



## Recruitment and Selection Policy

All organisations employing adults to work with children and young people must have a consistent and thorough process of safer recruitment to ensure those recruited to undertake this work are suitable.

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## Document History

Version	Version Date	Author	Summary of Changes
<b>V1.0</b>	June 2020	Director of Operations	New Policy – LTS updated
<b>V1.1</b>		Director of Operations	Updated flowchart – appendix 1
<b>V1.2</b>	June 2021	Director of Operations	Reordered section 5.4 in line with process changes.
<b>V2.0</b>	June 2021	Director of Operations	Added section 3.4 personal relationships
<b>V2.1</b>	July 2022	Director of Operations	Full Review of policy. Updated in line with new KCSIE (September 2022) and LTS template Policy 2021.
<b>V2.2</b>	August 2023	HR Manager	<p>Full Review of policy</p> <p>Section 3 – changed to personal connections.</p> <p>Section 4 – formatting change</p> <p>Section 4.4 – additional wording ‘Where a role is identified as harder to fill and/or is at great competition in the market, shortlisting should take place as and when candidates who meet the criteria submit their application. The relevant wording should be included in the advertisement so that candidates are aware’</p> <p>Section 4.4 – removed online searches – included as its own section later in the policy.</p> <p>Section 4.7 was previously missing, new details added.</p> <p>Section 6 – amended to reflect SAMpeople, and additional wording added around the need for all efforts to be made to obtain pre-employment checks and it could delay start dates without the right checks in place.</p> <p>New Section 7 added detailing DBS checks</p> <p>New Section 8 added detailing Reference checks</p> <p>New Section 9 added detailing Right to Work checks</p> <p>New Section 10 added detailing Overseas checks</p> <p>New Section 11 added detailing ID Verification checks</p> <p>New Section 12 added detailing Prohibition to Teach checks</p> <p>New Section 13 added detailing Section 128 checks</p> <p>New Section 14 added detailing Health checks</p> <p>New Section 15 added detailing Qualification checks</p> <p>New Section 16 added detailing Online Search checks</p> <p>Updated flow charts to reflect SAMpeople</p>

### 3. Table of Contents

3.	Table of Contents.....	3
1.	Purpose.....	5
2.	Equal Opportunities.....	5
2.1	Reasonable Adjustments.....	5
2.2	Criminal Convictions.....	5
3.	Personal Connections.....	5
4.	The Recruitment Process.....	6
4.1	STEP 1: Review the vacancy.....	6
4.2	STEP 2: Prepare a Recruitment Plan.....	6
4.3	STEP 3: Advertising the Job.....	7
4.4	STEP 4: Shortlisting.....	7
4.5	STEP 5: Invitation to Interview.....	8
4.6	STEP 6: Interview Preparation.....	9
4.7	STEP 7: The Interview.....	9
4.8	STEP 8: Decision Making – Appointing the Preferred Candidate.....	10
4.9	STEP 9: Informing the Successful Applicant.....	10
5.	Recruitment Documentation Retention, Recording and Sharing Information.....	11
6.	Pre-employment Checks.....	11
7.	Disclosure and Barring Service (DBS) Checks.....	12
8.	References.....	13
9.	Right to Work Checks.....	13
10.	Overseas Checks.....	13
11.	Verification of Identity.....	14
12.	Prohibition to Teach Checks.....	14
13.	Section 128 Checks.....	14
14.	Health Checks.....	14
15.	Qualifications.....	15

16. Social Media Checks.....	15
17. Single Central Record.....	15
18. Transfer of undertakings (Protection of Employment) (TUPE).....	16
Appendix 1 – Recruitment Process Flowchart.....	17
Appendix 2 – DBS and Barred List checks.....	19

## 1. Purpose

The purpose of this policy is to support Discovery Schools Trust referred hereafter as Trust, in adopting appropriate mechanisms for safer recruitment and selection processes and to set out best practice for the organisation, taking account of relevant legislation, the requirements of regulatory inspections (i.e. Ofsted) and the Trusts commitment to Equality and Diversity and safer recruitment.

Having a Recruitment and Selection Policy also ensures potential candidates applying for vacant posts are given the right message about the Trust's commitment to recruiting suitable people.

Potential employees and existing employees must be properly examined for competency, experience, qualifications, and appropriate attitudes in relation to work with vulnerable groups.

For the purposes of this policy the Trust, Workplace and Schools will be referred to as "schools", and Head Teacher/Senior Leader will be referred to as "Head Teacher" throughout the document.

## 2. Equal Opportunities

Everyone involved in recruitment and selection processes must be mindful of the Equality Act 2010 to ensure that anyone wishing to apply for a position within the organisation has an equal opportunity to do so.

### 2.1 Reasonable Adjustments

Reasonable adjustments must be put in place for any candidate who has identified that they have a disability and require adjustments to be made to enable them to fully participate in the process. The candidate should be consulted with well in advance of any adjustments required/ made, these may include (but are not limited to):

- Ensuring access to the building and all relevant rooms is accessible, for example ramps are put in place.
- providing a skills test printed in large font;
- providing additional time to complete a test or prepare a presentation.

### 2.2 Criminal Convictions

Having a criminal record does not automatically prevent a person from being employed within the Trust and applicants should not be treated unfairly if they have a previous conviction. Whilst a criminal record cannot be disregarded, the workplace location must seek advice to ensure a fair and consistent approach when considering an applicant's suitability for the role they are applying for.

## 3. Personal Connections

Any known personal connection to a current employee, Trustee or local Advisory Board member must be declared by the applicant at the time of application. Applicants must be made aware of this requirement at the outset of the process and failure to comply with this requirement, if subsequently identified, could result in immediate dismissal. Such employees must then not be involved in:

- the recruitment processes;
- providing a reference or acting as a referee for that person where possible;
- making decisions relating to pay in respect of that individual;
- making decisions related to or the management of the employee's performance;
- any conduct issues that arise that may involve the employee.

The recruitment panel should also check the application forms as candidates must also declare whether they have a personal connection with any current members of staff.

#### 4. The Recruitment Process

A flowchart is provided in [Appendix 1](#) which outlines the process.

##### 4.1 STEP 1: Review the vacancy.

Recruitment takes place either because of an existing post becoming vacant or the creation of a new post owing to changing organisational needs. **The workplace seeking to fill one of these roles must first get approval using the Trust Business Case form.**

It is good practice to consider the following points:

- Is this a new post or an existing post?
- If an existing post, is this post still required?
- Can the school afford to recruit to the post within both current and future budgets?
- Has a business case to recruit been completed?
- Are the working hours/times/grade of the post still appropriate;
- Is there an up-to-date Job Description and Person Specification (see below);
- Is recruitment to a permanent/fixed term/full time/part time position?
- Do you require supply cover in place whilst recruiting to a permanent position;

##### 4.2 STEP 2: Prepare a Recruitment Plan

Ensure a realistic timetable is prepared for the recruitment process and includes time to:

- a) Agree a "Recruitment Panel", usually comprising of three members. At least one panel member **must** have received Safer Recruitment training.
- b) Create/review the job description & person specification to ensure they are both fit for purpose.
- c) If a new post, does this need to be evaluated to check the grade (for a non-teaching post).
- d) Prepare the job advertisement (part salaries should be clearly stated on the advert)
- e) Prepare any additional recruitment literature that will be sent out to applicants, i.e. the Job Pack
- f) Diary dates set aside for any potential informal visits to the school/workplace.
- g) Agree dates for:
  1. When the advert will be published and the duration of the advertising period.
  2. Closing date for the advert.
  3. Shortlisting meeting.
  4. Inviting candidates to interview.
  5. Applying for employment references.
  6. The selection/interview days i.e. venue, candidate activities, panel questions;
  7. Start date for successful applicant.

NB. All members of the panel should participate in every stage of the recruitment process.

#### 4.3 STEP 3: Advertising the Job

When compiling the Job Advert for HR to advertise on behalf of the school, the following should be included:

- a) A message about the culture of the school and the type of person needed for the role.
- b) Details of the key knowledge and skills required to undertake the role AND the safeguarding responsibilities of the post as per the job description and personal specification.
- c) A strap line outlining the school's commitment to safeguarding and promoting the welfare of children and young people making it clear that safeguarding checks will be taken, for example:

**“This school is committed to Safeguarding Children and Young People.”**

- d) A statement that the post holder will be subject to a DBS Disclosure check, for example:

**“As this post is required to work in ‘Regulated Activity’ an enhanced DBS with a Barred list check is essential”.**

- e) For roles designated as “Regulated Activity” it is essential that the information sent to candidates makes it clear that references will be sought in advance of the interview.
- f) Whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974.
- g) The closing date by which all completed applications should be submitted via the My New Term (MNT) portal.

The advert should be placed in such a way that the best range of prospective candidates can access it which best reflects the community that the school serves. Below are several options of where Schools can advertise their vacancy:

- My New Term (MNT);
- School's own website (API Link);
- Eteach/TES;
- Local press;
- LCC Website – contact ESC helpdesk for further details;
- Job Centre Plus – further information is available on the Job centre plus website;
- Social media.
- If advertising posts for overseas workers, additional rules apply in terms of the recruitment process and advertising the role. Check with HR if considering employing individuals from overseas.

#### 4.4 STEP 4: Shortlisting

As soon as possible after the closing date, each member of the recruitment panel should receive a shortlisting pack (via the agreed method) which should include a copy of all the application

forms (MNT - Part 1 – information for shortlisting and interviewing), a job description and personnel specification and the shortlisting grid in order to carry out the shortlisting exercise. Where a role is identified as harder to fill and/or is at great competition in the market, shortlisting should take place as and when candidates who meet the criteria submit their application. The relevant wording should be included in the advertisement so that candidates are aware.

**All members of the panel should:**

- a) Take part in the shortlisting process.
- b) Complete a separate shortlisting grid for each individual candidate. This promotes fairness and consistency whilst also providing an audit trail
- c) Check whether any gaps in employment history have a reasonable and acceptable explanation (see Safer Recruitment Requirements in the associated guidance document).
- d) Check that any additional information sent with the application is not considered as part of this process, unless this information was expressly requested by the recruitment panel, i.e a supporting letter outlining the individual's suitability for the role.
- e) Ensure that all essential criteria (to be assessed by the application form) have been satisfied. Where this is not the case, the applicant may not be shortlisted.

**Declaration of Criminal Conviction(s):**

- Applicants will no longer be asked about any criminal record at the point of application. This check will be carried out once short-listing has taken place and the candidate invited to interview via the MNT portal.
- The Criminal Records Self-Disclosure form will become live once the candidate has accepted the invite and they will be asked to complete the form online. Where an applicant declares they have a criminal conviction, the form should be available for the Chair of the panel, who will consider the content at the end of the interview process.
- Following the interview, where the preferred candidate has declared a criminal conviction(s), the Chair will inform the panel. If the panel decide that the conviction(s) is relevant, further information should be sought from the candidate at the end of the interview and before an offer of employment is made.
- The Criminal Records Self-Disclosure form will need a hard copy signature even if it has been signed electronically through MNT.

4.5 [STEP 5: Invitation to Interview](#)

Following the shortlisting process, arrangements should be made to contact those individuals shortlisted, inviting them for interview. The MNT portal allows letters to be generated through the system and provides templates for this purpose. This letter should detail the following:

- a) That the applicant has been selected to attend a recruitment process.



- b) The location, date and times of the interview.
- c) Outline the interview process, detailing any tests or assessments the candidates will be required to undertake.
- d) The requirement to bring relevant identification documentation to the interview day, such as DBS disclosures where available, proof of qualifications, proof of identity. Only originals of the required documentation can be accepted.
- e) The requirement to provide original documents verifying any qualifications essential for the job.
- f) The requirement to complete a Criminal Records Self-Disclosure form.

If a candidate advises that they are unable to attend for interview on the date specified, the panel has discretion to reschedule their interview date, however, the interview panel **must** remain the same.

#### 4.6 STEP 6: Interview Preparation

It is essential for the recruitment panel to meet prior to the interviews to agree the format of the interview process. The panel must decide.

- What tasks or activities they will ask the candidates to perform, i.e. in tray exercises, presentations or teaching a class.
- Which questions to ask – all questions should be agreed in advance, and these should include a safeguarding question and a question on equal opportunities.
- Agreement should be made on how the panel will explore any gaps in employment history and any other concerns identified during shortlisting process.

It is important that the methods used to test candidates are appropriate and proportionate to the duties of the role they are applying for and designed in such a way that the candidate is able to demonstrate their suitability for the role.

The chair of the panel is responsible for ensuring that arrangements are made for the smooth running of the interview process, including:

- All relevant documentation is prepared and distributed to panel members prior to interview.
- The suitability of the venue - taking into consideration any additional or special requirements such as access or any additional adjustments requested by the candidates.
- Any car parking spaces, refreshments etc. are arranged.
- Arranging the checking of the candidate's identity documents.
- Arranging checking and copying of any additional documentation required at interview.
- Ensuring the interview timetable allows sufficient time between interviews for overruns, breaks and panel discussion.

#### 4.7 STEP 7: The Interview

The format, style and duration of the interviews are matters for the Head teacher/Director and recruiting manager to decide but the following should be adhered to:

- Briefing: All candidates will be given relevant information about the school/central department to enable the candidate to make further enquiries about the advertised job.
- A face-to-face interview takes place prior to any appointment. Before the interviews the selection panel will agree on the line of questioning to be followed and will ensure that similar questions are put to each candidate.
- Interviews should assess the merits of each candidate against the requirements in the person specification and the job description. Interviews must also explore each individual's suitability to work with children by assessing attitudes and behaviours.
- No questions should be asked which would discriminate directly or indirectly on grounds of sex, marital status, sexual orientation, race, religious belief, disability or age.
- The interview will also deal with the issues of child protection with each candidate.

Before the interviews the recruitment manager/Head teacher/Department lead will decide a procedure for evaluating the candidates at the end of the interviews. The notes taken and documentation used in this evaluation process will form part of the formal record of why candidates were or were not selected and will be retained for six months; after that time they will be destroyed.

Before the interviews the recruitment manager/Head teacher/Department lead will decide the structure of the interview, determining which area each interviewer will cover and the approximate time allocation.

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 as the interview alone may not sufficiently demonstrate the skills, values, behaviours, knowledge and abilities. For teachers and teaching support roles, it is legitimate to involve pupils in the process. Pupils should not take part in assessing candidate suitability but can contribute to the panel's assessment of the ability to interact with children.

#### 4.8 STEP 8: Decision Making – Appointing the Preferred Candidate

All aspects of the selection process should be considered when making decisions to appoint a new employee, the successful candidate should have:

- Met all the essential criteria on the job description.
- The highest aggregated score, taking into account their scores for any additional tasks that they have been asked to complete as part of the selection process.

It is also helpful for the panel to decide on a reserve candidate in case the first candidate declines the job offer.

#### 4.9 STEP 9: Informing the Successful Applicant

The chair of the panel should contact the successful candidate as soon as possible to advise them of their appointment.

A **conditional** offer should be made to the successful candidate, and it should be explained that the post is not confirmed until all of the pre-employment checks are satisfactorily completed, these include:

- a) A check to ensure the candidate has the Right to Work in the UK.
- b) A satisfactory outcome of the medical questionnaire.
- c) A satisfactory DBS with a barred list check (where appropriate – see [appendix 2](#));
- d) **Two satisfactory written references.** The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References should always be obtained and scrutinised and any concerns resolved satisfactorily before the appointment is confirmed.

It is good practice that all the other candidates be informed they have been unsuccessful and offered the opportunity to obtain feedback on their application or performance at interview. It is best practice to speak to unsuccessful applicants in person, usually via a phone call, but if the chair of the panel has been unable to reach a candidate, they should receive a written outcome stating that they have been unsuccessful.

#### 5. Recruitment Documentation Retention, Recording and Sharing Information.

Interview notes for all candidates (both successful and unsuccessful) must be retained for a period of 6 months in case they are required in connection with an Employment Tribunal claim or have been requested by a candidate under the Data Protection Act. After this stage the documents for unsuccessful candidates must be destroyed.

Confidentiality will be maintained in relation to the information obtained during the process and about the selection process itself.

#### 6. Pre-employment Checks

Pre-employment checks are an essential aspect of the recruitment process and should be conducted on both newly appointed employees **and** internal candidates (including those who have **TUPE transferred** into the organisation) prior to commencement in post. All checks undertaken must be accurately recorded on **SAMpeople**. Any paperwork received as part of the checks that is photocopied will need to be verified as a true copy of the original, the person verify the photocopied document against the original will need to print name, sign and date.

All efforts must be made to obtain all pre-employment checks prior to the commencement of employment particularly in relation to references, online checks and DBS checks. Where this is not possible, appointments should be delayed until satisfactory checks are received, or arrangements made for supervision of the employee until such time that they are received. A written record should be made and retained when a decision is taken to allow an individual to commence employment where a DBS check has been requested but remains outstanding (following a risk assessment).

In addition, and importantly, details of all checks undertaken should also be recorded on the School's **Single Central Record**.

For agency and third-party supply staff, schools must also include on their single central record that written confirmation has been received from the agency/business supplying the individual that they have carried out relevant checks, obtained the appropriate certificates, the dates that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the individual.

## 7. Disclosure and Barring Service (DBS) Checks

DBS Disclosures provide details of a person's criminal record including convictions, cautions, reprimands, and warnings held on the Police National Computer.

DBS Disclosures should be sought for staff who are employed by the Trust and volunteers who undertake 'regulated activity' (i.e., regularly teach, train, instruct, care for, or supervise children which is unsupervised).

Online DBS applications should be completed by all successful applicants who require a DBS check.

Volunteers and casual workers will be encouraged to engage with the DBS applicant update service.

It is a requirement of the Department for Education that all School Advisory Board Members will require a DBS check including barred lists. Individual schools are responsible for carrying out these checks.

A positive disclosure from the Disclosure and Barring Service is a certificate that shows cautions, warnings, or convictions. It may show spent convictions and unspent convictions, and for Enhanced checks, it will also show other information that a policy force deems relevant to disclose based on the nature of the job that the individual will be employed to do.

Before a decision is reached on whether to offer or confirm employment to an individual, the individual should be offered the opportunity to discuss the contents of the disclosure with a relevant senior person. A balanced decision to appoint should be based on:

- Whether they are barred from appointment.
- Whether the conviction is relevant to the position.
- The circumstances surrounding the offence, and any explanations provided by the applicant.
- The seriousness of the offence.
- The length of time since the offence occurred.
- Whether there is a pattern of the offending behaviour, or whether it was a one-off.
- Whether the applicant's circumstances have changed.

Further discussions should take place based on the following:

- Whether the applicant disclosed the convictions, cautions, warnings or reprimands at application or at interview stage.
- What level of supervision the post-holder will receive
- Whether the post involves responsibility for finance or items of value
- Whether the nature of the role allows the applicant to potentially re-offend.

The Head Teacher / Director of the Central Team will make the overall decision about whether to employ the person. All positive disclosures must be discussed with HR. Disclosures which raise child protection issues must be discussed with the Trust's designated Head of Safeguarding. Where a decision to appoint is taken the information will be recorded and be stored on the person's file.

If an applicant has made a false declaration on the application form, or anywhere else about convictions and cautions (or lack of them), they may render the offer of a contract of employment void.

## 8. References

In line with Safer Recruitment practices, references must be taken up after shortlisting, for all candidates called to interview, using the Applicant Tracking System. The job description and person specification need to be enclosed with the reference proforma.

All applicants are expected to provide the details of two referees, one of which should be their current or most recent employer. Where they are currently not working with children, but have done in the past, one reference must be from the employer by whom they were most recently employed to work with children.

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

It is strongly advisable not to rely on testimonials or open references. On receipt of references the author should be telephoned to ensure authenticity of the reference and this should be logged.

On receipt of these reference any anomalies or areas that are vague should be thoroughly investigated further. 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 conversations must be kept on file.

Any information about past disciplinary action, allegations, or concerns (including those with child protection connotations) should be considered in the circumstances of the individual case. Where there is a history of repeated concerns or allegations, it is strongly advised that you contact HR for advice.

## 9. Right to Work Checks

All new appointees are required to provide evidence of the Right to Work in the UK. An offer of employment cannot be confirmed until the original documents have been verified. Under the Immigration, Asylum and Nationality Act 2006 it is a criminal offence to employ anyone who is not entitled to live or work in the UK.

Documents to establish someone's entitlement to work must be evidence from List A (not subject to immigration control/no restrictions on right to stay) or List B (granted leave for a limited period and/or restrictions on Right to Work).

Comprehensive advice on checking documentation can be obtained via the following link: <https://www.gov.uk/legal-right-work-uk>

An online Right to Work check should be undertaken where a candidate can apply a share code to obtain the information. A copy of the check should be retained on file and the expiry date of leave to remain dates recorded and diarised for follow up checks to be done.

## 10. Overseas Checks

Newly appointed staff that have lived or worked outside the United Kingdom must undergo the same checks as all other staff. This includes a DBS Disclosure. Applicants who have lived or worked outside the UK for a minimum of 12 months, in the past 10 years, will need to provide Criminal Convictions Clearance from the country or countries they were residing in, because the DBS cannot generally trace individuals abroad.

If the Trust recruits an individual from overseas, or an individual who has lived or worked abroad in recent years prior to appointment, and needs to check their overseas criminal record, a DBS check

may not provide a complete picture of the criminal record. The applicant must contact the relevant Embassy to obtain a disclosure which should have been obtained prior to their departure from the county or not be dated more than 6 months ago at the time of receipt.

There are different rules for each county and this information is available on the Government website.

### 11. Verification of Identity

The School / Central Team must confirm the applicant's identity to determine that the identify is genuine, and the individual is rightfully using that identify. Proof of identification should include name, date of birth, address and photographic identify. Documents that can be evidenced include:

- A current photographic driving licence or passport
- A full birth certificate.
- Utility bill or financial statement that shows the candidates current name and address (not more than 3 months old)
- Change of name documentation (if applicable).

### 12. Prohibition to Teach Checks

Teacher prohibition and interim prohibition orders prevent a person from carrying out teaching work as defined in the Teachers' Disciplinary (England) Regulations 2012 in schools. A person who is prohibited must not be appointed to a role that involves teaching work as defined by the regulations. A check must be completed against a DfE list: [DfE Sign-in \(education.gov.uk\)](https://www.gov.uk/guidance/teacher-prohibition-checks)

### 13. Section 128 Checks

A section 128 direction prohibits or restricts an unsuitable individual from participating in the management of an independent school, including academies and free schools. An individual who is subject to a section 128 direction is unable to:

- Take up a management position within the Trust.
- Be a trustee of the academy.
- Be an Advisory Board Member.
- A fit and proper declaration must be completed for those in management positions.

### 14. Health Checks

Anybody appointed to a post that involves regular contact with children should have the appropriate health and physical capacity to undertake the duties of that post.

The Equality Act 2010 prohibits all those in the recruitment process from:

- Asking applicants questions relating to their health, attendance record and disability. Asking referees to comment on an applicant's health, attendance, or disability.
- Asking an applicant to complete a pre-employment medical questionnaire prior to having made the applicant a conditional offer of employment.

Once a candidate has been made a conditional offer of employment, the Trust must ensure that candidates complete a medical screening form. Where appropriate, the applicant will be referred to Occupational Health to seek advice.

Where the applicant has a disability the Head Teacher or Director must consider whether there are any reasonable adjustments that can be made to enable the applicant to perform the role and should put these in place.

No employee may start work until medical clearance has been received.

## 15. Qualifications

Qualifications must be evidence when they are an essential requirement for the post. A copy of the documentation should be retained on the person's record.

## 16. Social Media Checks

In line with KCSIE 2022 safer recruitment recommendations, the Trust should consider carrying out an online search as part of our due diligence on shortlisted candidates, as part of the shortlisting process. The information should be publicly available online and explored further at interview if necessary.

School and central administration teams are responsible for the online checks and should record their observations as with all other employment checks. The records should contain information, in a fair and transparent with no judgement made. Interview notes should include details of any related conversations at interview.

Job advert, job description and application form wording are amended to inform candidates that a check will be made, allowing them to declare any incidents or events in advance of the interview.

There should be consistency in the range of what is search for, for each shortlisted candidate.

## 17. Single Central Record

As part of an Ofsted inspection, inspectors will need to view the school or Trust's single central record of recruitment checks. It is therefore important that such a record is kept and maintained.

The single central record must cover the following people:

- All staff (including supply staff whether employed directly or through an agency) who work at the school.
- All other staff who work in regular contact with children in school, including volunteers.
- All members of the Trust Board and Advisory Board

The record must indicate whether the following checks have been completed:

- Identify
- References
- Qualifications legally required to undertake the role (i.e. Teaching Qualifications)
- Right to Work in the UK
- Enhanced DBS
- Barring Lists
- Overseas checks where appropriate

The record should also indicate the date on which each check was completed, or the relevant certificate obtained and who carried out the check.

The responsibility for maintaining the single central record for each school rests with the Head Teacher (responsibility for the Trust Central Team rests with the HR Department). The single central record will be kept and maintained on SAMpeople.

#### **18. Transfer of undertakings (Protection of Employment) (TUPE)**

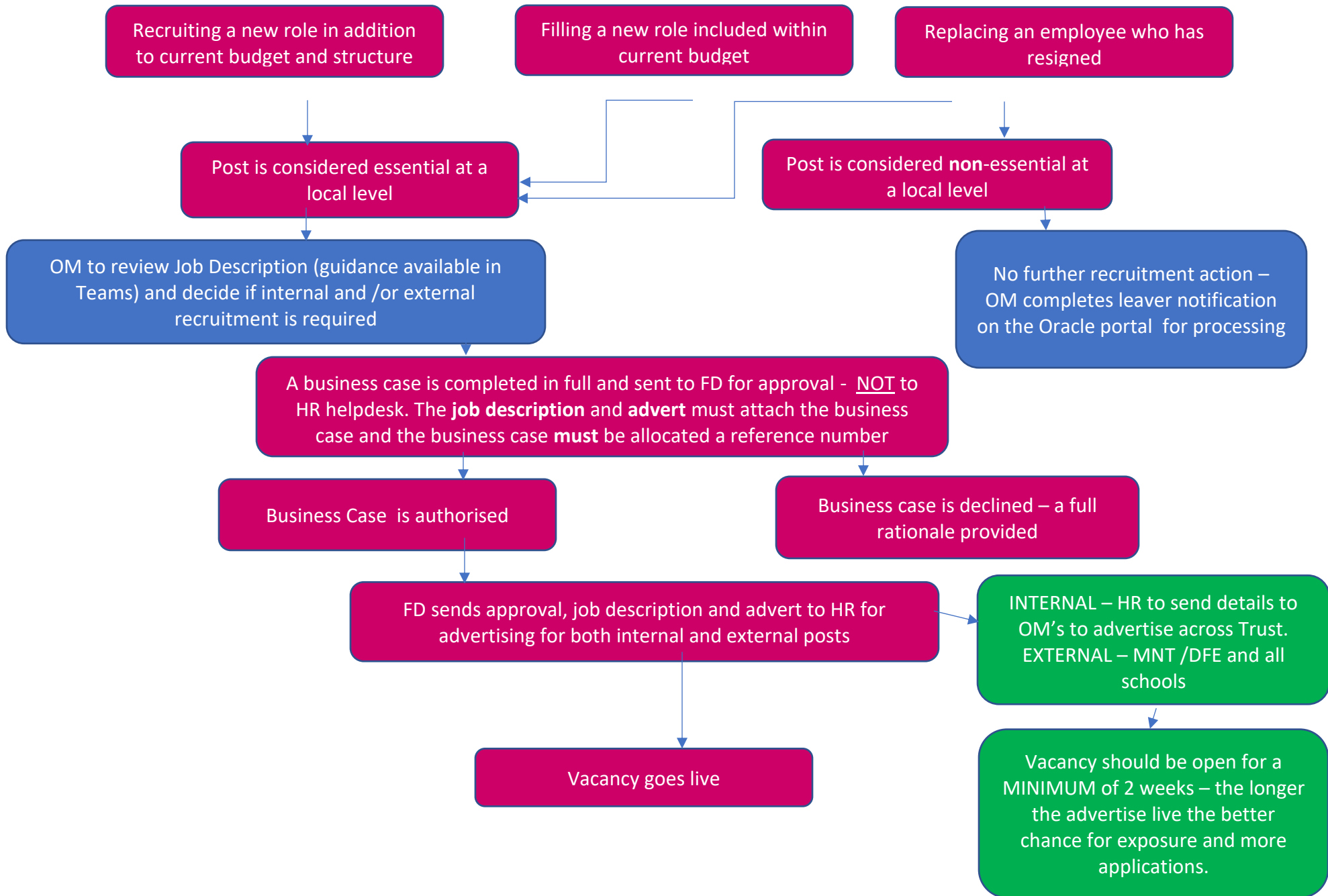
Employees, who are TUPE, transferred into the school, or from a school to academy or from an academy to Multi Academy Trust, must have their documentation checked within 60 days of the transfer. Head teachers should follow the required checking process set out in the associated guidance.

Schools should be aware that sponsor licenses are non-transferable from one employer to another under TUPE Regulations. In such circumstances the school must make an application for either a sponsor license or to extend the existing sponsor license. An application must be made with 20 working days of the move taking place.

If the school does not make a valid application to become a sponsor within 20 working days or does make an application, but this is refused, all of the migrants who have transferred, except those that can be sponsored under any existing licences, will have their leave, or worker authorisation shortened to 60 calendar days.



Appendix 1 – Recruitment Process Flowchart





Appendix 2 – DBS and Barred List checks

