must be undertaken on potential staff and it may be helpful to ask the interviewee to provide the relevant documentation at interview stage in order to ensure a sound recruitment decision can be made. **(Please see Appendix 4 for further details)**.

When a new appointment is made, the checklist should be completed by one of the interview panel or other relevant persons and should be retained in the new employee's personnel file along with their application form, interview notes and copies of all documentation given as evidence in relation to the pre-offer checks **(Appendix 4)**.

All paperwork relating to unsuccessful applicants should be retained for an initial one year period and then confidentially destroyed in accordance with data protection regulations.

Selection and Interview Panel

In schools, it is recommended that at least one of the interviewing panel has completed the NCSL (National College of School Leadership) training package. Accessed via the website at www.ncsl.org.uk/saferrecruitment. For residential sector, it is recommended that at least one of the interview panel has completed the Warner Interview Training. The person who completes the training should ensure the messages in such training are shared with all on the selection panels. Please note that Warner Interviews should be conducted as a separate interview to the selection interview.

Additional guidance on interviewing can be found in 'A Guide to Recruitment & Selection' but the main responsibility for the panel is that members should meet beforehand to agree a relevant set of questions, which will enable each candidate's suitability against the selection criteria to be assessed. They will also need to have identified any issues they want to explore further from the candidate's application form and employment checks.

Interviews

The interviews should assess the merits of each candidate not against each other but against the requirements in the person specification/selection criteria and job description. Interviews must also explore an individual's suitability to work with vulnerable adults and children.

As detailed in 'A Guide to Recruitment & Selection', a robust selection process should not rely solely on the interview.

A range of selection activities should be designed in order to help assess who is the most suitable candidate for the job. It is legitimate to involve service users in the process. Service users should not take part in the decision making in assessing candidate suitability but can contribute to the panel's assessment of the ability to interact with children.

Invitations to interview should therefore:

- Detail all the arrangements such as venue, date & time of interview (including any tests), panel members, estimated length of the selection process, selection activities.
- Remind candidates that the interview is assessing their suitability to work with children and vulnerable adults.
- Remind them to bring all relevant documents, such as proof of qualifications and membership of professional bodies and asylum and immigration proof of identity documentation

Copies of the personal information should not be accepted; only originals should be accepted. Copies should however be taken, signed by the appointing manager as a true copy and dated and kept on the personnel file or forwarded to HR, as required.

Scope of Interview

In addition to assessing the candidate skills and abilities the interview panel should also seek to examine:

The candidates attitude toward children or vulnerable adults

- This may be assessed through their personal statement and through questions that probe their values, belief and ethics

The candidates motivation to work with children or vulnerable adults

- Questions on their vision for education and learning and development of the child and young person and what their role is in contributing towards achieving this vision can help you assess their motivation

Their ability to form relationships and respect professional boundaries

- This should be assessed through focused questions and complementary activities, such as group exercises or occupational personality questionnaires

Their emotional resilience in working with challenging behaviours and their attitudes in managing discipline and toward authority

- Questions asking them to draw on previously difficult situations and how they managed these will help assess this

Their ability to support the agenda for safeguarding and promoting the welfare of children

- Clarification of their understanding and approach towards child protection and vulnerable adult policies and procedures
- Gaps in the candidate's employment history and explanation of repeated changes in career must be discussed and clarified

Concerns or discrepancies arising from the information provided by the candidate and or referees

- If for any reason references have not been provided before the interview the candidate should be given the opportunity to declare / discuss any thing that may come to light on the collection of references
- Whether the candidate wishes to declare any thing in light of the requirement for CRB checks to be made

Warner Interviews must be held for all staff working in children's residential establishments. See Warner Interview guidelines available from your HR Department.

Questioning

The ability to ask questions that probe deeper and get beneath superficial answers is a skill that takes time to develop and practice. Those who wish to deceive are practised in the art of deception. They may rehearse model answers to questions about safeguarding or areas of their past and it is essential that the questions asked unpick these responses so that there can be confidence in the validity of the answers.

Examples of useful questions to be used can be found in **(Appendix 5)**. By asking a follow up question you start to unpick the initial answer and investigate the validity of the answers. By using other tests and assessment activities you can increase the level of confidence you have when making the final decision.

Summary of ground rules for interviewing

- Be properly prepared
- Have all relevant paperwork for all interviews
- Do not veer from the agreed question unless further exploring a specific and relevant issue
- Telephone interviews are not permitted; body language speaks volumes
- Make notes on candidates responses and record judgements and the basis for them
- Use a matrix to standardise this information
- Probe to find out about any issues around attendance, capability and employment history

- Ensure all your questions are relevant to the job and justifiable
- Avoid any question or statement that may indicate the potential for unlawful discrimination
- Ask questions that are based on actual experiences and behaviour
- Conduct the interview in a relaxed and non-threatening way
- Base the final selection decision on criteria previously defined and evidence collated through the recruitment process

Group Exercises and other Selection Activities

- Group activities – discussions on relevant topics
- Written work
- Presentations
- Occupational Personality Questionnaire
- Psychometric Testing
- Assembly slots

Above are examples of the activities that can help provide evidence that will help a panel in assessing an individual's suitability for a particular post. All activities will need to be aimed at seeking evidence that candidates fulfil specific parts of the job description and person specification/selection criteria and the assessment of each candidate should be recorded in a way that captures this.

The more information you can collect and in as many different contexts the sounder your ultimate decision will be.

N.B. Remember that all the assessment activities must be about seeking evidence about the suitability for the post as detailed in the application pack, job description and person specification/selection criteria.

It is not easy to ensure consistency and quality when managing group activities, particularly when groups of children are involved. It is important to be mindful of the equality implications when planning and arranging other assessment activities and ensure that the criteria on which you are assessing each candidate are the same and all measures are put in place to make the foundations of the assessment as similar and equal as possible. By recording the activities on matrices that collect evidence and links to the job description and role profile their complimentary activities remain more objective.

Topics for group discussion / written work / presentation could be;

- What does Safeguarding mean to you / group? Present / discuss / write your ideas along with suggestions for monitoring and measuring effectiveness
- Where does the responsibility for safeguarding children lie? Discuss the interrelationships and present your conclusions
- Present a topical article on child protection and ask them to discuss
- Present then with 5 key aims of the Children's Act and ask them to present how then can contribute towards ensuring that they are achieved
- Present them with a case study of a child with 'difficult behaviour' / or based on cause for concerns – discuss

- What is abuse? How do you recognise it and how do you manage it? Discuss / present?

Assessment

With any of the above it is essential that the panel have reached on consensus as to why they are asking for candidates to undertake this activity. What competencies are they looking for? What would a model answer look like? What would cause concern?

The assessment of such activities should be collected on a structured assessment sheet. This should be kept with a record of the interview sheets and application forms.

Human Resources can provide support on any of these issues upon request.

The Successful Candidate

Prior to appointment the appointing officer must verify by telephone all references with the referee. This allows the appointing officer to ask questions of the employer, ensuring the person who wrote the reference is in an appropriate position to write a factually accurate and balanced reference. Where necessary, clarification should be sought by telephone and referees asked to confirm in writing any key extra information provided. A written record of any telephone conversation must be kept on file with personnel notes.

Any information about past disciplinary action, allegations or concerns (including those with child or adult protection connotations) should be considered in the circumstances of the individual case. Where there is a history of repeated concerns or allegations, you must contact Schools Safeguarding Team (for education related staff issues) or Human Resources for advice. Non education related concerns should be directed to the relevant HR provider.

Health

All new staff are required to complete a pre-employment health questionnaire, which is sent in confidence directly to Occupational Health to advise if the person is physically fit enough to carry out the role and if any reasonable adjustments are required. This form can be accessed from the Intranet. In addition to best practice arrangements this is also required by the Education (Health Standards) (England) Regulations 2003 and Care Standards Regulations. If you require clarification on any reference to physical and mental fitness to teach please contact the DfES. Circular 4/99 relating to medical fitness is in the process of being updated and the final guidance will provide details and contact information.

Registration with the General Teaching Council for England (GTCE) and General Social Care Council (GSCC)

All teachers working in maintained schools and non-maintained special schools and pupil referral units in England are required to register with the GTCE, unless they are exempt from the requirement to hold Qualified Teacher Status (see below). Employers must check with the GTCE whether teachers applying for positions in such schools are registered with the Council and whether any GTC restrictions are in force against the teacher, and the Qualified Teacher Status (**QTS – see Appendix 3**) plus induction checks below. All social workers must be registered with the GSCC and Occupational Therapists with the Health Professional Council, all other posts who require professional registration will also require checking, and certificates for all those registered must have been provided. Registration numbers and certificates should be provided at interview.

CRB Disclosures/Criminal Convictions

A list of the positions which require all applicants to be asked to declare any convictions, cautions or reprimands, warnings or bind-overs which they have incurred (as these positions are exempted from the provisions of the Rehabilitation of Offenders Act 1974), including any that would be regarded as 'spent' under the Act in other circumstances is shown in **Appendix 1**. If a person is subsequently selected for appointment for such a position, the employer **must** ask them to apply to the CRB for an enhanced CRB Disclosure to verify their declaration. For further information about CRB Disclosures and checks on overseas staff, including Frequently Asked Questions about CRB, see **Appendix 6**

Starting Work Pending a CRB Disclosure

In all cases, a CRB check should be obtained before an individual begins work, and proof of this should be sought. However, headteachers, principals and LAs have discretion to allow a member of staff to begin work pending receipt of the Disclosure in schools or colleges. Where it is necessary to engage a member of staff and where the CRB check remains outstanding, head teachers/LAs/principals must ensure that the employee is appropriately supervised, and the request for a CRB Disclosure has been submitted in advance of the individual starting work. A POVA first check must be gained for those working under the National Minimum Standards for Domiciliary Care through the CRB prior to a candidate commencing employment. Similarly a List 99 check must be undertaken in advance for staff in schools if the CRB remains outstanding.

Appropriate supervision for staff who start work prior to the result of a CRB check being known needs to reflect what is known about the person concerned, their experience, the nature of their duties and the level of responsibility they will carry. For those with limited experience and where references have provided limited information the level of supervision required may be high. For those with more experience and where the references are detailed and provide strong evidence of good conduct in previous work a lower level of supervision could be appropriate. For all staff without completed checks it should be made clear that they are subject to this additional supervision. The nature of the supervision should be specified and the roles of staff in undertaking the supervision spelt

out. The arrangements should be reviewed regularly, at least every two weeks until the CRB check is received.

In the case of agency staff, the agency must notify the headteacher that the relevant CRB check is awaited, and must have started the process of acquiring the CRB check. The agency must notify the headteacher as soon as the CRB check is received.

Other than in exceptional situations such as those outlined above it should be expected that all those staff in the authority who qualify for an enhanced disclosure must have a completed up to date check prior to having unsupervised contact with children.

Where a Disclosure indicates cause for concern, the member of staff must immediately be withdrawn from the school pending further enquiries.

Agency/Supply Staff

It is important to ensure that the same thorough checks are made for supply staff, including those that are employed via employment agencies as is done for other staff who work with children and/or vulnerable adults.

Where supply staff are employed directly by the school or FE college, the school or FE college must complete and keep record of all relevant checks as for other employed staff. Where staff are provided by a supply agency, the school or FE college must obtain written confirmation from the agency that the checks the school or FE college is required to carry out for its own employees have been undertaken by the agency. Records of the confirmation of which should be kept by the school or FE college.

Volunteers/Governors

We recognise that many parents and other volunteers help regularly in the classroom, other settings with activities associated with the school or college. Some will require a CRB Disclosure because of the frequency of their volunteering activity and the contact they have with children, others will not. We suggest however that schools do not have to check existing volunteers continuing with their old duties, unless they have cause for concern. For new volunteers, or those changing duties, headteachers or principals should consider obtaining Enhanced CRB Disclosures where the volunteering is regular and involves contact with children. In coming to a decision, headteachers will want to consider:

- I. the duration, frequency and nature of contact with children; and then (regular contact of 3 or more times per month should require a CRB)
- II. what the school knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- III. whether the volunteer is well known to others in the school community who are likely to be aware of behaviour that could give cause for concern;

IV. whether the volunteer has other employment, or undertakes voluntary activities where referees would advise on suitability;

V. any other relevant information about the volunteer or the work they are likely to do.

In line with other volunteers, governors in positions that include regular work in the presence of children, or who care for, train, supervise or are in sole charge of children should be asked to obtain an Enhanced Disclosure from the Criminal Records Bureau. In addition any governor giving cause for concern should also be asked to obtain an enhanced disclosure, all other should be asked to sign a declaration confirming their suitability to fulfil the role.

Please note, that although not all volunteers/governors will require a CRB, other elements of the safe recruitment process should still be followed i.e. references, informal interviews. Ideally no volunteer should be left alone with children or young people when they have not been CRB checked.

Offers of Employment

Offers of employment should only ever be made when requirements within this guidance have been fulfilled. These requirements include all gaps in application forms being accounted for, acceptable references received, qualification certificates received (where required), asylum and immigration checks done, identification documents seen and health clearance and risk assessments undertaken where appropriate.

Barring Lists - List 99 / POCA / POVA

List 99 / POCA / POVA checks **must** be undertaken for the entire children and vulnerable adult workforce, including schools. As of 12th May 2006 an enhanced CRB disclosure is required for the entire schools workforce of which List 99 is an integral part. List 99 / POCA / POVA is confidential information maintained by central government, which contains the names, dates of birth, national insurance numbers and in the case of teachers, the teacher reference numbers of people whose employment with children has been barred or restricted by the Secretary of State. Employers are required to check these Lists to ensure that they do not appoint someone to a post from which they have been barred. A person whose employment has been restricted by the Secretary of State or other may only work in a post, which does not contravene the terms of the restriction.

Where the candidate is found to be on List 99/ POCA/POVA or the CRB Disclosure shows that s/he has been disqualified from working with children by a court, or an applicant has provided false information in, or in support of, his or her application; or there are serious concerns about the applicant's suitability to work with children, the facts **must** be reported to either the Schools Safeguarding Team or if outside of education to the appropriate HR provider.

For Schools

Where a CRB Disclosure remains outstanding at the time an individual begins work, a List 99 check must have been completed. Information on checking List 99 pending a CRB check is available from TSM.casework@dfes.gsi.gov.uk. **Teachers are the only employees who should commence employment prior to CRB completion but never without List 99 checks.**

Requests for checks on List 99 / POCA / POVA should normally be directed to your appropriate HR section.

Recruitment Record Keeping

New legislation as of 12 May 06 makes it a statutory obligation for schools to have accurate records of all staff employed in the work force relating to;

- Identity, name address and date of birth
- Qualifications – where a qualification is a requirement of the job
- Evidence of permission to work; for non education employees
- An enhanced CRB for all staff and volunteers (including governors) where they have regular contact with children
- Overseas criminal records checks where appropriate
- Date the checks above were evidenced and by whom

Similar standards apply with social care settings.

As a minimum all agencies employing staff to work in any setting with children or young people should keep the same records.

Below is a suggested format for the central record

Sample:

Identity				Qualifications		List 99	CRB	Right to work in the UK	Overseas criminal records checks
Name	Address	Date of Birth	Evidenced & Date	Qualifications required: yes/no	Qualifications required: yes/no	Check evidenced & date	Check evidenced & date	Check evidenced & date	Checks required: Yes / no

Step 4 – Off to a Good Start

In line with existing recruitment charter, candidates should be contacted within 3 days of the interview by one of the interview panel to advise on recruitment progress.

Completing the process

1. Return the following documents to HR for the personal file so that a contract of employment can be sent out:
 - Appointing Instructions
 - Completed successful candidate checklist
 - All Interview Assessment forms and forms relating to unsuccessful candidates
 - All Application forms and references
 - All photocopied CRB & Asylum & Immigration documents and qualifications
2. Follow the guidance on equal opportunity monitoring forms in the standard guidance 'A Guide to Recruitment & Selection'

Induction

All employees, permanent or temporary, should have an induction programme. Equally, volunteers, agency workers and contractors should be appropriately introduced to the establishment.

Clearly the content and nature of this induction will vary according to the role and the previous experience of the new member of staff or volunteer.

The purpose of an induction programme is to:

- Help the new employee/volunteer, agency worker to settle quickly in the job
- Demonstrate the importance the establishment attaches to the individual's development
- Provide training and information about policies and procedures
- Support individuals appropriately
- Confirm code of conduct and expectations and clarify what is bad practice
- Provide opportunities for the person to raise concerns
- Enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately

In relation to safeguarding and promoting the welfare of children the induction programme should include information about;

- Policies and procedures in relations to safeguarding and promoting welfare of children e.g. anti bullying, racism, internet safety, health and safety etc
- Safe practice and standard of conduct and behaviour expected of staff and children in their establishment
- How and with whom any concerns should be raised
- Other relevant procedures (disciplinary, capability, whistle blowing)
- Appropriate level of child protection training according to role

The induction process should support new staff by exploring the issues of child protection so that they do not place themselves, children or vulnerable adults at risk. It will confirm the individual fully understands what the County Council expects of them, leaving no room for any claim that they were unsure of the boundaries of acceptable and unacceptable behaviour or were unaware of established procedures. Useful additional documents are:

- a) County Council "Code of Conduct"
- b) General Social Care Council Code of Practice Guidance on Acceptable Behaviour;
Or
- c) DfES Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings (September 06).

All new members of the staff should be provided with the guidance in relation to the avoidance of unnecessary contact and unfounded allegations. They should be given time to read and discuss this so that they are clear on the document's content. This should happen at an initial induction meeting and, once this document is read and understood, the new starter should sign to agree that they will follow this guidance.

Within the Children Young People and Families Directorate employees are required to read and adhere to the Council's Code of Practice while social work and school employees have supplementary guidance from GSCC and DfES (as referenced above), which should also be achieved too.

Further advice and guidance on Induction can be found on the HR pages of the intranet.

Summary of Elements of Induction

Signed declaration

- To confirm new staff have read and understood and will follow the Code of Practice and Confidentiality Policy.
Mentor - Every new member of staff should be assigned a buddy (separate from the person who is supervising / line managing them)

Safeguarding Policies

- All new staff / volunteer / contractors will be required to familiarise themselves with the safeguarding policies i.e. Child protection, anti bullying, anti racism, physical intervention, Internet safety/ICT policy, local child protection procedures, and buddy policy. This should cover the 'what ifs' so the new person knows what to do in particular eventualities – i.e. who they should talk to

Standards

- Safe practice and codes of conduct expected by the employer should be reemphasised throughout the process

Training

- Child protection training appropriate to the role will be required as part of induction

Support, supervision and performance management

- Clear arrangements for support and supervision, to include initial meetings and reviews

Other relevant HR procedures

- All other relevant HR procedures should be explained in terms of why they are there, how they should be followed e.g. what to do in the case of a raising a concern/grievance, whistle blowing and capability and disciplinary procedures.

Post Induction

Induction should lead into the application of the County Councils/Schools performance management process. Performance objectives should be intrinsically linked with improvement and safeguarding mechanisms.

Good performance management processes that are consistently applied throughout the year will ensure clarity about boundaries and desired standards of performance.

Monitoring and Evaluating

Effective and proactive monitoring of the employment cycle from recruitment through to performance management will enable the school/directorate to continuously review its practice

Proactive monitoring procedures can include

- Examining the cost effectiveness of advertising and recruitment
- Examining staff turnover and the reasons for leaving; and
- Conducting exit interviews

For further advice or information on any of the issues raised in this document, contact your appropriate Human Resources Officer or the Schools Safeguarding Team.

The following appendices are intended to provide additional advice and guidance in the form of standard documents and useful forms as well as some frequently asked questions

Appendices

Appendix 1 – Exemptions from Rehabilitation of Offenders Act and Model Risk Assessment
Appendix 2 – Reference Questionnaire
Appendix 3 - Qualified Teacher Status (QTS)
Appendix 4 – Pre Offer Checklist
Appendix 5 – Example Questions Designed to Examine an Interviewee’s Attitude towards Safeguarding Children
Appendix 6 – CRB Disclosures / CRB FAQs and Permission to work and Documents for Overseas Staff

Appendix 1 – Exemptions from Rehabilitation of Offenders Act and Model Risk Assessment

The following positions require all applicants to be asked to declare any convictions, cautions or reprimands, warnings or bind-overs which have incurred (as these positions are exempted from the provisions of the Rehabilitation of Offenders Act 1974), including any that would be regarded as 'spent' under the Act in other circumstances:

- i. any work in a school or a sixth form college, on day care premises, or in a children's home or hospital;
- ii. any position within the Children Young People and Families Directorate or Schools, or Social and Community Services in which the normal duties include caring for, training, supervising or being in sole charge of children under the age of 18 or vulnerable adults;
- iii. any position in the Children Young People and Families Directorate or Schools or Social and Community Services involving unsupervised contact with a child under arrangements made by the child's parents or guardian, the child's school or a registered day care provider; and
- iv. a position as a governor of a school or sixth form college which involves work in the presence of, or care for, children, or training, supervising or being in sole charge of children;
- v. any work involving regular contact with children in a Further Education institution.

MODEL RISK ASSESSMENT

RISK ASSESSMENT RECORD FOLLOWING DISCLOSURE OF CRIMINAL RECORDS

(Assessing the risks of re-offending at work associated with different types of job and criminal convictions)

This assessment form needs to be completed by the appointing manager in conjunction with the person who has committed the offences.

Appointing Manager:

Your Criminal Records Check has been returned and has disclosed an offence or offences. Having a criminal record will not necessarily bar you from working with Oxfordshire County Council. This will depend on the nature of the position that you are applying for and your circumstances at the time of the offences.

We would therefore like to give you the opportunity to provide an explanation for these offences, as well as the circumstances around you at the time. We need to know who was involved, when it occurred, what occurred, where the offence was committed and why it was committed.

Name of candidate:	Date of Birth:
Job Title:	Work Base:
Start Date:	Disclosure Number:
Manager Conducting Assessment -	

Offence:
Date of Offence:
We need to know who was involved, when it occurred, what occurred, where the offence was committed and why it was committed. It is also necessary to establish how the person now feels about the offence/reprimand etc.

Please continue on additional paper if necessary.

Declaration by Applicant

I certify that the information I have provided on this document is true and complete. I understand that to knowingly make a false statement or omit information will result in my job application being unsuccessful.

Signature:

Print:

Date:

Risk Assessment to be completed by the Appointing Manager

Risks Associated with the job:

High Risks	
Medium Risks	
Low Risks	

Risk of Re-offending (Tick relevant box)

Opportunity to Re-offend	High	<input type="checkbox"/>	Medium	<input type="checkbox"/>	Low	<input type="checkbox"/>
Severity of Risk	High	<input type="checkbox"/>	Medium	<input type="checkbox"/>	Low	<input type="checkbox"/>

Can Protective Measures be put in place? Yes/No

Outline of the Protective Measures:

Conclusion

Is the person suitable to appoint? Yes / No

Is the person suitable to appoint subject to protective measures? Yes/No

I understand and agree to abide by these protective measures. Signed (Employee): Date.....

Overall Risk (Please tick relevant box)

High	Medium	Low
------	--------	-----

Signed (Manager):Date.....

Print Name (Manager):

Risk Assessment to be reviewed (date):

Recommendation for recruitment to/not to progress to offer (please delete as necessary)

Authorised by HR Manager

Comments:

Signature:	Print:
------------	--------

Authorised by Head of Service/Head Teacher

Comments:

Signature:	Print:
------------	--------

Appendix 2 – Reference Questionnaire

REFEREE QUESTIONNAIRE

Please answer all questions

Candidate:
Job:
Referee name:
Job/organisation:

PART A

1. How long have you known the candidate?
2. In what capacity do you know the candidate?
.....
3. Using the rating key below, please mark against each of the selection criteria (attached) your assessment of the candidate's suitability:

Rating Key:

0. Not able to assess the candidate against the criteria
1. The candidate is not currently able to meet this criterion
2. The candidate is partly able to meet this criterion
3. The candidate is fully able to meet this criterion

Please give brief reasons where you have given a 0, 1 or 2 rating:

.....
.....
.....

4. Please assess the candidate in respect of the following (circle the most appropriate):

- | | | | | |
|-------------------------|-----------|------|---------|------|
| a) Reliability | Very good | Good | Average | Poor |
| b) Initiative | Very Good | Good | Average | Poor |
| c) Interpersonal Skills | Very Good | Good | Average | Poor |
| d) Conscientiousness | Very Good | Good | Average | Poor |

Additional comments:

.....
.....
.....

5. Have you ever had any reason to doubt the candidate’s honesty or trustworthiness?
(please circle your choice) **Yes/No**

If yes, please give reasons:

.....
.....
.....

If the candidate is known to you as an employee please complete Part B. If not please go directly to part C.

PART B

1. Please confirm the candidate’s period of employment with your organisation:

From/...../..... (day/month/year) to/..../..../ (day/month/year)

If employment has ended, please state reason:.....

.....

2. Please confirm the candidates current salary £.....

3. Please give the candidate’s current or last job title within your organisation together with a brief outline of the candidate’s duties with your organisation (or attach an up to date job description)

Job Title:

Job Duties:

.....
.....
.....
.....

4. Please state the number of days' sickness absence the candidate has had during the last 12 months of employment with you:

.....working days

5. How many separate periods of sickness absence does this include?

.....

Please add any relevant information (for example if the candidate's absence level is related to a disability)

.....
.....
.....

6. Has s/he ever had a period of unauthorised absence? **Yes/No**

If yes, please give details:

.....
.....
.....

7. Is the candidate currently the subject of any form of disciplinary inquiry or warning or was the candidate the subject of any such enquiry or warning on leaving your employment? **Yes/No**

If yes, please give details:

.....
.....
.....

8. Have you ever had any concerns about the candidates suitability to work with children and vulnerable adults?

If yes, please give details:

.....
.....
.....

9. Has the applicant, to your knowledge, ever been convicted of any offence or received a caution, warning or reprimand (this post is exempt from the provisions of the Rehabilitation of Offenders Act 1974)?* **Yes/ No**

If yes, please give details:

.....
.....

(* Rehabilitation of Offenders Act 1974

In writing this reference, please note that the post for which the candidate is applying is exempt from Section 4(2) of the Rehabilitation of Offenders Act 1974 (Exceptions) Orders 1975. It is not therefore in any way contrary to the Act to reveal any information you may have concerning convictions, which would otherwise be considered "spent" in relation the application, and which you consider relevant to the applicant's suitability for employment. Any such information will be kept in the strictest of confidence and used only in consideration of the suitability of this applicant for a position where such an exception is appropriate).

Part C

10. Please state any other relevant information that a prospective employer should know about the candidate:

.....
.....
.....

11. Would you re-employ this candidate?

.....
.....
.....

I understand that this completed questionnaire will be held on file by Oxfordshire County Council

I understand that County Council employees have the right to access their personal files (including references) under the Data Protection Act.

Referee's signature:

Date:

In case of any queries please provide your contact details:

Tel. Number:

Email address.....

Thank you for your help

Please return this questionnaire together with your assessment of the candidate in the envelope provided

A prompt response will be greatly appreciated

Appendix 3 - Qualified Teacher Status (QTS)

No person may teach in a maintained school or a non-maintained special school unless he/she:

- i. has qualified teacher status (QTS), otherwise known as a "qualified teacher"; or
- ii. falls within one of the special categories specified in the Education (Specified Work and Registration) (England) Regulations 2003 (S.I. No.1663).

The special categories specified in the Education (Specified Work and Registration) (England) Regulations 2003 are:

- i. student teachers
- ii. Instructors with special qualifications or experience
- iii. overseas trained teachers
- iv. teacher trainees who have yet to pass the skills tests
- v. graduate teachers
- vi. Registered teachers
- vii. staff on an employment-based teacher training scheme

Support staff (such as Higher Level Teaching Assistants and Teaching Assistants) may also teach, provided:

- i. they do so in order to assist or support the work of qualified teachers and are subject to their direction and supervision, in accordance with arrangements made by the headteacher, teacher; and
- ii. the headteacher is satisfied that they have the skills, expertise and experience required to teach.

Note: If a candidate has a DfES reference number this does not necessarily mean that he/she has QTS.

Employers need to be aware that the checks obtained through the GTCE are complementary checks and must not be regarded as a substitute for other recruitment checks.

Appendix 4 – Pre Offer Checklist

Appointing Officer / Headteacher to complete and return to appropriate Human Resources Section

PLEASE COMPLETE ONE FORM FOR EACH SUCCESSFUL CANDIDATE

Post Title: Post Number:

Points to Check as part of the Interview Process	Date Check Completed
Check application forms for gaps in the candidates employment history and seek explanation of any gaps identified. Record all explanations on interview assessment form.	
Check references to ensure that one is from the current or last employer. Read the references thoroughly & clarify any issues with candidates where information does not match with application. Contact HR Recruitment with any queries.	
Verbal Validation of Referees. Ideally the appointing Manager should validate referees of successful candidate by telephone, i.e. phone originating organisation who issued the reference and check the person who wrote the reference is/was the candidates line manager and the information contained on the reference is factually correct. Good practice for all agencies but essential for meeting the requirements for National Minimum Standards for Children and Families, Home Support, Supported Living and Adult Placement Services.	
Qualifications: Check candidates relevant qualifications - ensuring names on qualifications are appropriate. Please also check proof of professional registration (if applicable). If the person has changed their name by deed poll, marriage, adoption or statutory declaration they should bring evidence of such change. For teachers GTC registration is not sufficient, DfES numbers and proof of QTS should also be sought. Copy, sign, date & return to HR Assistant.	
Identity: Verify on day on interview by scrutiny of original documents, copies of documents taken and placed on file.	
Asylum & Immigration: ALL STAFF Check Identification and permission to work documents – copy, sign, date and return to HR Assistant in a sealed envelope with your interview pack (where appropriate) see Appendix 6 for details on checks on overseas staff.	
For Posts that require CRB Checks Check CRB Identification documents – copy, sign, date and return to HR Assistant in a sealed envelope with your interview pack (where appropriate).	
Check Candidate's driving licence (if applicable). Copy, sign, date & return to HR Assistant.	
Health Clearance: Explain that contracts & offers are subject to occupational health clearance. Ask candidate of any health issues they would like to make you aware of. Record on interview assessment sheet.	
Household: Check to see on application form if someone in their household or family is an employee or Councillor of Oxfordshire County Council. If yes you relative must not be involved in recruitment process.	
Warner Interview: Confirm candidates undergone satisfactory Warner Interview (Children's Homes only)	
Interview Assessment Forms have been completed for each candidate.	
If the post is exempt from Rehabilitation of Offenders Act and there are convictions declared, is a risk assessment necessary? See Appendix 1	

GUIDELINES FOR MANAGERS: VERIFICATION OF ID FOR CRB DISCLOSURE AND ASYLUM AND IMMIGRATION ACT REQUIREMENTS

Appendix 5 - Example questions designed to examine an interviewee's attitude towards safeguarding children

Though designed for safeguarding children small variations to these questions can make them suitable for interviewees for vulnerable adults.

The following example questions are from the public version of the NCSL online training;

- What attracted you to this post?
- How do you think your own childhood may have influenced your own practice?
- What motivates young people?
- Tell us about your interest outside work?
- What do you think are the professional challenges facing social workers etc. today?
- Give an example of where you have had to deal with bullying behaviour between children? What did you do? What made it successful? How could you have dealt with it differently?
- Young people can develop 'crushes'. How would you deal with this?
- What would you do if you were concerned about a colleague's behaviour towards children?
- Give an example of how you have managed poor child behaviour?
- Give an example of how you have responded to challenging behaviour. How did it affect you emotionally? How did you cope with the aftermath?
- When do you think it is appropriate to physically intervene in a situation involving young people?
- What makes a service a safe and caring place?
- What policies are important to support a safe environment?
- What are staff's responsibilities in protecting children?
- Give examples of what you would consider to be appropriate and inappropriate behaviour between / towards staff and child?
- Have allegations ever been made about you at work? What were the circumstances? What was the outcome? What did you learn from this?

Other questions you could ask are:

1. Tell us what you have done in the last 12 months to actually improve child protection in the workplace. How did this action arise? Who did you talk to? What were the results?
2. Give me an example of when you have had safeguarding concerns about a child? What did you do? Who did you involve? What was the outcome?
3. Tell us about the situation which you felt fell short of safeguarding standards. How did it arise? Who did you speak to? What actions did you take?
4. Tell us about how you have dealt with a child with 'difficulties'?

Don't forget follow up questions

Appendix 6 – CRB Disclosures / CRB Facts and Permission to Work and Documents for Overseas Staff

CRB disclosure MUST be obtained for all new appointments:

In the case of schools on 12 May 2006, the School Staffing (England) (Amendment) Regulations 2006 made it mandatory for Enhanced CRB Disclosures to be carried out on all new appointments to the school workforce; this also includes those who do not work directly with children, for example admin staff, caretakers and other ancillary staff. By new appointments we mean anyone who:

- i. has not previously worked in a school; or
- ii. has been out of the workforce for more than three months; or
- iii. moves to work that involves greater contact with children, and where their previous work did not require an enhanced CRB check.

Disclosures should also be requested from those individuals where there is cause for concern.

Is a CRB check necessary for everyone that visits or works in a school or with children or young people?

It is not necessary to check individuals who will only have contact with children on an ad hoc or irregular basis for short periods of time, or in schools secondary pupils undertaking voluntary work or work experience in other schools.

Examples of people who do not need to apply for a CRB Disclosure include:

- i. In schools visitors who have business with the headteacher or other staff or who have brief contact with children with a teacher present;
- ii. visitors who come on site only to carry out repairs or service equipment;
- iii. building and other contractors – children should not be allowed in areas where builders are working for health and safety reasons so workers should have no contact with children. However schools should ensure that arrangements are in place with contractors to make sure that any of the contractors staff that come into contact with children undergo appropriate checks;
- iv. volunteers or parents who only accompany staff and children on one off outings or trips that do not involve overnight stays, or who only help at specific events e.g. a sports day or a school fete;
- v. secondary pupils on KS4 work experience, in other schools or nursery classes; secondary pupils undertaking work in another school as part of voluntary service, citizenship or vocational studies; or KS5 or 6th Form pupils in connection with a short

careers or subject placement. (In these cases the school placing the pupil should ensure that he/she is suitable for the placement in question);

vi. people who are on site before or after school hours when children are not present: e.g. local groups who hire premises for community or leisure activities; cleaners who only come in after children have gone home, or before they arrive.

vii. Non school based admin staff who handle sensitive information but have little or no direct contact with children or young people

CRB - Frequently Asked Questions

Are enhanced CRB Disclosures required to be obtained for existing staff?

No (yes if under the Fostering & Adoption regulations) . Employers, schools or LAs should not ask existing staff, in post, who were not previously eligible (including those recruited before the establishment of the CRB) for criminal background checks to apply for a CRB check, unless they have concerns about the person's suitability to work with children.

How often should people expect to obtain a CRB check?

If they are reappointed or re-elected or selected as a governor and a CRB check is required because there is contact with children, have a break in service of three months or more, or move to a post with significantly greater responsibility for children, or if the employer, school, Further Education institution or LA has concerns about their suitability to work with children then an enhanced CRB check must be obtained.

In the case of staff in children's homes, or in foster and adoption teams all staff require a new CRB every 3 years.

How will List 99 checks be obtained on people who are not eligible for Standard or Enhanced Disclosures?

For example, teachers seeking positions in Further Education institutions or the LA staff where they will be dealing only with young people over 18 years of age (with the exception of vulnerable adults), will not be entitled to a Standard or Enhanced Disclosure, as those positions are not covered by the exceptions to the Rehabilitation of Offenders Act 1974. However, List 99 checks must be obtained on these people. Employers of people who fall into this category should contact the Children's Safeguarding Operations Unit at DfES (telephone: 01325 392101).

When recruiting new staff (permanent, temporary and casual), it is necessary to collect the following documentation to speed up the recruitment process and to gain ID verification. At interviews, please photocopy the documents and sign the copies as proof that you have seen them and place in a sealed envelope with the candidates name on the outside. One envelope per candidate.

Completing Criminal Records Bureau Disclosures

1. **Before they can be appointed**, applicants for any post in a school, or posts involving substantial access to children or working with vulnerable adults must be checked by the Criminal Records Bureau (CRB) in accordance with the “Enhanced Disclosure” procedure. Forms accompanying notes are available from the HR section Children, Young People and Families Directorate or Social & Community Services
2. In order to avoid delay, we strongly advise that you ask all shortlisted candidates to bring along to the interview the documents which are needed for the CRB check. These are listed in the CRB pack.
3. Using a photocopy of Section X of the CRB form for each candidate, the designated person responsible for completing Section X should check the **original** personal identity documents and two bills, and copy the details into Section X. Once this has been done, the original documents and bills can be given back to the candidate and the rest of Section X completed. The photocopy of Section C should be kept securely.
4. Once a candidate has been offered the post and accepted it, this candidate should be asked to complete and return the full CRB form to their line manager or the Headteacher or other responsible school employee as appropriate. This person will check the form and transfer on to Section X the information obtained at interview.
5. Details from the unsuccessful candidates must be shredded
6. For jobs in schools and Children, Young People & Families the completed form from the successful candidate must be checked carefully and sent to HR at Macclesfield House (not direct to the CRB). Section Y has to be completed by the HR section in Children, Young People and Families, not by the school.
7. For jobs in S&CS the form should be returned to HR at County Hall.

What Documentation is required for CRB Checks

A minimum of 3 documents are required and can be from the following list;

1. Passport (or EU identity card). Please photocopy the personal detail page and, if not from an EU country, the current UK endorsement.
2. UK Birth Certificate
3. National Insurance Number card
4. UK Driving License
5. A utility bill less than three months old

There is an extensive list of documents that the CRB will accept in certain combinations but we have found the above list contains the most common forms of identification.

Please note that all documents must be in the candidates' current name. At least ONE document must show their current address and at least ONE document must show their date of birth.

Why is a CRB Disclosure not always sufficient for those who have lived abroad?

CRB Disclosures will not generally show offences committed by individuals whilst living abroad (except in the case of service personnel and their families, as detailed in paragraph 4.62). Therefore, in addition to an enhanced CRB disclosure, additional checks such as obtaining certificates of good conduct from relevant embassies or police forces are necessary.

The level of information contained in these certificates varies from country to country: some are complete extracts from the criminal record; others are partial.

However, head teachers, principals, and local authorities will have discretion to allow an individual to begin work pending receipt of the CRB Disclosure, with the key exception at 4.62. Where it is necessary to engage a member of staff where the CRB Disclosure remains outstanding, head teachers, local authorities and principals must ensure that the employee is appropriately supervised, and the request for a CRB Disclosure has been submitted, in advance of the individual starting work. In the case of staff who have lived abroad, if, in the opinion of the local authority, school, or FE college, the CRB Disclosure is unlikely to provide sufficient information, based on how long the individual has been in the UK then other checks, including obtaining certificates of good conduct from relevant embassies or police forces as appropriate, must be completed prior to the individual starting work or volunteering activity. The level of information contained in these certificates varies from country to country: some are complete extracts from the criminal record; others are partial.

Further information about the criminal record information which may be obtained from overseas police forces and countries, is available from the CRB at www.crb.gov.uk.

Where an applicant is from or has lived in a country where criminal record checks cannot be made for child protection purposes, or is a refugee with leave to remain in the UK, and has no means of obtaining relevant information, employers must take extra care in taking up references and carrying out other background checks. For example, additional references should be sought, and references followed up by phone as well as letter. Following up references with telephone calls is good practice for all recruits.

Permission to Work in the UK

Employers, agencies, schools and FE colleges also need to be sure that foreign nationals have permission to work in the UK. Nationals of Gibraltar and of countries within the European Economic Area (EEA) do not need permission to take employment here and can be employed on the same basis as UK nationals. A list of countries within the EEA is given below:

EEA Countries including 2004 Accession countries (*):

Austria, Belgium, Cyprus, France, Germany, Italy, Luxembourg, Netherlands, Denmark, Iceland, Ireland, Liechtenstein, Norway, UK, Greece, Portugal, Spain, Austria, Finland, Sweden, Cyprus*, Czech Republic*, Estonia*, Hungary*, Latvia*, Lithuania*, Malta*, Poland*, Slovakia*, Slovenia*.

Nationals of countries marked * (other than Cyprus and Malta) who wish to work for more than one month for an employer in the UK need to register under the Worker Registration

Scheme. Once they have worked legally in the UK for more than 12 months without a break there is no need to register on the Worker Registration Scheme. More information can be found at the following link:

http://www.workingintheuk.gov.uk/working_in_the_uk/en/homepage/schemes_and_programmes/worker_reg

There are different arrangements for nationals of Bulgaria and Romania. From 1 January 2007 nationals of Bulgaria and Romania will have the right to travel throughout the EU as their countries join the EU on this date. Skilled Romanian and Bulgarian workers with the right qualifications and experience will continue to be allowed to come to the UK on work permits to take up specific jobs where no suitable UK applicants can be found. Bulgarian and Romanian workers with high levels of skills and experience will continue to be admitted under the Highly Skilled Migrants Programme. More information can be found at: <http://www.ind.homeoffice.gov.uk>

Most other foreign nationals will need permission to work in the UK. If there is uncertainty about whether an individual needs permission then prospective employers should contact Work Permits UK Visa Enquiries at Immigration & Nationality Directorate, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY. Or telephone the employer's helpline (0845 010 6677).

Under the Education (Specified Work and Registration) England) Regulations 2003 an overseas trained teacher may work as a teacher in a school in England (other than a pupil referral unit) for a period of up to four years if he has successfully completed a programme of professional training for teachers in any country outside the UK which is recognised by the competent authority in that country. The four year period commences on the day the teacher first worked as a teacher in England and expires four years later, regardless of any breaks in teaching and irrespective of immigration status. In order to continue teaching after this four year period has expired, the overseas trained teacher must have obtained Qualified Teacher Status (QTS) and registered with GTCE. Teachers on TDA's

Overseas Trained Teacher programme who have more than 2 years teaching experience may be exempt from the requirement to complete an induction period. The school should check what age ranges and subjects were covered in initial training, and what practical experience the teacher has gained on or following the training course. When teachers claim to be overseas trained, either within the European Economic Area or elsewhere, employers should ask for proof of their qualifications (originals if possible, or certified copies).

Work Permits

Work permits are only issued for employment in an occupation listed on the Work Permits (UK) Shortage Occupations List. Work permits are not issued for casual or ad hoc work as a supply teacher. Prospective employers can obtain further advice on work permits from Work Permits (UK), PO Box 3468, Sheffield, S3 8WA (telephone 0114 207 4074).

Asylum & Immigration Act 1996

1. It is a criminal offence for an employer to employ a person who is not entitled to live or work in the United Kingdom.
2. Whenever a new employee is taken on, one or more of the documents listed on the attached Confirmation form must be seen and verified by an appropriate manager on or before the first day of service. **It is therefore advisable to ask that all shortlisted candidates should be asked to bring the appropriate documents to the interview and that each candidate's documents should be copied.**
3. A copy of the document(s) must be placed on the successful candidate's personal file, together with this form, which must be signed by the manager. Copies of documents from unsuccessful candidates should be destroyed.
4. The original document should be returned immediately to the employee (unless it is the P45 belonging to the successful candidate, in which case it must be passed to the payroll officer without delay).
5. The manager signing this form must check that the document:
 - Appears to be an original;
 - Appears to be related to the employee in question;
 - Appears to be one of the specified documents

If in doubt, contact your HR officer.

Before offering the post verbally please ensure two satisfactory written references have been received prior to a verbal or written offer.

ASYLUM & IMMIGRATION

Under the Asylum and Immigration Act 1996 all new employees are required to provide proof that they are entitled to work within the UK. To do this we will require the following documents from the following options to be photocopied and returned to your HR Assistant;

Option 1

Passport or EU identity card with an endorsement stating that the holder can stay in the United Kingdom and that the endorsement allows the holder to do the type of work you are offering.

OR

Option 2

- a. A document giving the persons permanent National Insurance Number and name. This could be a P45, P60 or National Insurance Number card.

PLUS

- b. A full birth certificate issued in the United Kingdom, which includes the names of the holder's parents,

OR

c. A birth certificate issued in the Channel Islands, the Isle of Man or Ireland,

OR

d. A certificate of registration or naturalisation stating that the holder is a British Citizen.

Please return the sealed envelope with the full recruitment documentation and forms.

Candidates are informed of this requirement when invited to interview and are also informed to contact the HR Assistant if they do not have any of the above documents. If there are any problems, please contact the HR Assistant working with you on this recruitment campaign.

ⁱ POVA First (needs to be carried out only if the CRB Disclosure has not been returned by start date)

ⁱⁱ Waivers (Permissible only if complete CRB request form & Exemptions to Rehab of Offenders form returned plus two satisfactory references)

ⁱⁱⁱ References Verbally Checked with most recent employer (NB Mobile telephone numbers for referees are not acceptable) – requirement under Care Standards Regulations

^{iv} Verification of essential qualifications (appointing manager to sign file copy)

^v Qualifications (appointing manager to sign file copy)