

Unit 2: The recruitment process

Pre-appointment checks

Identity:

Importance of verifying the successful applicant's identity by reference to original documents. Candidates invited to interview should be asked to bring with them the necessary documents to verify their identity that will satisfy the requirements of the DBS in respect of the application for a disclosure. The successful candidate's birth/adoption certificate should be seen, wherever possible, in order to identify whether they have changed their name; evidence should be seen for name changes (e.g. marriage licence, divorce record. The name(s) given should be cross-referenced with references, educational qualifications and the names the candidate provides on their DBS application form.

DBS barred list:

Under the Protection of Freedoms Act 2012 schools have a legal duty to check that any person being appointed to work in regulated activity is NOT barred from working with children. This check must be done before the person commences in post even if they start pending a DBS certificate. For schools and colleges, a stand-alone barred list check can be undertaken by logging on to the DfE Sign-in website and then Teachers' Services; it is a free service. If there is a name-match, the person MUST NOT be allowed to commence in post until the paper certificate is received. Special post-16 institutions, 16-19 academies and independent training providers must not allow someone to commence in post before the DBS certificate has been received and are not permitted to undertake a stand-alone children's barred list check; this would contravene their funding agreement.

DBS certificate:

The successful applicant should be asked to complete an application for an enhanced DBS certificate and produce the required supporting documentation straight away. Everybody employed to work in a school is required by law to undertake an enhanced disclosure. Governors/trustees are also required to provide an enhanced DBS certificate. The school or college must see the original paper certificate and not rely on a digital copy or confirmation from the registered/umbrella body.

Qualifications:

The successful applicant should be required to provide original certificates or diplomas for all the academic or vocational qualifications required for the post, plus any that are relevant to the post. The documents should be checked to ensure that they refer to the applicant and it is also important to verify them with the awarding body.

Unit 2: The recruitment process

Pre-appointment checks

Status:

It is a requirement for some posts that the applicant is licensed or registered with a professional body. For example, in order to be employed as a teacher in a maintained school, a person must usually have been awarded qualified teacher status and be registered with the Teaching Regulation Agency.

Prohibition:

All those appointed to undertake 'teaching work' must be checked against the prohibition list and interim prohibition list before commencing in post. Schools can check these lists via the Teachers Services website. 'Teaching work' includes qualified / unqualified teachers and HLTAs but not teaching assistants – see Keeping children safe in education for more information. When recruiting teachers, it is important to also check for any past General Teaching Council for England (GTCE) sanction.

Prohibition from participation in management

Anyone appointed to a management position in an independent school, academy or free school as an employee, trustee or proprietor must now be checked to ensure they have not been barred from management of an independent school by the Secretary of State. This check will usually be done as part of their enhanced DBS (state that the person is in 'management of an independent school' on the DBS application) or – if the person is not in regulated activity – via Teachers Services.

This should be included as a column on the SCR in relevant schools. NB Inclusion on s128 also prohibits an individual from serving as a governor of a maintained school – members of these governing bodies must therefore be checked against the s128 list.

Disqualification under the Childcare Act 2006

The childcare disqualification arrangements apply to staff working with young children in childcare settings, including primary schools, nurseries and other registered settings, such as childcare provision on college sites. The arrangements predominantly apply to individuals working with children aged 5 and under, including reception classes, but also apply to those working in wraparound care for children up to the age of 8, such as breakfast clubs and after school care. For staff who work in childcare provision, or who are directly concerned with the management of such provision, employers need to ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare Disqualification Regulations 2018. Further information on the staff to whom these Regulations apply, the checks that should be carried out, and the recording of those checks can be found in [statutory guidance Disqualification under the Childcare Act 2006](#).

Unit 2: The recruitment process

Pre-appointment checks

Eligibility to work in the UK:

It is an offence to employ someone who is not eligible to work in the UK so proof of eligibility must be checked before the offer of employment is confirmed. More detailed information is available on the UK Border Agency website www.ukba.homeoffice.gov.uk

Health and sickness absence record:

Until recently this was normally checked, in part at least, in the request for a reference that is sent to the person's current or most recent employer. This became unlawful for most types of employment as a result of the Equality Act 2010; however, under the Education (Health Standards) (England) Regulations 2003, schools and colleges should ensure that anyone employed to work in an education setting is physically and mentally fit to do so and recruiters may ask relevant questions at interview if they think this is appropriate. Once the successful candidate has been identified, employers should verify their fitness to undertake the role; e.g., health questionnaire, occupational health referral, follow up enquiries to most recent employer, etc.

Finally, where appropriate, the appointment should be made conditional on the person satisfactorily completing a probationary period.