

Staff Recruitment and Selection Policy and Procedure

Policy Statement

These procedures are intended as a framework for Halesowen College's recruitment and selection practices. These procedures are intended for all staff except Senior Postholders who are appointed by the Corporation.

1. A strategic approach is taken to the recruitment and selection process.
 - 1.1 The qualifications, skills, abilities and experience of staff appointed meet the demands of the post and are an asset to the College in its development.
 - 1.2 The College operates a fair and consistent approach in the recruitment of staff.
 - 1.3 The College is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment
2. Appointments are made with full regard to the Safeguarding of Children and Vulnerable Adults. The College will follow a process to collect enough information so that it can be satisfied, having assessed the risks, that the applicant is safe to work with children and vulnerable adults in the role they are applying for. More specifically, it will verify their identity, gathering information about them through application forms, interviews, reference checks, and their personal documents and the Data and Barring Service; and shall record all such information on the Single Central Record and personal file.
3. The level and quality of service that the Personnel Team aims to support the strategic aims of the College.
4. Recruitment arrangements will be conducted in accordance with these procedures, unless prior authorisation has been given for the variation of these arrangements.

See Appendix Two for a step-by-step guide to the processes for Safer Recruitment.

Procedure

1. Analysis of Vacancies – Establishment Management

Vacant Posts: When an existing post becomes vacant, the line manager, in consultation with the relevant Senior Manager, will consider the context in which it has become vacant (e.g. resignation, dismissal, retirement, promotion, transfer) and assess the post according to the following options, keeping in mind the College's strategic plan for staffing requirements:-

- Is the post necessary and justifiable?
- Are the task requirements the same as they were previously?
- Can the job be performed by procedural changes or restructuring?
- Can the post be filled by promotion or transfer?
- Are any changes anticipated which will require additional or different skills?

The above is not an exhaustive list and it may be appropriate to talk with the previous post holder to assist in the process of analysing the vacancy.

Adding to the Establishment: To add to the establishment a proposal, will be made using the Establishment Form, completed by the Senior Manager. An addition can come about in various ways including, but not exclusively - following Curriculum Area Reviews, restructures, new business development, or 'replace in a different format',

Establishment Management Form: the form is requested from Personnel who serial number the form and log the request.

The Establishment Management Form will recommend:

1. Not replace – offer as a saving
2. Replace like with like
3. Replace in a different format
4. Add to the establishment

A detailed job description and person specification drawn up by the line manager will accompany the Establishment Management Form, to enable identification of the key aspects of the job that specify the skills, experience and knowledge required in order to determine the person specification (see No. 2). It will include the individual's responsibility for promoting and safeguarding the welfare of children and whether the post is in regulated activity.

If the business case is agreed, the Principal, or his/her designate, Deputy Principal, Chief Operating Officer and the Budget Holder will authorise the Establishment Management Form. The second part of the Establishment Management Form informs Personnel the arrangements for recruiting to a vacant post.

Authorisation to recruit hourly paid staff (sessional or casual employees) will be approved by the Approval of Sessional Staff and Authority to Timetable forms authorised by the Deputy Principal and the Assistant Principal.

2. Job Descriptions and Person Specification

The standard format will be used for all posts.

The job description and person specification together will form the basis for outlining the appropriate information to be used in advertising information and the shortlisting criteria. Job descriptions will refer to an opportunity for job share, if appropriate. Job descriptions will also state that the post is regulated activity as defined in the statutory guidance.

Job Descriptions and the person specification will detail requirements that are necessary and justifiable for the effective performance of the job, see Appendix 1. These requirements should be defined as "Essential" or "Desirable" on the person specification. Requirements in person specifications which impose limitations on potential applicants must be objectively assessed for potential discrimination. Leaving the person specification too general could encourage a wider pool of applicants but increases the risk of those who are unsuitable for working with children/vulnerable adults being able to apply.

Personnel will check that they comply with the law (i.e. that there is no potential to indirectly or directly discriminate against a particular protected characteristic).

3 Genuine Occupational Requirement

An employer may claim a 'genuine occupational requirement' (GOR) to recruit, train, promote or transfer a person of a particular gender or racial group where the law allows, eg special care, personal services to a particular group. HR Business Partner can provide further advice.

4. Recruitment and Promotion

Applicants for vacancies will be given information about posts online through online advertisements, job descriptions and at interviews in order to enable them to assess their own suitability for the post.

4.1 Internal Vacancy: Internal vacancies will be published by an all staff email.

4.2 External Vacancies: External vacancies will be advertised internally as well as on the external job websites. The duplication of adverts placed on websites like Indeed will ensure that the College attracts applicants of a particular gender, sexual orientation, age or from a specific racial, cultural or religious group. Job descriptions and adverts, when possible, should also display the Leaders in Diversity, Disability Confident, Mindful Employer logos. Adverts will be designed to attract staff likely to possess appropriate qualifications, have relevant experience or the potential (e.g. Trainee Teachers, and recruiting from industry).

Personnel under the direction of the line manager of a vacancy will be responsible for co-ordinating the recruitment process.

4.3 All applicants will have access to the following policies, procedures and information on the College Jobs Vacancies website:

1. Equality and Diversity Policy
2. Policy on the Recruitment of Ex-Offenders.
3. Guidance notes about applying for DBS disclosure.
4. An overview of the College
5. Job description and person specification.

5. Application Process

Internal Vacancies: Applications will be invited by “expressions of interest” setting out on no more than two sides of A4 the reason for the application and the skills and experience related to the person specification.

External Vacancies: Applicants are directed to the College’s Jobs Portal to register their application and to state which post they are applying for. Supporting documentation such as a letter of application can be attached to the registration.

The recruitment of staff will be largely through the College’s Vacancies bespoke website.

The application process will not ask questions which are inconsistent with the Equality and Diversity Policy or current equality legislation and will require only information which is relevant to the post in question.

Applications received from people with disabilities will be monitored throughout the process as the applicant is guaranteed consideration for an interview provided they meet the essential criteria within the person specification. The College is a "Disability Confident Employer" and applicants with a disability who are not shortlisted will have a pro-forma completed stating the reason why the applicant was not shortlisted

Applications will be available and accepted in non-written form by prior arrangement.

All successful applicants must tick the relevant box on the online registration form or sign the hard-copy form to say that the information provided is true and accurate.

Applicants will be asked if there are special requirements or reasonable adjustments needed during the interview stage (including occupational tests/mico-teach) of recruitment and selection and where possible, the College will facilitate these requirements.

5. Shortlisting

Only applications received by the closing date and time (or at a later time agreed in advance by the HR Business Partner?) will be included in the short-listing procedures. Personnel will notify the short-listers when the forms are ready to view.

Shortlisting will usually involve the senior manager and/or line manager for the particular post. Shortlisting must be conducted by two separate short-listers, independently reviewing the applications. At all stages of the shortlisting process one or more short listers must have considerable depth or knowledge and experience in the particular job role being recruited for. The shortlisting criteria should be applied equally.

To clarify differences in attitudes and expectations of shortlisters, the outline procedure below is suggested as a model for handling the process:

- | | |
|---------|--|
| Stage 1 | Familiarise yourself with the essential criteria for those to be placed on the shortlist by using the person specification. |
| Stage 2 | Using the person specification, HR will produce a blind-shortlisting grid featuring only a number assigned for each of the applicants to be assessed against the set essential and desirable criteria. Shortlisting managers should concentrate throughout on who can be included rather than who can be excluded so that process is positive, looking for strengths rather than shortcomings. Make notes on their decision. Applications will be available for shortlisting managers to view in the HR folder called 'Recruitment' on the shared drive. |
| Stage 3 | Shortlisters should then compare lists. If stages 1 and 2 have been done properly a degree of consensus should be quite high and probably sufficient to form a shortlist for interview. If not: |
| Stage 4 | Discuss those candidates preferred by some but not others in order to clarify and reduce areas of disagreement. A possible method is to classify candidates as 'strong', 'possible' and those you are unsure about The short-lister may wish to add notes to clarify their decision bearing in mind that anything they write is available through Data Protection Act requests and or could be used as evidence at an Employment Tribunal case in the future. |

- Stage 5 Shortlisting managers produce a final shortlist by discussion, guarding against including candidates as a compromise. The shortlist will require the panel to indicate those aspects of the person specification met and those not met. The grid will also require the panel to indicate the reason (using pre-coded reasons) for not short listing. The panel should be able to substantiate their reasons in case of challenge.
- Stage 6 *Safeguarding check:* Any anomalies, discrepancies or gaps in employment should be noted for consideration when interviewing. Reasons for gaps in employment, a history of repeated changes of employment, or a mid-career move from a permanent post to temporary work should be explored and verified before appointment is confirmed.

Once the final shortlist had been agreed, Personnel will be informed ready for the interview stage. A check will be made to ensure selected candidates are not disproportionate to those who applied in terms of gender, disability and ethnic balance, if the field allows.

Any internal candidate who is not shortlisted should be given feedback by one of the managers who shortlisted. [see Supporting Staff who are Under-Represented , so that staff can develop their skills, knowledge and behaviours].

6. Selection Criteria and Tests

- 6.1 All candidates invited to interview are expected to complete a short basic skills assessment of their literacy and numeracy ability. When specified teaching candidates will be asked to complete and basic literacy and numeracy marking exercise of a sample of students work. Support staff and others where relevant will be asked to complete a basic literacy and numeracy exercise.
- 6.2 If a decision is made to use role specific tests, candidates will be notified in advance what form these will take. Whatever tests are used, they will be designed to relate closely to the requirements of the post. Examples of tests include: an IT test for candidates to confirm level of proficiency; in-tray exercises for administrators; setting up a science test for a science technician; for teaching posts micro-teach and management posts may include the involvement of external consultants undertaking for example, psychometric tests, occupational tests, presentation. .
- 6.3 Where tests are in the form of a micro-teach/presentation/report then the assessment will be carried out against the set criteria. These elements will be scored for comparison. In the event of a practical test it will be scored in terms of accuracy against the expected outcomes.
- 6.4 Wherever possible, students will be involved in the appointment of teaching staff.

7. References

In obtaining references the College will obtain two references covering a 2-year history minimum but up to 5 years if the candidate has worked with children or vulnerable adults in that time frame. Where a candidate is not currently working with children or vulnerable adults but has done so preceding the 5 years, permission will be sought from the candidate to obtain the additional reference(s).

Requests for references will be requested by asking for a form to be completed that seeks to confirm factual information, including safeguarding questions (see below), and will also request an opinion on suitability for a specific job. The College does not accept open references. Job descriptions and person specifications will be sent to referees as a matter of course.

References from relatives or those acting purely in the capacity as a friend will not be acceptable. In exceptional circumstances a reference from a professional body or representative will be allowed.

Referees will be asked:

Can you state whether you know of any reason why you feel they may be considered unsuitable to work with children/ vulnerable adults.

In addition, can you state whether the candidate has ever been the subject of any allegations relating to children/ vulnerable adults and if so the nature and outcome of the allegations." Have there been any disciplinary offences relating to children or vulnerable adults, including offences where any disciplinary length of time has expired. Has the applicant ever had an allegation made against them, or been under investigation? If so, please provide details, including how the issue was resolved.

A further question on ability and willingness to promote British Values will also be asked.

An offer of a job will be made conditional upon satisfactory references and employment will not begin until two references have been received. Unless waived by the Principal.

A minimum of two written references are required before a new employee can start work, see Appendix 2.

8. Interviews

8.1 Panel

The Panels will include a senior member of staff, a line manager and/or other managers or member of HR and a third person who could be an experienced member of the team or a trained member of staff (who is representing an "under-represented" staff demographic). Panel members must declare interest in, or knowledge of, applicants, particularly external applicants and have their declaration assessed; in some cases, it may be that the panel member is replaced and to withdraw from the process or at the very least the decision-making process.

At least one member of each panel will have completed Safer Recruitment Training, and when possible unconscious bias training.

The College asks all line managers to undertake Safer Recruitment Training every three years.

8.2 Notice to Candidates

As much notice as possible will be given to candidates, not normally less than one week. Where a date offered is inconvenient, reasonable efforts will be made, where practicable, to interview the candidate at a time suitable for them.

Requests may be made for reimbursement of reasonable expenses (i.e., public transport, mileage).

Candidates will be asked to bring appropriate ID documentation and evidence of qualifications with them to the interview, if interviewed in person (and not online – when only photographic ID will be required).

On the day of the interview, candidates will receive a meet-and-greet from a member of the HR Team, introducing them to the College. Tours of the College with a team member can be arranged during waiting periods. Candidates are provided with basic refreshments and a candidate information pack detailing staff benefits, College information and samples of contracts will be available. If interviews run on for an extended period hospitality cards will be issued for candidates to purchase food and drink.

8.3 Questions

Questions at interviews should relate to the requirements of the job. Any information necessary for HR records will be collected after an applicant has been offered the job.

Interview questions will be drawn up in advance and include no trick or threatening questions. All candidates should be asked the same questions, the only exceptions being specific areas on their application that need following up, or follow up questions for clarification or the opportunity to answer more fully. Questions should relate to the post and include questions on equality and diversity and safeguarding of children/vulnerable adults.

Questions should be asked about gaps in employment. Close attention should be given to reasons for moving job to job within relatively short periods of time (Safeguarding Children). Candidates should be asked for explanations, which may need to be explored further.

Candidates should be asked if there is anything s/he wishes to declare or discuss in the light of the requirement for DBS checks.

At the end of the interview the chair should ask if the candidate would like to add anything or ask any questions.

Advice may be sought from the HR team to ensure that the questions are relevant, open ended to solicit the required information, and free from unjustifiable bias. All panel members will be thoroughly conversant with the job description and person specification and will normally have received some training in interviewing skills.

During the interview all panel members will be required to make notes of answers to the questions. The notes made during the interview should be as objective as possible and should be such that the strengths of individual candidates can be compared and those that demonstrate the acceptable levels of experience and knowledge for that post are put forward for second interview. Assessment of candidates will be made by each panel member on the forms provided by Personnel. The assessments will be fed back to the Chair of the second panel, if a second panel is to be held, so that a final shortlist can be determined. See 9.1 below.

Notes of decisions on whether to reject candidates or put them through to further interview and appointment kept for six to eight months.

8.4 Processes for Interviews:

- 8.4.1. Candidates are welcomed to the College by a member of HR are provided with information about the College, the vacancy, format for the day and interview procedure.
- 8.4.2. if a tour of the College is arranged the team member will take the candidates to the area where the vacancy exists.
- 8.4.3. Stage One: The first interview will take place with the main interviewing panel. For teaching vacancies there will usually be a requirement to make a ten-minute micro teach to a second panel which will usually include students.
- 8.4.4. Occupational tests will be included at the appropriate time during the day.
- 8.4.5. Stage Two: The panel will make a recommendation for final shortlisting to go through the second interview which will include the Principal (or his nominee) and staff who have been involved in the first stage process.

8.5 Physical Environment

As far as is reasonably practicable, all interviews will be conducted in a room suitable for the purpose (including meeting candidates' needs should they have a disability), with informal seating and without interruptions of any kind, so as to put candidates at ease and allow them the opportunity of presenting a true picture of their qualities.

9. After the Interview

- 9.1 The panel should discuss the candidates using their notes and assessment forms

The interview/presentation/task panels will meet with the chair of the second panel and discuss the candidates using their notes and assessment forms and decide the suitable candidate(s) to go forward for second interview.
- 9.4 All decisions will be recorded after the first and second round of interviews.
- 9.5 If there is a decision not to appoint, a member of CLT will advise Personnel.

10. Unsuccessful Applicants

In the turning down of unsuccessful applicants, the following guidelines will apply:

- 10.1 Applicants who have not been shortlisted should be notified at that stage and given feedback, (if requested) from a member of the Personnel team.
- 10.2 Unsuccessful candidates should be offered feedback from a member of the panel. If possible, this should be on the day of the interview, but in some circumstances, it may be at a later date. Feedback should be constructive and factual to assist the person in the future. Often successful candidates will need a debrief as well as the unsuccessful ones. Internal candidates should always receive feedback.

- 10.3 Rejection notification sent to external candidates will be polite, short and to the point and offer rejected candidates the opportunity to be given verbal feedback. Internal candidates should be informed in person unless otherwise stated at interview.

11. Documentation

Accurate records will be kept of interviews, test results and references. In particular, reasons for appointing or not appointing candidates should be noted and retained for 6-8 months in case a decision is challenged. Applicants and candidates have three months to apply to an Employment Tribunal for unfair discrimination, that can be extended to six months. Notes will be kept in accordance with the Data Protection Act.

12. Offers of Employment

An offer of employment, subject to satisfactory pre-employment checks will be made soon after the interview and providing supporting documents and forms. Formal written offers of employment will not be made until all pre-employment checks including at least two satisfactory references, DBS/safeguarding checks (such as checking relevant barred lists/prohibition checks), medical screening have been satisfactorily completed.

Speed of reply and response will be encouraged to enable the College to approach alternative candidates who are considered employable if the preferred candidate declines the offer.

Formal written offers of employment will be accompanied by a contract of employment.

13. Medical Reports

The offer letter, subject to pre-employment checks, will include the link for the online medical questionnaire, and will be assessed by the College's Occupational Health Nurse.

The Occupational Health Nurse will submit her/his assessment to the College highlighting any necessary adjustments (Ref Equality Act 2010) or further information which will need to be known in relation to their employment.

If an applicant wishes to appeal to the College against the recommendation of the Occupational Health Adviser, the applicant may seek a specialist's opinion at their own cost. This will be submitted to the College's Occupational Health Service. The decision on whether to accept the applicant rests with the College. The College is obliged to consider DfES Circular 4/99 Physical and Mental Fitness of Teachers alongside the stipulations of the Equality Act 2010.

14. Reasonable Adjustment

On receipt of information from Occupational Health in relation to any disabilities or other recommended reasonable adjustment, the HR Director will recommend to the Director of Finance and Corporate Services, if the cost of any adjustment is reasonable and affordable. This may take time if costs need to be obtained before the appointment is confirmed or not. If on the other hand the HR Director recommends that that reasonable adjustment costs and implications are agreed as reasonable then the employee will meet with the HR Director, the line manager and when applicable the Health and Safety

Manager so that a support plan can be agreed. This will be a record of the reasonable adjustments. The support plan can then be reviewed as agreed throughout their employment.

15. Disclosure and Barring Service (DBS) Checks

[See Policy Statement on the Recruitment of Ex-Offenders]

- 15.1 The Rehabilitation of Offenders Act 1974 enables anyone who has been convicted of a criminal offence to 'spend' their conviction after a certain period, except in special circumstances. A conviction can never be 'spent' if the person concerned applies for a job which involves access to persons under the age of 18.

The 1975 Exceptions Order to the Rehabilitation of Offenders act 1974 advised the applicant: "Because of nature of work for which you are applying, this post is "exempt" from the provisions of the Rehabilitation of Offenders Act 1974. Applicants are therefore not entitled to withhold information about convictions which for other purposes are "spent" under the provisions of the act. In the event of employment, any failure to disclose such convictions may result in dismissal. Any information given will be completely confidential and will be considered only in relation to an application for positions to which the Order applies.

The disclosure of convictions during the application process must be considered only in relation to their relevance to the job in question and does not bar recommendation for employment. If information is given in confidence, it must be treated as such by anyone involved in the selection process.

Protection of Children: Disclosure of Criminal Background of those with Access to Children (See Procedure for the Carrying out of DBS checks)

The DBS processes applications for disclosure on behalf of organisations entitled to request such information and involves checking police records and, in relevant cases, information held by the Department of Health (DH) and the Department for Education. Colleges are specified places and engage in regulated activity; therefore, an Enhanced Disclosure may be requested for staff appointed. Where staff engage directly in regulated activity a check of the DBS barred lists will also be requested. This will be determined at the "authority to advertise" stage.

- 15.2 Any offer of employment will be made subject to sight of a satisfactory disclosure and employment may not commence until this has been completed. In cases where a candidate is registered with the DBS then an update check will be carried out to ensure that the certificate is still valid.
- 15.3 If a self-disclosure or a DBS check reveals that the applicant has a criminal record which has not already been declared on the application form, the applicant should then be interviewed by the HR Director in order to establish the accuracy of the information revealed by the DBS before a final decision on appointment is made. The HR Director will complete a risk assessment and recommend to the Principal or his/her nominee whether the risk is so serious that the offer of employment should be withdrawn or if the risk is low to continue with the offer of employment. It will be for the Principal (or the nominee) to decide whether the conviction, warning, caution or reprimand is relevant and whether failing to disclose it should lead to the appointment being refused.

- 15.4 In addition to obtaining any DBS certificate as described above, any member of staff who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching.
- 15.5 Anyone moving from one role to another role in College the current DBS check should be verified to ensure the employee has the required barred checks in place.

16. Identity Checks

Checks should be made that the individual about to be employed is who they say they are (Safeguarding Children), particularly checking the spelling of names in several documents (not photocopies). The Identification Checking Guidelines supplied by DBS will be used in this process. Copies of original identification documents are kept on an individual's personal file as evidence. This will be dated and signed by the verifier.

17. Employing Overseas Nationals

Those currently entitled to work in the UK.

The current system will apply until 31 December 2020. Under this system, there are several broad categories through which non-EEA nationals that can enter the UK to live and work:

- Those who are free to enter, remain and work in the UK with minimal restriction on their length of stay or ability to change employment. These include all EU nationals and those from Switzerland, Norway, Iceland and Lichtenstein who have been granted indefinite leave to remain or have a Right of Abode in the UK.
- Those with greater, but still limited, restrictions on their ability to enter and work in the UK, including Commonwealth nationals with UK ancestry and dependants of British citizens.
- Those admitted to the UK with temporary permission as students or participants in short-term employment including exchange schemes, or for training or work experience.
- Those requiring full employment-based permission to work in the UK.

All overseas nationals must comply with the entry requirements of the various immigration Acts and Regulations.

The points-based system for nationals from outside the European Economic Area

The main route for migrants from outside the European Economic Area (EEA) is the government's five tier points-based system. It has been in place since 2008 to assess non-UK nationals from outside the EEA that want to come to work in the UK. The criteria are adjusted regularly, so it's essential to check the latest information (see Useful contacts).

The tiers are:

- Tier 1 - Highly-skilled individuals, entrepreneurs and high net-worth individuals (not requiring a sponsor).
- Tier 2 - Skilled workers with a job offer.

- Tier 3 - Low skilled workers for temporary labour shortages (although this Tier has never been used because of the strong labour supply from European countries).
- Tier 4 - Students.
- Tier 5 - Youth mobility and temporary workers: people allowed to work in the UK for a limited period of time to satisfy primarily non-economic objectives. The scheme is restricted to several countries and is dominated by Commonwealth countries such as Australia and New Zealand, and Japan.

Sponsorship by an employer is essential for Tiers 2 and 5. Sponsorship by an appropriately registered academic institution is essential for students with Tier 4 visas.

Under Tier 2, only employers registered with and licensed by the Home Office are permitted to issue a Certificate of Sponsorship (CoS) to a named individual, who must then apply for permission to enter the UK. The employer must have undertaken a strict verification exercise in order to issue a CoS.

Halesowen College is unable to provide sponsorship to an overseas applicant through the tier system.

Any checks made must be undertaken in a non-discriminatory manner.

19. Monitoring

Equality monitoring information will never be included as part of the application process. For all posts advertised an annual report will be part of the HR report and also submitted to the Equality and Diversity Forum with the breakdown of applications by gender, age, ethnicity, and disability together with a summary of those appointed using the above categories.

20. GDPR and Privacy Notice

Information collected on the Jobs Portal will only be used for the purpose to recruit for a specific job and will not be passed to anyone outside of the process. The purpose of the processing of data is for shortlisting and recruitment processes. Applications are retained for six months from the interview date. An applicant can ask for their data to be erased or retained at any time. The Jobs Portal includes a more detailed Privacy Notice. Applicants tick to state that they agree to the terms detailing the storage and processing of personal information.

If a candidate is recruited to a job their application details will be used for that purpose and a new Privacy Statement is issued with the contract of employment going forward.

Reviewed / Approved	By	Date	Review Date
Updated by	Rachael Charles	March 19	June 2023
Approved	CLT	Sept 2021	

Current legislation is taken into account

- The Rehabilitation of Offenders Act 1974
- Health and Safety at Work Act 1974
- Employment Protection (Consolidation) Act 1978
- The Children and Families Act 2014
- Safeguarding Vulnerable Groups Act 2006
- Keeping Children Safe September 18
- Protection of Freedoms Act 2012
- The Protection from Harassment Act 1997
- The Employment Rights Act 1996
- The Equality Act 2010.
- General Data Protection Regulation 2018
- The Further Education (Providers of Education) (England) Regulations 2006
- Immigration Act 2016

Appendix 1

The notes below can be used when determine the person specification, look at the requirements of the job and analyse the following:

1. Experience (relevant work and other experience)

- 1.1 Does the job really require experience? If so what experience is essential?
- 1.2 Consider how experience can be gained, eg experience of managing a budget can be gained through voluntary work or from managing a household budget.
- 1.3 Remember that quality of experience may be more relevant than the quantity of experience. Reference to a number of years' experience should be avoided unless it can be objectively justified.
- 1.4 Remember that people who have been discriminated against may not have had the opportunity to gain the experience but may well have the required skills and ability. Therefore, bear this in mind when writing your criteria and be careful not to ask for unnecessary experience.

2. Skills and Abilities (written communication skills, dealing with the public, etc)

- 2.1 The criteria should include a statement about equal opportunities, eg must be able to recognise discrimination and be able to demonstrate an awareness of an Equality and Diversity Policy.
- 2.2 Remember that skills are transferable, eg if the job description requires the candidate to write reports any candidate who can demonstrate good written communication skills can be trained to write reports.
- 2.3 As with experience, when considering the skills required to do the job think of the level required for the job at the level it is to be advertised.
- 2.4 Qualifications gained are not necessarily an indication of skills and ability for a specific job.
- 2.5 It would be Age Discrimination to ask that an applicant have so many years experience.
- 2.5 Remember that very few skills and abilities are dependent on strength or stamina

3. Training

- 3.1 This refers to the candidate's ability and willingness to undergo training rather than to previous training.

4. Education/Qualifications

- 4.1 Do not ask for qualifications which are not essential to the job. Consider carefully exactly what qualifications are essential to perform well in the job or are essential for the job (eg professional qualifications). Qualification requirements can be a discriminatory barrier – consider linking to or the equivalence of experience (2.1.4)

- 4.2 **Where qualifications are a necessity, acceptance of and** full regard must be paid to overseas qualifications
- 4.3 Do not look to previous qualification as a way of avoiding training.
- 5. **Other**
 - 5.1 Specified special working requirements, eg availability for hours of work evening work, clean driving licence. Include if they are really necessary. Consideration of the size of the team where the post is held should be considered as to the flexibility that could be applied to the working conditions (i.e. accommodating people with disabilities that could be made).

Recruitment and Selection Policy - Safer Recruitment

Introduction

The following processes have been written in line with Keeping Children Safe in Education 2021 which the College must have regard to promoting the welfare and safeguarding of children. Where it says '**must**' it is a legal requirement for the College, and when it says '**will**' this is following good practice. The same processes also apply to vulnerable adults (Vulnerable Groups Act 2006).

This document covers:

- i. the recruitment and selection process;
- ii. pre-appointment and vetting checks, regulated activity and recording of information;
- iii. other checks that may be necessary for staff, volunteers and others, including the responsibilities on colleges for children in other settings; and
- iv. how to ensure the ongoing safeguarding of children and the legal reporting duties on employers.

Recruitment and selection process

Keeping children and vulnerable adults safe is part of the culture of the College, it is important that the College has robust recruitment procedures that deter and prevent people who are unsuitable to work with children and vulnerable adults from applying for or securing employment, or volunteering opportunities.

Recruitment Advertisements

The College will include in the Person Specification for jobs that are advertised the following:

- the skills, abilities, experience, attitude, and behaviours required for the post; and
- the safeguarding requirements, i.e. to what extent will the role involve contact with children/vulnerable adults and will they be engaging in regulated activity relevant to children/vulnerable adults.

The advert will include:

- the College's commitment to safeguarding and promoting the welfare of children and will make it clear that safeguarding checks will be undertaken;
- the safeguarding responsibilities of the post as per the job description and personal specification; and
- that the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. [Which means that when applying for certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the DBS filtering guide]

Application forms

The information provided to applicants will include a statement “that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children”.

The College will also provide a copy of the Safeguarding Policy and the policy for the Recruitment of Ex-Offenders as part of the application pack on its website.

The College will require applicants to provide:

- personal details, current and former names, current address and national insurance number;
- details of their present (or last) employment and reason for leaving;
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
- qualifications, the awarding body and date of award;
- details of referees/references (see below for further information); and
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

The College will not accept copies of curriculum vitae in place of an application form.

Shortlisting

Shortlisted candidates who are invited to interview will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records, further information can be found on GOV.UK

For example:

- if they have a criminal history;
- whether they are included on the barred list;
- whether they are prohibited from teaching;
- whether they are prohibited from taking part in the management of an independent school;
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted;
- if they are known to the police and children’s social care;
- have they been disqualified from providing childcare; and,
- any relevant overseas information.

This information will only be requested from applicants who have been shortlisted. (The information will not be requested in the application form to decide who should be shortlisted.)

Applicants will therefore be asked to sign a declaration confirming the information they have provided is true.

Where there is an electronic signature, the shortlisted candidate will physically sign a hard copy of the application at point of interview. [The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received.]

The College will:

- ensure that at least two people carry out the shortlisting exercise;
- consider any inconsistencies and look for gaps in employment and reasons given for them; and,
- explore all potential concerns.

Employment history and references

The purpose of seeking references is to allow the College to obtain factual information to support appointment decisions.

The offer of employment is subject to receipt of satisfactory references, and therefore contracts of employment will be issued when pre-employment checks, including references, have been completed.

The College does not accept open references nor does it rely on applicants to obtain their reference.

The College will ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations)

The College will

- obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed;
- secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer;
- always verify any information with the person who provided the reference;
- ensure electronic references originate from a legitimate source;
- contact referees to clarify content where information is vague or insufficient information is provided;
- compare the information on the application form with that in the reference and take up any discrepancies with the candidate;
- establish the reason for the candidate leaving their current or most recent post; and,
- ensure any concerns are resolved satisfactorily before appointment is confirmed.

When asked to provide references the College will ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding allegations but should not include information about allegations which are unsubstantiated, unfounded, false, or malicious.

The College will use a range of selection techniques to identify the most suitable person for the post. Those interviewing should agree structured questions. These will include:

- finding out what attracted the candidate to the post being applied for and their motivation for working with children;
- exploring their skills and asking for examples of experience of working with children which are relevant to the role; and
- probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.

- The interviews should be used to explore potential areas of concern to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:
 - implication that adults and children are equal;
 - lack of recognition and/or understanding of the vulnerability of children;
 - inappropriate idealisation of children;
 - inadequate understanding of appropriate boundaries between adults and children; and, indicators of negative safeguarding behaviours.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case.

When students are involved in the recruitment process this will be undertaken in a meaningful way and all information considered in decision making should be clearly recorded along with decisions made.

Pre-appointment vetting checks, regulated activity and recording information

This section provides the legal requirements that must carry out when appointing individuals to engage in regulated activity. It covers the importance of ensuring the correct pre-appointment checks are carried out. These checks will help identify whether a person may be unsuitable to work with children (and in some cases is legally prohibited from working with children and/or working as a teacher). This will be the part of a wider safeguarding regime which will continue following an individual's appointment.

All offers of appointment will be conditional until satisfactory completion of the mandatory pre-employment checks. The College **must**:

- verify a candidate's identity, it is important to be sure that the person is who they claim to be, this includes being aware of the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available. Further identification checking guidelines can be found on the GOV.UK website.
- obtain (via the applicant) an enhanced DBS check (including children's barred list information, for those who will be engaging in regulated activity with children and adults barred list).
 - When using the DBS update service the College still needs to obtain the original physical certificate
 - obtain a separate children's barred list check if an individual will start work in regulated activity with children or vulnerable adults before the DBS certificate is available;
 - verify the candidate's mental and physical fitness to carry out their work responsibilities.
 - A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
 - verify the person's right to work in the UK, including EU nationals. If there is uncertainty about whether an individual needs permission to work in the UK, then the College will follow advice on the GOV.UK website;
 - if the person has lived or worked outside the UK, make any further checks the College consider appropriate (Certificate of Good Conduct); and,
 - will verify professional qualifications, as appropriate.

Before employing a person to carry out teaching work in relation to children, the College **must** take reasonable steps to establish whether that person is subject to a prohibition order issued by the Secretary of State and will make the necessary prohibition checks.

Applicant moving from previous post

There is no requirement for the College to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked, in a school in England, in a post:

- which brought the person regularly into contact with children; or
- to which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young persons; or
- in another institution within the further education sector in England, or in a 16-19 academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

There is no requirement to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked in:

- a school in England in a position which brought him or her regularly into contact with children aged under 18; or
- another institution within the further education sector in England, or in a 16 to 19 academy, in a position which involved the provision of education and caring for, training, supervising or being solely in charge of persons aged under 18.

Whilst there is no requirement to carry out an enhanced DBS check in the circumstances described above, the Colleges may still choose to request one to ensure they have up to date information. However, the College **must** still carry out all other relevant pre-appointment checks (as listed at above), including where the individual is engaging in regulated activity with children, a children's barred list check, vulnerable adults check.

Regulated activity

In summary, a person will be engaging in regulated activity with children if, as a result of their work, they:

- will be responsible, on a regular basis in a College, for teaching, training instructing, caring for or supervising children or vulnerable adults;
- will be working on a regular basis in a specified establishment, such as a school, care home, for or in connection with the purposes of the establishment, where the work gives opportunity for contact with children or vulnerable adults; or
- engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children (vulnerable adults) if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children (vulnerable adults), but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability;
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Regulated activity will not be:

- paid work in specified places which is occasional and temporary and does not involve teaching, training; and
- supervised activity which is paid in non-specified settings such as youth clubs, sports clubs etc

DBS checks

All staff employed by the College or the Company will have Enhanced DBS checks – this provides the same information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) as a Standard DBS check, plus additional information held by police such as interviews and allegations. Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed. The position being applied for/or activities being undertaken must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and by provisions in the Police Act 1997 (Criminal Records) Regulations 2002.

Enhanced DBS check with children's barred list information – where people are working or seeking to work in regulated activity relating to children, and relating to vulnerable adults this allows an additional check, to be made, about whether the person appears on the children's barred list, along with a check of the Police National Computer records plus additional information held by police as above. The position being applied for or activities being undertaken must be eligible for an enhanced DBS check as above and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check.

For all other staff (e.g. contractors) who have an opportunity for regular contact with children or vulnerable adults, who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. Barred list information must not be requested on any person who is not engaging in or seeking to engage in regulated activity.

The flowchart below provides more information on the decision-making process.

Where a DBS certificate is required, it must be obtained from the candidate before, or as soon as practicable after, the person's appointment, including when using the DBS update service

Once the checks are complete, the DBS will send a DBS certificate to the applicant. The applicant must show the original paper DBS certificate to Personnel before they take up post, or as soon as practicable afterwards.

The College will be able to compare any information disclosed on the certificate with any information shared by the applicant during the recruitment process.

The College will assess cases fairly, on an individual basis. A decision not to appoint somebody because of their conviction(s) should be clearly documented, so if challenged the College can defend its decision, in line with its policy on recruitment of ex-offenders.

When assessing any disclosure information on a DBS certificate the College will take into consideration the explanation from the applicant, including for example:

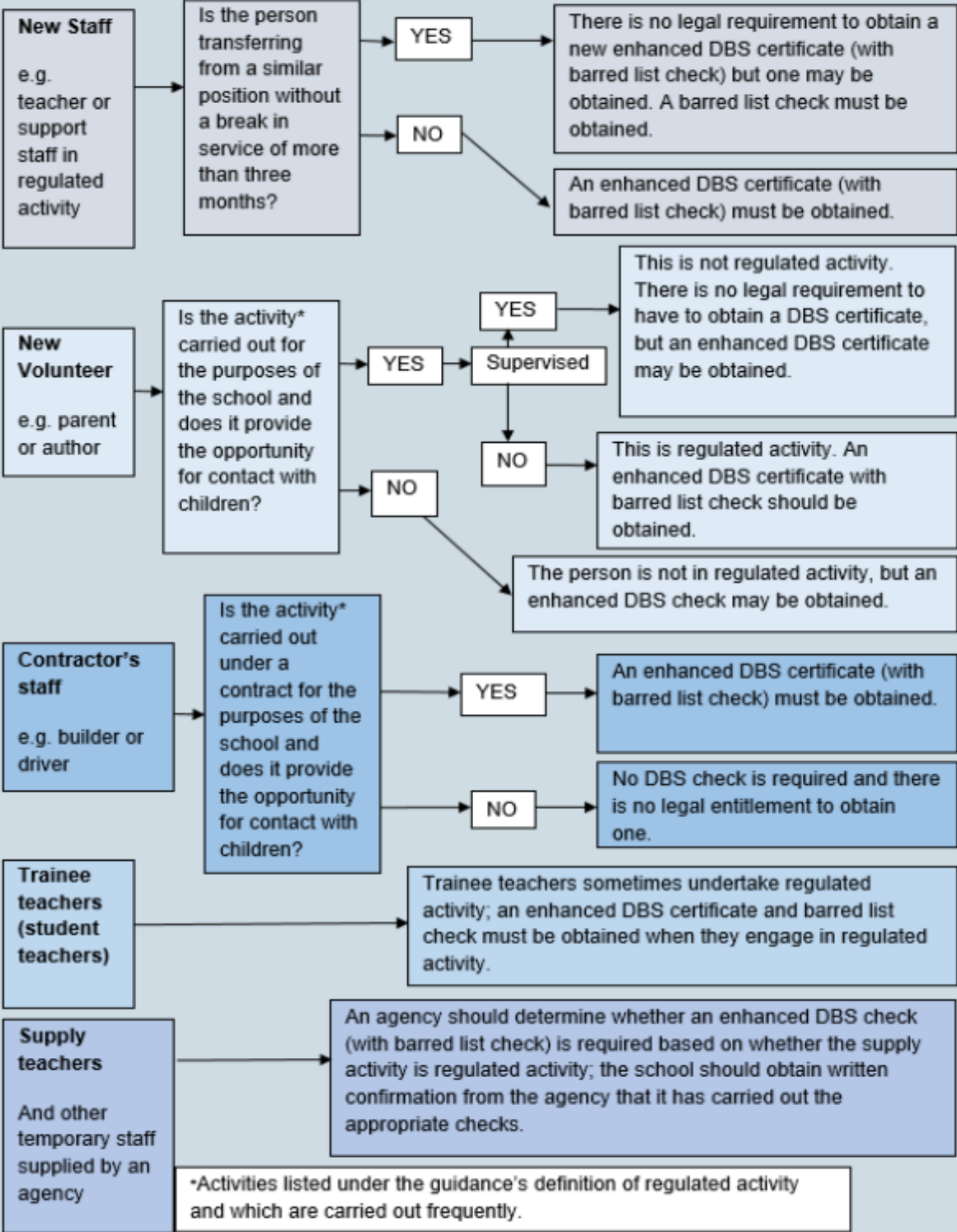
- the seriousness and relevance to the post applied for;
- how long ago the offence occurred
- whether it was a one-off incident or a history of incidents;
- the circumstances around the incident; and
- has the individual accepted responsibility for their actions?

If the College allows an individual to start work in regulated activity relating to children or vulnerable adults before the DBS certificate is available, it should ensure that the individual is appropriately supervised and that Personnel have carried out all other checks, including a separate children's barred list check.

Separate barred list checks must only be carried out in the following circumstances:

- for newly appointed staff who are engaging in regulated activity, pending the receipt of an Enhanced Certificate with Barred List information from the Disclosure and Barring Service (DBS) (and where all other relevant checks pre-employment checks have been carried out); or,
- where an individual has worked in a post in a school or college that brought them into regular contact with children or young persons which ended not more than three months prior to that person's appointment to the organisation (and where all other relevant checks have been carried out).

FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS



DBS Update Service

Individuals can join the DBS Update Service at the point that an application for a new DBS check is made. Subscription to the service enables future status checks to be carried out by employers to confirm that no new information has been added to the check since its issue.

From October 2021 the College will require new staff to join the Update Service as part of their terms and conditions of employment. Going forward the College will reimburse the annual fee and on receipt of the staff member's expenses claim form.

The benefit of this will be that the College can carry out free online checks to identify whether there has been any change to the information recorded, since the initial certificate was issued and advise whether the individual should apply for a new DBS check; and that individuals will be able to see a full list of those organisations that have carried out a status check on their account.

Before using the Update Service, the College **must**:

- obtain consent from the individual to carry out an online check to view the status of an existing standard or enhanced DBS check;
- confirm the DBS certificate matches the individual's identity;
- examine the original certificate to ensure that it is valid for the children's workforce; and
- ensure that the level of the check is appropriate to the job they are applying for, e.g. enhanced DBS check/enhanced DBS check including with barred list information.

Halesowen College Enterprises Limited - Nursery@B63

Halesowen College Enterprises Limited provides childcare and therefore it **must** ensure that appropriate checks are carried out to ensure that individuals employed in the Nursery are not disqualified from working in the setting - under the 2018 Childcare Disqualification Regulations. [Childcare disqualification is an additional requirement to the general child safeguarding arrangements provided under the Disclosure and Barring Service (DBS) regime, which apply to all children. 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.

Childcare disqualification

Childcare disqualification is an additional requirement to the general child safeguarding arrangements provided under the Disclosure and Barring Service (DBS) regime, which apply to all children.

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. 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 Disqualification under the Childcare Act 2006 statutory guidance on GOV.UK.

Nursery staff employed by HCE complete forms "Disqualification Form" – under the Childcare (Disqualification) Regulations and annually Ongoing suitability of staff - Staff Declaration to confirm that they don't meet the disqualification criteria (including disqualification by association).

Single Central Record

The Colleges **must** maintain a single central record of pre-appointment checks, referred to in the Regulations as part of the single central record. The single central record must cover the following people:

- details of staff, including agency and supply staff providing education to children under the age of 18; and
- For agency and third-party supply staff, the College **must** include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained:

- an identity check,
- a barred list(s) check;
- an enhanced DBS check requested/certificate provided;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK;
- a check of professional qualifications, where required; and
- a check to establish the person's right to work in the United Kingdom.

In addition the College **must** record whether the person's position involves 'relevant activity', i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18;

The details of an individual should be removed from the single central record once they no longer work at the College. (Under the regulations Colleges are free to record any other information they deem relevant. For example:

- whether relevant staff have been informed of their duty to disclose relevant information under the childcare disqualification arrangements;
- checks made on volunteers;
- checks made on governors;
- dates on which safeguarding and safer recruitment training was undertaken; and
- the name of the person who carried out each check.

Retention of documents

The College does not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To comply with the requirements of the Data Protection Act 2018, when a College retains a copy, there should be a valid reason for doing so and it should not be kept for longer than six months. When the information is destroyed the College may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken.

A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept on their personnel file.

Lived or Worked Outside the UK

Individuals who have lived or worked outside the UK **must** undergo the same checks as all other staff. This includes obtaining an enhanced DBS certificate (including barred list information even if the individual has never been to the UK).

In addition, the College **must** make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Following the UK's exit from the EU, the College will apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world.

These checks could include, where available:

- criminal records checks for overseas applicants and for teaching positions
- obtaining a letter (via the applicant) from the professional regulating authority in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions database. Applicants can also contact the UK Centre for Professional Qualifications who will signpost them to the appropriate EEA regulatory body.

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available the College will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the College will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

Further information can be found in DfE Guidance: Recruit teachers from overseas.

Not all countries provide criminal record information, and where they do, the nature and detail of the information provided varies from country to country. The College will be mindful that the criteria for disclosing offences in other countries often have a different threshold than those in the UK (holding a teaching qualification, wherever it was obtained does not provide suitable assurances for safeguarding purposes).

Agency and Third-Party Staff

The College **must** obtain written notification from any agency, or third-party organisation, that they have carried out the checks on an individual who will be working at the College that the College would otherwise perform and **must** ensure that written notification confirms the certificate has been obtained by either the employment business or another such business. Where the agency or organisation has obtained an enhanced DBS certificate before the person is due to begin work at the College, which has disclosed any matter or information, or any information was provided to the employment business, the College **must** obtain a copy of the certificate from the individual.

Where the position requires a children's barred list check, this **must** be obtained by the agency or third party by obtaining an enhanced DBS certificate with barred list information, prior to appointing the individual.

The College will also check that the person presenting themselves for work is the same person on whom the checks have been made, by requesting photographic ID.

Contractors

When the College uses contractors to provide services, the College will set out their safeguarding requirements in the contract between the organisation and the College.

The College will ensure that any contractor, or any employee of the contractor, who is to work at the College, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity relating to children will require an enhanced DBS check (including children's barred list information/and vulnerable adults).

For all other contractors who are not engaging in regulated activity relating to children, but whose work provides them with an opportunity for regular contact with children or vulnerable adults, an enhanced DBS check (not including barred list information) will be required.

In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across several sites. In cases where the contractor does not have opportunity for regular contact with children, the College will decide on whether a basic DBS disclosure would be appropriate.

Under no circumstances should a contractor on whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity relating to children. The College is responsible for determining the appropriate level of supervision depending on the circumstances. If an individual working at College is self-employed, the College should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account

The College will always check the identity of contractors on arrival at College.

Trainee/student teachers

Where applicants for initial teacher training are salaried the College must ensure that all necessary checks are carried out, the same as other new staff.

Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. The College will obtain written confirmation from the provider that it has carried out all pre-appointment checks that the College would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children.

There is no requirement for the College to record details of fee-funded trainees on the single central record. However, the Colleges can record this information under non statutory information.

Volunteers

Under no circumstances will a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity. The College requires volunteers to provide personal information on an application form, and will carry out reference checks as well as the DBS check.

Details of any risk assessment will be recorded.

The College will obtain an enhanced DBS check (which should include barred lists information) for all volunteers who are new to working in regulated activity, i.e. where they are unsupervised and teach or look after children regularly, or provide personal care on a one-off basis and the same for working with vulnerable adults.

Employers are not legally permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity. Existing volunteers engaging in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information) unless the College have any concerns

Existing staff

There are limited circumstances where colleges will need to carry out new checks on existing staff. These are when:

- an individual moves from a post that was not regulated activity with children into work which is considered to be regulated activity with children. In such circumstances, the relevant checks for that regulated activity must be carried out;
- there has been a break in service of 12 weeks or more; or
- there are concerns about an individual's suitability to work with children.

For colleges, an individual moving from a position that did not involve the provision of education to one that does, must be treated as if that individual were a new member of staff and all required pre-appointment checks must be carried out.