

# RECRUITMENT AND SELECTION

CODE OF PRACTICE FOR SCHOOLS AND  
CENTRALLY EMPLOYED TEACHERS AND LSAs

# RECRUITMENT AND SELECTION CODE OF PRACTICE

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The Recruitment and Selection Code of Practice aims to give practical guidance on the recruitment and selection process for school based staff (excluding Heads) and all teachers and LSAs employed by the Local Education Authority.

This document supports Medway Council's equal opportunities policy:

'No service user, employee or job applicant will be discriminated against, harassed or receive less favourable treatment on the grounds of gender, race, colour, ethnic or national origin, disability, marital status, family commitments, sexual orientation, age, HIV status, religious or political beliefs, social class or trade union activity or irrelevant spent conviction'.

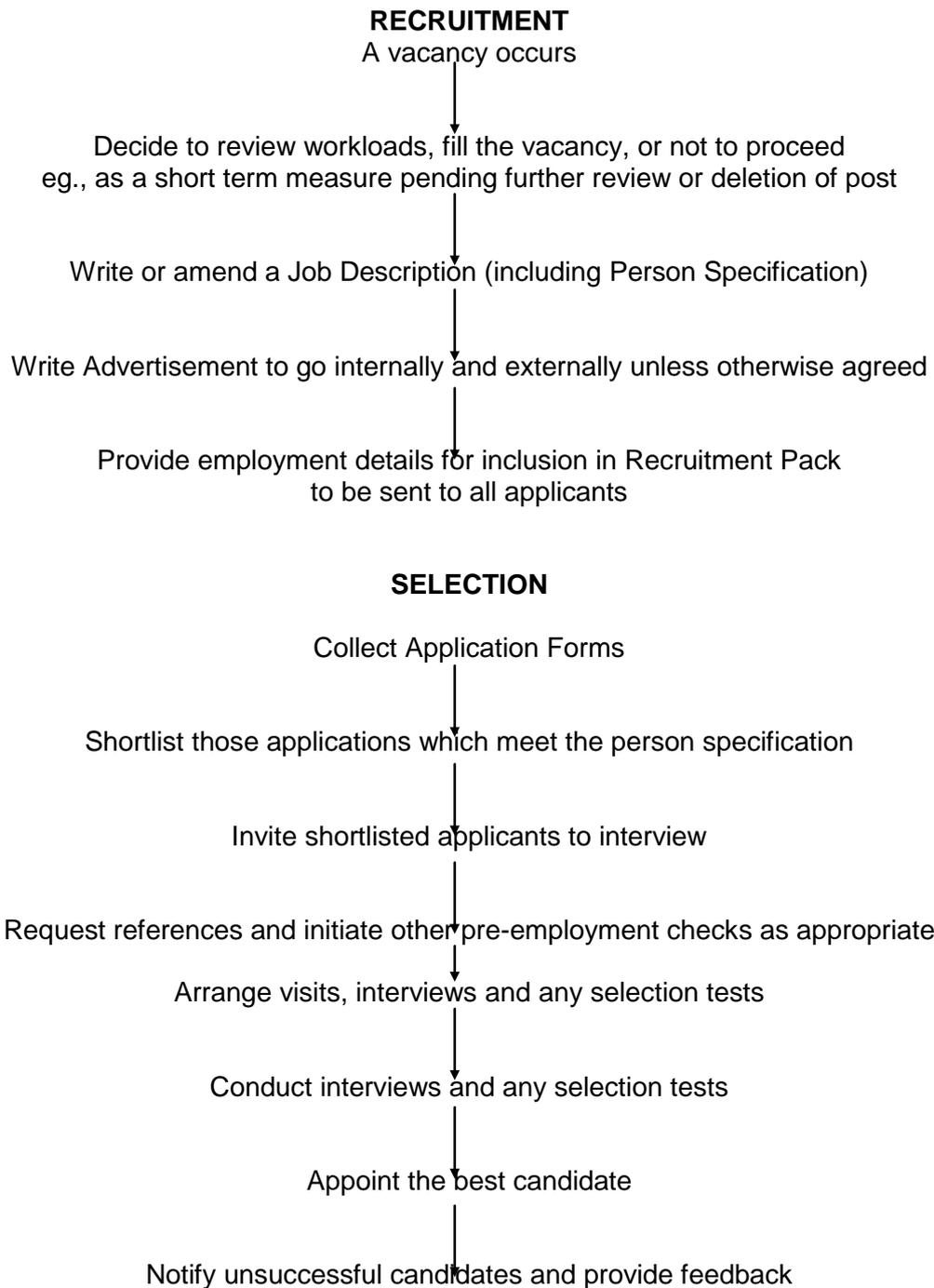
## 1.0 INTRODUCTION

The recruitment process is often the first experience an individual with an organisation. It is therefore important that the process:

- Leaves a positive image of the organisation with unsuccessful applicants who may be future service users or employees
- Gives successful applicants a clear understanding of the organisation and what will be expected of them
- Reduces the risk of a bad selection decision which can be expensive and harm competitiveness
- Enhances the quality of candidates

*Please note that the personnel team is available to provide any further advice on the contents of this Code of Practice.*

## 1.1 THE KEY STAGES – SCHOOL/HEADS OF SERVICE



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## 2.0 RECRUITMENT

### 2.1 THE VACANCY

If a vacancy has arisen following the resignation of an employee, wherever possible an exit interview should be conducted to identify and address any issues, prior to any further recruitment exercise. This can also help advise the decision to replace the post or not.

There are a number of questions which need to be asked before deciding how and if the vacancy should be filled. You must consider

- operational needs – is the post required to achieve the objectives of the school/service and to the school/Service Development Plan
- any existing job description – can the duties of the post be re-distributed within the section or performed in another way as part of employee development? (Any such arrangements should be undertaken in consultation with the relevant employees)
- the existing grade of the post – is the post graded at the right level taking account of any changes made to the role and responsibilities? (Any grading review must be undertaken using the council's job evaluation scheme – this is only applicable to non-teaching staff).

If it is considered that the post needs to be filled, advertising can proceed. The post will be advertised internally and/or externally unless otherwise agreed by the governors/Head of Service.

### 2.2 JOB DESCRIPTION

In many cases, a job description will already exist but it is important for it to be reviewed.

The line manager will need to identify precisely what the post role is: its main purpose, the key accountabilities and other responsibilities the person doing the job will have. An example of a Job Description format and guidance on writing job descriptions can be found in Appendix I. The school/Head of Service will prepare the Job Description,. Advice is available from Personnel where required.

It is important to bear in mind factors such as language, for example, the job description should be written in gender neutral terms to avoid any impression that one sex is more likely to be suitable. Physical stamina requirements must be just and appropriate to the duties of the post.

### 2.3 PERSON SPECIFICATION

The person specification section should be used as a profile of the skills and characteristics looked for during the recruitment and selection process.

In general person specifications should include the following requirements:

- skills, aptitude, knowledge and experience

- qualifications which should be only those necessary to do the job unless candidates are recruited on the basis of future potential

In preparing the person specification it is important to consider the following elements:

- **Essential qualifications** – those which are essential for the post to be performed to satisfactory standards.
- **Desirable qualifications** – less essential to the satisfactory performance of the post.

It is important that the criteria set out in the Job Description/Person Specification relate precisely to the needs of the job. Setting unnecessary standards can cause unfair discrimination.

For example:

- if IT skills are needed, it does not necessarily follow that a younger candidate, or recent graduate is better suited.
- a standard of English higher than that needed for the effective performance of the job or clearly demonstrated career pattern should not be required or a higher level of education than is needed. Where a particular qualification is required it should be made clear that a fully comparable overseas qualification is as acceptable as a UK qualification.
- Consideration should be given to how people with disabilities might be accommodated, including any reasonable adjustments to the workplace.

Section 3 of the Standard Job Description (Appendix I) includes the person specification.

## **2.4 RECRUITMENT ADVERTISEMENT**

All vacancies must be advertised. The purpose is to attract candidates who match the person specification. Consideration should also be given to the use of minority press.

Corporate Personnel will notify the local Job Centre of available non-teaching vacancies through the Medway Prospects Vacancy List.

Advertisements should be clear and state briefly:

- requirements of the job
- necessary and desirable criteria for job applicants
- job location
- remuneration package
- contract duration
- application procedure, including a point of contact
- any particular physical/medical requirement – ensure compliance with the Disability Discrimination Act
- Child Protection statement:  
*'This School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment'*
- identify whether the post is politically restricted

- ***where appropriate identify whether a Criminal Disclosure will be required in the event of a successful application***

Consideration should be given to including:

- commitment to IIP, equal opportunities statement, the positive about disability symbol, beacon status and the availability of application forms in alternative formats, for example on disk, in Braille or large font (non-teaching)
- a statement that all posts will be open to Job Share and New Deal unless designated as an exception and this should be explained in documentation provided to applicants.
- advertisements should endeavour to appeal to all sections of the community using positive visual images as well as wording

If jobs are advertised internally and externally, this will encourage the appointment of the best candidates available from a wider pool of skills and experience. Over time this process will also help redress the possible imbalance of under-represented groups.

Jobs will be open to all candidates except where a job requires a genuine occupational qualification (eg., female PE teacher).

***It is important that those people who may have convictions or cautions are treated fairly and are given every opportunity to establish their suitability for the post in accordance with the Council's policy for the treatment of ex-offenders (see Section 1 Appendix XIII ).***

## **Employment Service**

### Jobseekers who have a disability

The DEA will put forward any applicants with a disability who meet the minimum criteria of the Person Specification. Consideration should be given to short listing any candidates put forward by the DEA as part of The Positive about Disability Scheme (see Appendix III).

The DEA may also refer individuals for supported employment (sponsors include Shaw Trust, Royal British Legion, ReEmploy). This supported placement service provides opportunities for disabled people to work in all types of employment. Jobs are provided alongside non-disabled colleagues and the sponsor provides on-going support to both employee and employer. The disabled employee is paid the appropriate rate for the job and the employer receives a financial contribution, via the sponsor, towards the on-going costs of employing that person.

### New Deal supported employment

All external vacancies will be deemed suitable for New Deal job seekers.

The NDA will put forward any individuals who may meet the requirements of the post. New Deal is a key part of the Government's Welfare to Work strategy. It gives job seekers aged 18-24, 25+, lone parents and those with disabilities a chance to develop their potential, gain skills and experience and find work.

Schools/Heads of Service should consider these individuals alongside other applicants for suitable jobs. Some financial assistance will be provided (see Appendix IV).

## **2.5 RECRUITMENT PACK**

Applicants for any posts will receive a Recruitment pack which should include as a minimum the Job Description and Person Specification, Main conditions and benefits of employment, structure chart, application form and guidance and equal opportunities statement, Child Protection Policy Statement, **and a copy of the policy for treatment of ex-offenders**. The pack might also contain: location map, school prospectus/service information, job share information (if applicable).

## **3.0 SELECTION**

### **3.1 APPLICATION FORMS**

All non-teaching applications must be made using the LEA's application form. Curriculum Vitae etc will not normally be acceptable.

The application form provides a standard format for job applications, which makes it easier to compare candidates, obtain necessary information and thus simplify the sifting process. The form is crucial to the short-listing and selection process. The application form will be available in other formats, (from Corporate Personnel) for example, large size font or on disc. (Non-teaching only)

The application form has been designed so that shortlisting officers do not see unnecessary personal details (for example gender, ethnic origin, age). This helps reduce the risk of discrimination based on irrelevant grounds. Information collected for equal opportunity monitoring will be used only for this purpose and kept separately from information on which selection decisions will be based (see Monitoring Section).

#### **Dealing with applications**

All applications should be treated confidentially and circulated only to those individuals involved in the recruitment process.

The school/service must comply with the Data Protection Act 1998 (see Appendix IV for the data protection principles).

### **3.2 DECIDING ON THE FORM OF SELECTION**

Selection decisions can be based on a range of tools such as application forms, interviews, work sampling exercises group discussions and presentations.

The choice of selection method depends on the type of post and recruit you are seeking. There is no foolproof method of selection, the answer is to evaluate factors such as: type and level of job, time required/available, accuracy demanded, cost and capability demanded.

It is important to bear in mind that where an individual who has a disability is required to undergo a selection test, the impact of the disability should be taken into account when testing and scoring.

Please contact the Personnel team for further advice.

### 3.3 SHORTLISTING

Applications should be shortlisted by identifying those that explicitly meet the requirements in the person specification.

The school/service manager will be responsible for deciding on the composition of the shortlisting/interview panel and for convening the panel. At least two people, who should ideally be appropriately trained, will be involved at the shortlisting stage of the selection procedure. Where possible the same individuals will participate on the interview panel.

Interviews for staff seeking alternative employment due to redundancy, re-organisation will be carried out separately and a decision made before any other candidates are seen **(where the school/service has adopted the redeployment guidelines)**. The school redeployment guidelines are only applicable for REDUNDANCY

All applicants with disabilities who meet the minimum shortlisting criteria should be interviewed.

All shortlisting and interviewing panellists will be required to make a clear record of their reasons for selecting or rejecting each candidate at all stages of their involvement in the recruitment process (Appendix VI). In making such a record, panellists will have particular regard to the attributes set out in the selection criteria. The number of those shortlisted for final interview should be manageable, normally not more than six candidates.

Matters discussed by shortlisting and interview panels are confidential at all stages of the recruitment and selection process. Participants should not discuss any aspects particularly the attributes of candidates, other than with panel members or when seeking advice.

If specific qualifications are essential requirements of the job, the request to attend interview letter must include that a check will be made of qualifications. The qualification checks that are carried out should not only apply to one particular group. Copies of the successful applicants application form should be sent to Personnel for qualification checks to be carried out.

The Asylum and Immigration Act requires the authority to ensure that certain checks regarding eligibility to work in the United Kingdom are also made (see Appendix VII).

Once the shortlisting process is completed, the school/Head of Service will write to candidates, inviting them to attend for interview (Specimen letter attached as Appendix VIII). The letter will include the time of the interview, the expected duration and any papers/presentation the panel will wish to see. ***For those posts which are subject to a Criminal Disclosure you need to ensure that the letter makes it clear that the appointment will be conditional upon receipt of a satisfactory Disclosure (stating which level of disclosure is required) and the method for obtaining the disclosure.***

Candidates will be invited to state whether they have a disability which could cause them difficulties in an interview situation or you are aware that a particular disabled candidate is likely to be disadvantaged by your premises or arrangements. If this is the case, the panel should, where possible, make reasonable adjustments to ensure that the individual is not

disadvantaged, for example changing the time or venue of the interview, rearranging seating in the interview room to allow a lip-reader to see the interviewer better.

The Headteacher/Manager will keep the shortlisting forms for a least 6 months from the date of completion of that record.

### 3.4 SEEKING REFERENCES

Two references are sought after the shortlisting selection has been made. One of these references should be sought from the current/most recent employer/current educational establishment (if most recently/currently studying).

References on external candidates should be taken up in advance of interviews using the standard letter in Appendix IX (unless the applicant has placed an embargo on a referee being approached prior to interview). A copy of the job description and person specification should be enclosed with the request.

Both forms of references ask for comments related to the needs of the post, any current disciplinary warning and absence record. The references have been designed to avoid asking former employers to supply subjective opinion as to applicants likely future performance.

If the applicant is currently working with children, on either a paid or voluntary basis, his/her current employer with children will be asked about disciplinary

References must be prepared by authorised employees with appropriate knowledge and training.

***Both references should be received before the start date particularly for posts requiring a Criminal Disclosure, where this is not possible Headteachers should document the reason why. Headteachers should seek advice from Personnel if necessary.***

N.B. where an applicant who is not currently working with children has done so in the past it is important that a reference is also obtained from the employer by whom the person was most recently employed in work with children.

### 3.5 INTERVIEWS

Candidates should be given as much information as possible prior to interview, for example about terms and conditions, to allow them to prepare and to minimise the risk of job offers being rejected.

Schools/Heads of Service should make sure that interviews are organised in ways that promote fair treatment of all candidates. It should not be assumed that all experienced managers are automatically good at making sound judgements of an applicant's skills and character in the space of a brief interview. All those who may be involved in selection should ideally have attended Recruitment and Selection training. This can be provided by the Personnel Team. A panel of at least 2 persons should assess candidates.

Interviewers must not only be aware of the need to ask job-related questions, but also avoid basing selection decisions on bias and stereotypes. For example, not to make assumptions about people with disabilities, particularly in relation to what they can and cannot do, or not to overestimate the importance of 'fitting in'.

The formality or informality of the interview will depend to some extent on the nature of the job. Panel interviews can reduce the possibility of bias when a mixed panel is used, for example, gender neutral. The key is to focus questions mainly on the job requirements.

Interviews must:

- be conducted by trained individuals (whenever possible)
- be structured to follow a previously agreed set of questions mirroring the Person Specification or Job Description
- allow candidates the opportunity to ask questions

Where it is necessary to assess whether personal circumstances may affect performance of the job, for example, working times/patterns, this should be discussed objectively with every candidate without detailed questions based on assumptions about marital status, children, domestic obligations.

The interview procedure should at all times reflect the Council's/school's equal opportunities policy. It should also test the candidate's view of it. Any expressed opposition to the policy should represent sufficient grounds for non-selection.

The Council/school is prepared to cover reasonable travel and subsistence costs for attending interviews.

Schools/Heads of Service should make very effort to comply with selection process timescales and inform candidates of any unforeseen delays.

If any member of the interviewing panel feels that discrimination has occurred in the selection process the matter must be referred to the Chair of Governor/and Personnel and (School) Training Manager (Education). A selection decision should not be made until the issue is resolved.

***Where an applicant has declared a previous criminal record the recruiting Headteacher/manager and applicant should talk openly about any issues of concern. Advice should be sought from Personnel if in any doubt about handling this type of situation.***

***Only after a decision has been made to appoint, Education and Leisure Personnel, where applicable, should check and/or verify any criminal conviction or any other criminal record information using the Criminal Disclosure Service. If it is the case that information provided in the Disclosure contradicts that provided by the applicant, this should be discussed with the applicant in person as part of a post interview process.***

***If it is determined, as a result of a negative Disclosure that the applicant will not be suitable for the post, the applicant should be given feedback as to why. Further details on assessing the relevance of criminal records and treatment of people with***

***previous convictions can be found in the Council's Policy for the Treatment of Ex-Offenders, Section 1 Appendix XIII***

Adequate records of the interview must be kept in order to make a fair comparison between candidates. The interviewer should ensure that all candidates are asked similar questions. Interviewers should record their assessment of candidates against the agreed selection criteria (Appendix XII). They should share their assessments in reaching a final decision and records of the marking scores and their interview records should be retained by the manager for a period of at least six months.

A member of the panel should contact the successful and unsuccessful candidates by telephone, or in writing where this is not possible, as soon as a decision has been made to inform them of the result and offer feedback. The school/Head of Service should write to unsuccessful candidates within 7 days using the letter at Appendix XIII. The manager should write to the successful candidate immediately after the interview offering them the appointment, subject to the necessary clearances (see Appendix XIV).

## 4.0 OTHER

### 4.1 PRE EMPLOYMENT SCREENING (OPTIONAL)

#### Health Questionnaire

The headteacher/manager will be required to send a pre-employment health questionnaire to the successful candidate, bearing in mind that appointment will be subject to satisfactory medical clearance. ***The form should be returned to the Occupational Health Nurse, who will assess the suitability of the candidate based on the health questionnaire and job description.*** The headteacher/manager will be contacted by the Occupational Health Nurse for further advice, where required. The Council will pay for any medical examination when required.

Where the successful candidate is an internal candidate and the post requires differing health requirements from the one held previously, the individual will be required to complete a health questionnaire.

## PROTECTION OF CHILDREN

The Secretary of State for Education has power to make directions barring people from relevant employment or imposing conditions on such employment. Broadly speaking relevant employment means employment by a local education authority, or a school, or a further education institution, either as a teacher or in any other capacity which involves regular contact with children or young people under 19 years of age.

The Criminal Records Bureau operates a "one stop shop" for checks on people seeking work with children. The Bureau checks ***prospective employees by accessing the DfES and DoH lists and information that is held locally by the police.***

Medway must ensure that appropriate checks are made before individuals are confirmed in post in relevant employment. Offers are therefore subject to a satisfactory criminal disclosure check.

**When appointing staff currently employed in other schools within the LEA, the Headteacher should ask to see evidence of an up to date CRB disclosure or police check and this should be recorded on file. If this cannot be produced or if an individuals clearance is more than three years old a further disclosure should be requested.**

**Both references and CRB disclosures, where appropriate, should be sought for temporary, casual and relief staff as well as permanent staff. It would not be acceptable to ignore these requirements even if the individual is known personally to the Headteacher/Line Manager making the appointment.**

### **Criminal Disclosures**

**For posts which involve substantial and unsupervised access to children or where individuals occupy posts where they can gain the trust and confidence of children, the headteacher/ manager must make arrangements to obtain a criminal disclosure for the successful candidate.**

**Only in exceptional circumstances should individuals start work before a satisfactory check has been received.**

**Should it not be possible to obtain satisfactory clearance before a candidate takes up their post, the Headteacher/Service Manager should put in place any necessary precautions,i.e. restricting one to one contact between new staff and children until a satisfactory clearance has been received.**

**Headteachers/Service Managers should try to allow sufficient time for all vetting checks to be carried out when agreeing a start date with new staff.**

**Once a decision to appoint has been made, Headteachers/Service Managers should seek disclosure of any criminal record, conviction, caution or reprimand of a potential successful applicant from the Criminal Records Bureau(CRB). Applications for disclosure must be processed via Education and Leisure Personnel.**

**There are three types of Disclosure, these are:**

**(1) Basic Disclosure: which can be issued to any individual on request, subject to confirmation of identity, which will reveal only unspent convictions;**

**(2) Standard Disclosure: which reveal any spent or unspent convictions, as well as cautions, warnings and reprimands held at a national level, plus, for those applying for positions working with children, whether the person is included on the list of those considered unfir to work with children held by the DfES.**

**(3) Enhanced Disclosure: issued for those who are applying for posts exempt under the Rehabilitation of Offenders Act 1974, and who will be working in positions which entail regularly caring for ,training, supervising or being in sole charge of persons under 18, or in positions which are specified in Regulations made under the Police Act as working with” vulnerable” adults; this will reveal the same information as for a Standard Disclosure, plus any non-conviction information from the local police records which the police feel may be relevant to the position sought.**

***Both the applicant and employer will be issued with a copy of the Criminal Record Certificate (CRC).***

***Personnel will inform Headteachers when re-checks are due for their staff. Headteachers must then ensure that disclosure applications are completed correctly check the documentation required. Re-checks will be done every 3 years.***

### ***Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE)***

***Where staff transfer to the school/service under TUPE arrangements, the Headteacher/manager should request evidence that satisfactory references and police checks/CRB disclosures have been obtained by the transferor. It should be a requirement of the transfer arrangements that these vetting procedures are in place.***

### ***Overseas Trained Teachers***

***If teachers are recruited through an agency, Headteachers must ensure that the vetting procedures these agencies have in place meet those required by the School. Teachers recruited abroad through teacher recruitment initiatives run by Medway Council are all asked to produce recent originals of police checks. In most countries, although there are exceptions, police check certificates can be obtained within 5 working days from a central police station. If an overseas trained teacher is recruited from a country where the main spoken language is not English, then there must be an authenticated translation of the document as well as the original. Overseas trained teachers who have never lived in the UK before do not need to get CRB clearance as there will be no information for the Bureau to access. There may be some overseas trained teachers who have lived in the UK before being recruited. CRB disclosures must be sought for these teachers, irrespective of the length of stay in the UK, as well as valid recent police checks from their country of origin.***

### ***Probation (non-teaching)***

All initial non-teaching appointments to the Council will be subject to a period of probation of not less than 6 months.

### ***Appointing Newly Qualified Teachers***

Newly qualified teacher (NQT) recruitment focuses mainly on appointments for September but also January and April. Personnel advertise nationally for NQTs. R & R team represent Medway at national university recruitment fairs as well as organising and hosting the Medway NQT Open Day. Marketing material is sent to all teacher training colleges in the UK. Schools are able to advertise teaching posts in the Medway teaching vacancy. These posts are also advertised on the Medway website and linked to a number of national recruitment websites. Early advertising for NQTs at the beginning of the spring term allows the widest field to apply for posts.

Teacher Recruitment Team run the NQT 'pool' for primary and secondary student teachers although student teachers can of course still apply directly to individual schools. Teacher Recruitment Team will circulate 'pool' applications to schools known to have appropriate vacancies.

LEA employed NQTs are able to apply for a variety of incentives. Contact R & R Team for most up-to-date details.

## **Induction of Newly Qualified Teachers**

The induction period for NQTs (DfEE circular number 5/99) describes the arrangements for every NQT to complete a period of induction normally for three terms.

Every NQT will have an induction tutor who should be a line manager of the NQT. Training is available through the LEA for induction tutor training. NQTs will have a career entry profile from their training college and this will form the basis for initial induction targets although the NQT and induction tutor will agree targets during the period.

Schools should have an induction programme involving a combination of monitoring, support and assessment and build on the NQT's knowledge, skills and achievements.

NQTs are required to teach no more than 90% of a normal timetable. The time released may be used in whatever way is most appropriate to the needs of the NQT and school. It is important, however, that the time is protected, not used simply as non-contact time and distributed appropriately over the induction period.

Medway NQTs will be provided with an induction portfolio to keep a record of their induction. A series of workshops based on generic issues is available throughout the period as are surgeries for NQTs and induction tutors in case the need arises to discuss issues with an LEA officer.

Termly updates on NQT progress are required by the LEA along with a final assessment to indicate whether the NQT has reached the standards set out for induction.

## **Employment-Based Routes to Teaching**

### **Graduate Teacher Programme (GTP)**

The GTP enables schools to employ teachers who are not yet qualified and support them through an individual programme leading to Qualified Teacher Status (QTS). Potential graduate teachers must fulfil the following criteria:

- An honours degree in a curriculum subject. If the candidate wishes to train to be a secondary teacher, at least 50% of the degree must cover appropriate subject knowledge.
- Must be over 24 years of age.
- GCSE Maths and English (or equivalent) at grade C or above. Primary candidates born after 1 September 1979 must also possess GCSE science at grade C or above.

The training programme normally lasts 12 months for most candidates. There are three application deadlines for a place for the GTP. The TTA deadlines are likely to differ from DRBs who set their own. TTA grants are attached to the trainee; therefore DRB allocated places cannot be split between shorter programmes (eg one allocated place cannot accommodate three one-term programmes).

Candidates who have been working as unqualified teachers and/or have other (non-QTS) teaching qualifications may have a programme, which is shorter in length. Inexperienced candidates should be employed as supernumerary and work towards the 90% timetable that

they will have as an NQT at the end of the training period. Trainees must cover two consecutive Key Stages during their training and have experience of teaching in at least two settings that contribute towards the achievements of QTS.

Schools in special measures will not be acceptable as a DRB or eligible for GTP salary grant.

**Designated Recommending Bodies (DRBs)** have been given places by the TTA to award to suitable trainees in suitable schools with appropriate training plans. Schools can either apply to DRB for a place, or act as their own Recommending Body (RB) and apply directly to the TTA for a place. Both sources of GTP places are competitive, and the demand is likely to exceed supply.

Trainees on the GTP must be paid in accordance with either the qualified or unqualified scales set out in the School Teachers' Pay and Conditions document. Trainees must be paid on at least point one of the unqualified teachers' scale (or equivalent). Schools can apply for the following categories of funding:

- **Salary-grant place** gives the school £13,000 for 3 terms, as a contribution to salary costs; plus £4,000 training grant. Candidates who will be supernumerary will be given priority for this category.
- **Training-grant-only place** pays £4,000 for training; the school must pay the salary.
- **Self-funded place** pays neither grant. The school meets salary and training costs.

### **Overseas Trained Teacher (OTT) Programme**

Overseas teachers can work for up to four years as a temporary teacher without QTS.

The OTT programme is for those who have already trained as teachers outside the UK and the EEC, ie. they do not fall within Article 3 of Council Directive 89/48 EEC.

In order to apply for the programme, candidates must fulfil the following criteria:

- Qualified as a teacher overseas
- Have qualifications equivalent to those required for the Graduate Teacher Programme\*
- Working as a teacher in a school
- Put forward by a DRB or an RB

*\* The UK National Academic Recognition Information Centre (NARIC) can give advice on equivalencies. The teacher recruitment team has NARIC membership and should be contacted in the first instance.*

If a teacher qualified in Scotland, Wales Northern Ireland or one of countries in the European Economic Area (EAA), they may be eligible for QTS without further assessment.

OTT's training lasts for no more than one term. The TTA pays a grant of up to £750 to the Recommending Body (RB) to support the trainee's work during the term. The TTA also pays for the final assessment. OTT candidates who have already taught for two or more academic years can apply to be assessed against the Induction Standards as well as the Qualified Teacher Standards, thus exempting them from the induction period.

Generally speaking, anyone wishing to work in the UK and is not a national of the EEA must have a valid work permit. Work permits are issued by Work Permits (UK) by applying directly or by the teacher recruitment team on your behalf. Please note that agencies will no longer be allowed to apply for work permits for their teachers.

## **Registered Teacher Programme (RTP)**

The Registered Teacher Programme (RTP) is a route to teaching similar to the GTP except that candidates work towards completing a degree as well as QTS. This programme is up to two years in length.

To apply for the RTP, candidates must fulfil the following criteria:

- Be employed as an unqualified teacher
- At least 24 years old
- Put forward by a Recommending Body (RB)
- Have successfully completed two years of higher education (or equivalent) or 240 CAT (credit accumulated transferable) points.
- GSCE Maths and English (or equivalent) at grade C or above. Primary candidates born after 1 September 1979 must also possess GCSE science at grade C or above.

Unlike the GTP, there is no salary grant available for the RTP, therefore the school must pay the candidate's salary for the duration of the programme. The TTA will pay a grant of £4,000 per year to cover the cost of the training. The Recommending Body (RB) takes responsibility for designing and delivering the training programme. The RB can be a school, a university or other provider of teacher training.

There are no application deadlines for the RTP and the Recommending Body can apply to the TTA at any time. However, many RBs (especially HEIs) tend to set their own application deadlines.

## **4.2 RIGHT TO REVIEW**

If an internal candidate feels that they have not been treated in accordance with the standards in this Code of Practice during the recruitment and selection procedure, they should raise this through the Grievance Procedure. An external candidate should raise any similar concerns through the school's Complaints Procedure.

## **4.3 DOCUMENTATION**

The process should be documented accurately and access limited to those directly involved in the process. Information should be kept for sufficient time to allow for any complaints to be handled. Application forms, shortlisting form and interview notes must be kept for six months by the school/Head of Service after the job has closed and then disposed of in a confidential manner.

All paperwork relating to the successful candidate, together with form PMC001 should be forwarded to the personnel operations team, once all clearances have been sent and a start date is known. ***If an up to date police check/CRB disclosure has been seen by the Headteacher/manager this should be indicated on the PMC001, stating the date the check was carried out.***

Employment offers will contain:

- details of the terms and conditions which will apply, including salary
- any conditions to which the offer is subject
- start date

JOB DESCRIPTION

Designation:-

Department:- School/Service

Responsible to:-

- 1. Main purpose of job
- 2. Accountability
- 3. Person Specification
- 4. Organisation
  - (i)
  - (ii)
  - (iii)
  - (iv)
  - (v)
- 5. Financial Accountabilities
- 6. Working Environment

**PLEASE SEE ATTACHED GUIDANCE NOTES BEFORE COMPLETING EACH SECTION OF THE JOB DESCRIPTION.**

## GUIDANCE NOTES

The new job description format has 6 sections some of which are split down into additional sub-sections. Each area is distinct although there maybe some overlap of information and it would not be inappropriate to repeat information if it is relevant to more than one area i.e. the main purpose of the job is also an accountability.

The new format is designed to be more descriptive of the job role and should include more detail about what the job role does and how, rather than a detailed list of what is expected of the post holder.

Where the job description is being used to recruit new staff it will be up to the headteacher/manager to decide if any additional information should be added to the job description as part of a recruitment pack.

If you want any further advice on designing a new or revising an existing job description using this format then please contact Personnel Education.

### SECTION BY SECTION GUIDANCE

#### 1. Main Purpose of Job

Please describe in one or two sentences the overall aims and objectives of the role.

#### 2. Accountability

List the key accountabilities, commencing each with an action verb and describing what is done and why, e.g.: "Manage and develop the joint consultative and negotiation processes within the Council in order to ensure that effective employee relations are maintained". As a general guide, there should be no more than 8 accountabilities.

In addition please describe the key challenges to be faced by the post holder, for example what sorts of pressure the post holder may face or what aspects of the accountabilities will be most difficult to achieve.

The last accountability should be one of the following dependent on the post's line management responsibilities.

##### **For managers**

*Ensure that equal opportunities issues are taken into account on all service delivery and employment matters. This includes monitoring, planning and implementing change service objectives.*

*Ensure the JD makes reference to the responsibility for safeguarding and promoting the welfare of children*

##### **For staff**

*Act in accordance with the equal opportunities policy.*

*Ensure the JD makes reference to the responsibility for safeguarding and promoting the welfare of children*

### 3. Person Specification

List the necessary experience, qualifications, skills and personal qualities needed to effectively perform the job. For example:-

#### Qualifications

Essential or desirable formal qualifications for example general school or further education qualifications and/or any professional qualification required including vocational qualifications.

#### Knowledge

- Any specific knowledge required, for example, computer software systems or programmes
- Knowledge of any statutory regulations, practices or procedures of external organisations, for example Benefits Agency, Inland Revenue, Employment Tribunals etc.

#### Experience

Any requirements for previous experience in a specified work field/organisation.

#### Skills

- Communication skills, oral, written or used for training/presentations,
- Supervisory skills,
- Keyboard or any other skills used for operating equipment or tools including any specific requirement for physical fitness,
- Driving requirements, cars, vans etc.
- Any specific requirements or abilities related to the working environment which may be mentally or physical demanding.

#### Personal Qualities

Include any specific personal qualities required to carry out the job role, for example the ability to remain calm under pressure, caring or counselling skills, the ability to deal with a number of tasks at once, able to work on own initiative etc.

Ensure the personspec includes specific reference to suitability to work with children.

### 4. Organisation

- i) Attach a copy of the organisational structure for the immediate area in which the post will be working, showing those they will be working closely with.
- ii) Describe how and by whom, i.e. by job title, the post is managed/supervised.

For example what level of contact will the post holder have with their line manager i.e. daily as in working in the same office or less regularly for example when a person is required to work alone and away from line manager/supervisor support.

Include any arrangements where the post holder may be working for more than one manager i.e. in a shared secretarial or administrative support role.

- iii) Describe the level of initiative and/or independence expected of the post holder.

For example, would they be expected to manage their own workload, what sorts of decisions would they be expected to make without reference to the manager/supervisor, what decisions would be referred to others before final decisions are taken?

- iv) Describe any supervisory/management responsibilities, including numbers/locations of staff by job title.

Provide details of the number of people line managed in total, what they do and where they work. Include any details of whether the post holder will manage all staff directly or whether they manage other managers/ supervisors who in turn manage others.

Also include any details of staff for whom the post holder may have a responsibility for allocating work to but may not have a full line management responsibility for.

Please note managerial/supervisory responsibility will include unpaid staff for example volunteers.

- v) Job context – describe the main contacts, both internal and external and the purpose of those contacts.

Internal contacts would include colleagues, levels of management up to director level within and outside the work unit or directorate and/or Elected Members etc. External contacts would be members of the public, other local authorities, central government departments, voluntary bodies or statutory agencies etc.

## 5. Financial Accountabilities

Identify any responsibility the post holder may have for finance, for example.

- a) having a signatory responsible for expenditure or a responsibility for achieving an income generation target or
- b) for accounting for money in ensuring that is spent correctly or
- c) for processing or handling invoices, cheques, cash or other money equivalents.

Please give an indication of the degree of discretion the post holder has over allocating or collecting resources i.e. changing spending plans, changing prices or writing off debts.

An indication should also be given of the approximate amount and purpose of the financial responsibility, for example, an annual sports equipment budget of £15,000 for a sports centre or handling cash amounts of £300 weekly as proceeds from a tourist centre.

Where the budget relates to staffing costs, this should be clearly indicated.

## **6. Working Environment**

List any specific physical environments the post holder may be required to work in e.g. cold or heat, out in the open, dirty or unhealthy locations etc. The conditions must be those directly related to the carrying out of the job for example a cook will have to work in the hot environment of a kitchen. Conditions which are not related to the job, for example a cold office, should not be included.

List any possible exposure to verbal or physical abuse the post holder may be likely to come in contact with and from whom. For example working with a difficult client group, member of the public, contractors etc.

## **BECOMING A DISABILITY SYMBOL USER**

### **Positive about disabled people**

Medway Council has made a commitment to become a disability symbol user and has agreed to implement the symbol's five commitments to action across the entire council.

The purpose of the commitments is to help structure the council's action on employing people with disabilities and to let disabled people know what we will offer them.

### **The symbol commitments are:**

- To interview all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities.
- To ensure there is a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what you and they can do to make sure they can develop and use their abilities.
- To make every effort when employees become disabled to make sure they stay in employment.
- To take action to ensure that all employees develop the appropriate level of disability awareness needed to make your commitments work.
- Each year to review the five commitments and what has been achieved, to plan ways to improve on them and let employees and the Employment Service know about progress and future plans.

## **Questions and Answers**

### ***How do I get a vacancy accepted as New Deal?***

Contact your local job centre to discuss your staffing needs. For a subsidised job, you usually need to offer the job for at least six months. In the case of a young person (aged 18-24), be prepared to train your employee, or release them for some training. If you take on a long-term unemployed person aged 25 plus, you will be expected to give them the same preparation and training you would offer any other employee doing the same job.

### ***Will I have to take any New Deal candidates I am offered?***

No. You will have total control over the selection. Your New Deal vacancy can sometimes be organised through a work trial – a short, risk free period for you to assess recruits while they remain on benefits.

### ***What level of skills or training will the candidate already have?***

That will vary. But the important thing is that the candidate's Personal Advisor will only suggest people to you whom they think are capable of doing the job.

### ***I have shortages of skilled people. How can New Deal help?***

New Deal will help by preparing each person before they join you. Many of the long-term unemployed people who are aged 25 plus already have valuable skills and experience. During their preparation period, they will have a chance to boost or revitalise their abilities knowledge, or to gain skills your business needs through new study and training opportunities.

Many lone parents, too, already have skills and abilities which mean they can make a valuable contribution to your business. From the beginning of 1999 we will be piloting in some areas an arrangement to pay £750 towards the cost of training lone parents once they are in work.

In the case of a young person, New Deal will help by paying you £750 towards the cost of their training, in addition to the £60 a week subsidy.

There is also an arrangement under which you could receive three-quarters of the New Deal funding up front to help meet the early costs of training unemployed people to fill your skill shortages.

In return you would need to give them at least 15 days training in the first eight weeks. The aim is for the job to be long-term whenever possible, but you will need to keep on your recruit for a year at the very least.

***If I take on a young person, do I have to provide training?***

If you take on an employee aged 18 – 24, you will be responsible for training them, either in-house or arranging for them to be trained elsewhere. It is up to you how you choose to arrange it, but the training must be towards a recognised qualification or mapped against the relevant industry standard.

Training could be specific to the job, or it could be improving existing skills, for example from NVQ (National Vocational Qualification), 1 to 2. It could be delivered by a local TEC (LEC in Scotland) or other training provider.

Advice will be available, if you need it, on how to organise the training.

***If I take on a long-term unemployed person aged 25 plus, do I have to provide training?***

You will be expected to offer the person any preparation and training you would normally give a recruit doing that job.

***If I take on a lone parent do I have to provide training?***

As with New Deal for people aged 25 plus, you will be expected to offer the person any preparation and training you would normally give a recruit doing that job. But in certain areas from the beginning of 1999, we will pay £750 towards the cost of their training, along the lines of the arrangements for young people aged 18 – 24.

***What if I am already involved in New Deal for young people, can I get involved in New Deal for people aged 25 plus and New Deal for Lone Parents?***

Yes. There is no limit to the number of people you can recruit through New Deal. The New Deal section at the Job Centre will be able to explain how the New Deals for young people, for long-term unemployed people aged 25 plus and for lone parents work.

## **DATA PROTECTION ACT 1998**

The Data Protection Act 1984 placed obligations on employers who are data users and granted rights to employees as data subjects. The purpose of the Act was to regulate the use of 'automatically processed information, relating to individuals' and to protect the rights of the individuals about whom data is obtained, stored, processed or supplied.

### ***The 1998 Act makes:***

'new provisions for the regulation of the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information'.

It extends the processing of personal data to include certain manual records, grants new subject rights of access and introduces a new category of 'sensitive personal data'.

### ***Rights of individuals***

The 1998 Act provides the following rights for individuals in respect of personal data held about them by others:

- (a) the subject access right, which entitles individuals to a copy of the information which forms the personal data about them by data controllers;
- (b) the right to prevent processing of personal data where it is causing, or likely to cause, substantial damage or distress to the data subject;
- (c) rights in relation to automated decision-taking;
- (d) a right to take action to have inaccurate personal data corrected or erased;
- (e) the right to take action for compensation for damage caused by contravention of the requirements of the Act.

### ***Eight data protection principles***

There are eight data protection principles which are fundamental to the control of the use of personal data. The eighth principle prohibits the transfer of personal data to any country that does not have adequate data protection. The eight data protection principles, which relate to personal data are set out below:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless:
  - a) at least one of the conditions set in Schedule 2 of the Act is met (e.g. the data subject has given his/her consent to the processing); and
  - b) in the case of personal sensitive data, at least one of the conditions set out in Schedule 3 of the Act is met (e.g. the data subject has given his/her explicit consent to the processing of the personal data).

2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose for which they are processed.
4. Personal data shall be adequate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under the Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.



**ASYLUM AND IMMIGRATION ACT 1996 –  
PREVENTION OF ILLEGAL WORKING**

In order to encourage employers to consider applicants' eligibility to work in the UK a criminal offence was created through the Asylum and Immigration Act 1996.

The offence applies to employees who started work on or after 27 January 1997. As a manager you can protect yourself by making certain basic checks before taking on new employees. These must be made in a non-discriminatory manner.

An individual's eligibility to work within the UK can be evidenced by a NI number. The NI number may be supplied by a previous employer, the Inland Revenue, Benefits Agency, the Contributions Agency or the Employment Service. The NI number could be documented in a P45, a payslip, a P60, a NINO card or in a letter issued by one of the government bodies listed above. Please contact Personnel Section for further advice on evidence.

However, if you refuse to consider for a job anyone who looks or sounds foreign, you are likely to contravene the Race Relations Act 1976.

**CALL TO INTERVIEW LETTER**

Please contact:

Your ref:

Our ref:

Date:

**Education**

Civic Centre

Strood

Rochester

Kent ME2 4AU

Telephone: 01634 306000

Direct line: 01634 33

Facsimile: 01634 332848

e-mail: @medway.gov.uk

Director: Education and Leisure– Richard Bolsin

Dear

**Post/s:**

Thank you for your recent application for the above position. I am very pleased to inform you that you have been shortlisted for interview, details are listed below.

Date:

Location:

Please ask for:

Please could you bring to the interview original certificates of any qualifications which are described as essential on the person specification.

We are required by employment legislation to verify candidate's eligibility to live and work in the United Kingdom. I therefore ask you to bring to interview one of the following documents – birth certificate, passport, P45 or P60 – plus a photocopy of the document for retention. I you have difficulty with this please contact me for assistance.

If you have a disability that could cause difficulties for you in an interview situation please let me know as soon as possible, this will be without prejudice to your application. I will then be able to review the interviewing arrangements and, where necessary, make adjustments to ensure that you are not disadvantaged.

***Appointment to this post will be conditional upon receipt of a satisfactory enhanced/standard criminal disclosure. A disclosure application form will be forwarded to the successful candidate with any offer letter.***

***Please note that allegations or concerns made against you of a child protection nature should be disclosed prior or at interview.***

Your interview expenses can be claimed using the Expense form enclosed. Receipts must be provided and attached to all claims for reimbursement.

I should be grateful if you would contact me on the above telephone number and confirm whether you will be attending the interview detailed above.

Yours sincerely

Applicant: .....

Post: .....

1. What is your relationship to the above named person?

2. How long have you known him/her?

3. Please give details of any disciplinary action in the past 2 years. Please include only non-spent warnings.

4. Please give the number of working days lost to sickness and reason for absence in the last 2 years (please state certificated and uncertificated sickness absence separately)

5. Has the applicant's conduct at work been satisfactory? **YES/NO**  
If NO please give reasons

6. Please comment on his/her suitability for the post (job description and Person specification enclosed), together with any other comments you wish to make.

Name: .....  
(please print)

Signed: .....

Dated: .....

# MEDWAY COUNCIL – INTERVIEW ASSESSMENT FORM

Appendix IX

<b>Candidate's Name:</b>		<b>Job title:</b>	
<b>Interviewing Officer:</b>		<b>Interview Date:</b>	

Manager to tick to confirm documentation seen and copies attached:-

Qualifications:

Asylum/Immigration:

Person Specification Criteria	Extent to which the criteria were met.		Comments
	1= Fully	6= Failed	

<b>Appointed:</b>	Yes/No	<b>Salary Offer Made:</b>	£
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<b>Reasons:</b>	
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<b>Signed (Manager)</b>		<b>Date:</b>	
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<b>Signed (Co-Interviewer)</b>		<b>Date:</b>	
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**INTERVIEW UNSUCCESSFUL**

Please contact:

Your ref:

Our ref:

Date:

**Education**

Civic Centre

Strood

Rochester

Kent ME2 4AU

Telephone: 01634 306000

Direct line: 01634 33

Facsimile: 01634 332848

e-mail: @medway.gov.uk

Director: Education and Leisure – Richard Bolsin

Dear

**Post:**

Following your recent interview for the above post, I am writing to inform you that on this occasion you have not been selected for appointment.

I would, however, like to thank you for the interest you have shown and hope that you will find a suitable post in the near future.

Yours sincerely

**Headteacher/Manager**

**APPENDIX XI  
OFFER OF EMPLOYMENT LETTER**

Please contact:  
Your ref:  
Our ref:  
Date:

**Education**  
Civic Centre  
Strood  
Rochester  
Kent ME2 4AU  
Telephone: 01634 306000  
Direct line:01634 33  
Facsimile: 01634 332848  
e-mail: @medway.gov.uk

Director: Education and Leisure– Richard Bolsin

Dear

**Offer of Employment**

Further to your recent interview, I am pleased to offer you the appointment of . Your starting salary will be £ per annum and you will be based at .

This offer is subject to \*receipt of **satisfactory criminal disclosure and** satisfactory medical report and acceptable references.

A formal statement of particulars will be sent to you in due course. Meanwhile, please complete and return to me the enclosed **\*criminal disclosure application form**, health declaration form and new starter form.

I would like to take this opportunity to welcome you to Medway Council.

Yours sincerely

**Headteacher/Manager**

**\*should only be included for those posts subject to *criminal disclosure* and medical report – please delete where not applicable.**



- SAMPLE HEALTH ASSESSMENT QUESTIONNAIRE
- ***SAMPLE CRIMINAL DISCLOSURE APPLICATION FORM***– required for those staff who have substantial unsupervised access to children
- NEW STARTER FORM – PMC 001

<b>Surname</b>		<b>Title</b>	
<b>Forenames</b>		<b>Previous Surname</b>	
<b>Known As</b>		<b>Gender</b>	
<b>Date of Birth</b>		<b>N.I. Number</b>	
<b>Home Address</b>		<b>Home Telephone No.</b>	
<b>Marital Status (Circle only one)</b>	Single Married Separated Divorced Widowed	<b>Ethnic Status (Circle only one)</b>	Asian & White/Asian Other/Bangladeshi/Black African & White/Black African/Black Caribbean & White/Black Caribbean/Black Other/Chinese/Indian/Multi Ethnic Other/Other Ethnic Group/Pakistani/White British/White Irish/White Other

<b>Emergency Contact Name</b>		<b>Emergency Contact Address</b>	
<b>Emergency Contact relationship to employee</b>		<b>Emergency Contact telephone numbers</b>	Home Work

<b>Directorate</b>		<b>Paygroup Reference No.</b>	<b>P0</b> <input type="text"/>
<b>Establishment</b>			
<b>Section</b>			

<b>Bank Sort Code</b>	<input type="text"/>	<b>Bank/Building Society name</b>	
<b>Account Number</b>	<input type="text"/>	<b>Account Name</b>	
<b>Building Society Roll Number</b>			

<b>Post Start Date</b>		<b>Local Government start date (continuous service)</b>	
<b>Post Number</b>		<b>Post Description</b>	
<b>If this is a temporary appointment please provide further information, e.g. Maternity cover / long term sickness</b>			
<b>Service Condition</b>		<b>Place of Work</b>	
<b>Employee status (Circle only one)</b>	Full Time Permanent Full Time Temporary Casual Part Time Permanent Part Time Temporary Relief	<b>Post occupancy (Circle only one)</b>	Casual Direct Labour Established Fixed Term Externally Funded Job Share Relief Seasonal Secondment Temporary Newly Qualified Teacher

<b>Full Time Equivalent Working Pattern:</b>		<input type="checkbox"/>		<input type="checkbox"/>	
(Please tick 1 box only)					
<b>Contracted hours</b>	Standard 37 hours	<input type="checkbox"/>		<b>If a shift pattern is worked, which day of the rota does employment commence (Sunday is day 1)</b>	
	Standard 32.5 hours	<input type="checkbox"/>			
	4 days on 4 days off				
	3 days on 3 days off				
	If different please state below				
<b>Spine point</b>			<b>Employee grade</b>		
<b>EDUCATION SPECIFIC: NON TEACHING STAFF</b>				<b>Projected end date</b>	
<b>You will be taxed at basic rate unless a P45 is attached. Please tick if P45 is attached.</b>	<b>Weeks/Days per year</b>		<b>With or without meal</b>		
<b>Permanent allowances: (Annual Amounts)</b>					

<p><b>Superannuation deductions will automatically be made unless a separate letter is attached to this form stating you do not wish to join the Superannuation Scheme.</b></p> <p><b>Please ensure the non Teaching Super 99 Form is completed and returned with this form, together with a copy of your birth certificate.</b></p>					
<b>What car status does this post attract? (Please tick appropriate box)</b>			Essential	<input type="checkbox"/>	
			Casual	<input type="checkbox"/>	
			Lease	<input type="checkbox"/>	
			None	<input type="checkbox"/>	
<p><b>If the post you have been appointed to attracts an essential user allowance or casual mileage please ensure a copy of your driving licence and insurance certificate proving you are able to drive your car for work purposes, are attached. If these are not attached your allowance will not be paid.</b></p>					
<b>Make of Car</b>			<b>Model of Car</b>		
<b>Registration</b>			<b>Exact cc</b>		
<b>Employee's signature</b>					<b>Date</b>
<b>Line Manager's signature</b>					<b>Date</b>
<b>Print Name</b>					<b>Contact No</b>
<b>Authorised</b>					<b>Date</b>
<b>Print Name</b>					<b>Contact No</b>
<b>Police Check</b>					
Is a Police Check required for this post?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
If yes, does employee hold a current Police Check clearance document?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	If yes please attach a copy
Date Police Check form sent			Date Police Check Received Back		

# EDUCATION SPECIFIC

Employee DFEENumber	Teacher's Superannuation		Please complete the Teacher's Superannuation Form
	Have you made a part time election?		If yes please provide appropriate letter attached?

<b><u>Main Pay Scale</u></b>	<b><u>Post-threshold Pay Scale</u></b>	<b><u>Main Pay Scale</u></b>
Qualification + Experience = Maximum 9 points	The Teacher must have been accepted for threshold assessment and be entitled to a total of 9 points on Main Pay Scale (see Pay & Conditions Document for other criteria).	Post-threshold Pay Scale
Qualification (2 Max) <input type="text"/>		
Experience <input type="text"/>	POINTS	
	<input type="text"/>	
	VALUE	
	£ <input type="text"/>	

<b><u>Management Allowances</u></b>	<b><u>Permanent</u></b>	<b><u>Temporary</u></b>	<b><u>Reason for temporary Allowance:</u></b>
	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
Circle Level of Allowance Awarded	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	End Date if Temporary <input type="text"/>

<b><u>Recruitment and Retention</u></b>	<b><u>Permanent</u></b>	<b><u>Temporary</u></b>	<b><u>Reason for temporary Allowance:</u></b>
	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
Circle Level of Allowance Awarded	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	End Date if Temporary <input type="text"/>

<b><u>Special Needs</u></b>	<b><u>Permanent</u></b>	<b><u>Temporary</u></b>	<b><u>Reason for temporary Allowance:</u></b>
	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	
Circle Level of Allowance Awarded	<input type="text"/>	<input type="text"/>	
	<input type="text"/>	<input type="text"/>	

SALARY TOTAL

**SELECTION PROCEDURES FOR HEADTEACHERS**

**1. Suggested Procedure for Interviews**

- 1.1 Candidates should be seen in alphabetical order.
- 1.2 The Chair of Governors should give a positive lead and ensure that interviews are not unnecessarily protracted. They should not normally exceed forty minutes and if a candidate's answers are excessively long he/she should be asked by the Chair to be more brief in his/her replies.
- 1.3 The Chair should welcome each candidate and introduce him/her to the panel, not by individual name but by group, e.g., Governors, Officers, Members, Advisers, etc.
- 1.4 The Chair should open the questioning, followed where appropriate by:
  - 1.4.1 The Diocesan representative – where appropriate;
  - 1.4.2 The Governors:
  - 1.4.3 The Link Adviser:
  - 1.4.4 The Personnel representative.
- 1.5 It is advisable for the Chair to agree with members of the selection panel the nature of the questions to be asked so as to avoid duplication and unnecessary questioning. Questions must be identified prior to interview and the same questions asked to all candidates. Furthermore, particularly where a large number of Governors are present, it should be emphasised that each is not bound to ask questions. Thus it may be more appropriate for the Chair to determine which of his/her colleagues should be involved directly in questioning and which acting as observers.
- 1.6 The Chair should be aware that questions concerning politics, union membership, religious faith (except in the case of a church school appointment) or questions with a racial or gender bias should not be asked.
- 1.7 The Chair should conclude the questioning by asking candidates if they have any questions and, if they should be offered the post at the end of the day, would they be in a position to accept it.
- 1.8 For more detailed guidelines on the conduct of the selection interview see the Governor's Handbook.

## **2. Analysis of Interviews**

- 2.1 The Chair should ask the Adviser to give his/her professional views on each candidate.
- 2.2 The Diocesan representative (where appropriate) and the Personnel representatives should then be invited to comment.
- 2.3 Open discussion between the Governors should follow and the elimination of any weak candidates should be decided.
- 2.4 Confidential references, if required, should be read at the end.

## **3. Notifying the Candidates of the Outcome**

- 3.1 Where all candidates have left the building, the Chair of Governors will advise all candidates of the outcome and make offer of appointment to the successful candidate following ratification of the Selection Panel's decision by the full Governing Body.
- 3.2 Where there is an acting headteacher on site, he/she should be advised before other candidates.
- 3.3 Where all candidates are on site the Chair and Link Adviser should go to the waiting room. The Chair should invite the successful candidate back to the interview room to be advised of the outcome. Link Adviser will advise unsuccessful candidates.

## **PROCEDURE FOR APPOINTING HEADTEACHERS** **GUIDANCE NOTE**

This guidance note outlines the procedure that governors should follow when appointing a headteacher for their school. It encompasses both good practice and the statutory requirements for appointing heads. The procedure is based on the requirements set out in School Standards and Framework Act 1998, Schedule 16.

<b>Action Required</b>	<b>Responsibility</b>
Confirmation of vacancy (i.e. copy of resignation letter) together with Governors approval to fill post to be sent to the LEA.	Governing Body
If not already done, agree composition of Selection Panel. (Minimum of three governors)*.	Governing Body
Where appropriate, recommend to the LEA a person(s) for appointment as acting head/deputy with specific dates.	Governing Body
Confirm appointment of acting head.	LEA
Review school grouping and consider salary scale for vacant post.	Governing Body
Prepare advertisement, job description, person specification, and further information in consultation with the LEA.	Selection Panel
Agree any special arrangements for interview e.g. written questions, presentations, visits.	Selection Panel
Arrange dates for shortlisting and interviewing in consultation with the LEA.	Selection Panel
Instruct the LEA to advertise the vacancy throughout England and Wales and agree a closing date.	Selection Panel
After closing date, shortlist candidates for interview.	Selection Panel/LEA
If LEA not involved requirement to comment on shortlist within 14 days.	LEA
Invite candidates for interview.	LEA
Send for references and carry out List 99 check on shortlisted candidates. Check qualifications and Asylum & Immigration Act if necessary (eg., NI number).	LEA
Arrange date for Special Meeting of the Full Governing Body to confirm the recommendation of the Selection Panel. The Special Meeting should be held as soon as possible after the interviews.	Governing Body
Prepare interview papers for each member of the Selection Panel and the Director of Education's representative.	LEA
Prior to interview, consider salary to be offered to each candidate.	Selection Panel
Selection Panel to interview candidates and recommend one of the applicants to the FULL GOVERNING BODY for appointment. See above.	Selection Panel

Full Governing Body to confirm (or otherwise) the recommendation of the Selection Panel and notify the LEA accordingly in writing.	Governing Body
Repeat procedure as necessary where no appointment is made.	Governing Body
Notify and debrief all unsuccessful candidates of the result of their application.	LEA
Retain all paperwork for at least twelve months.	LEA
Send contract of employment to successful candidate.	LEA
Commence Induction process	Chair of Govs/LEA

\*It is imperative that all members of the Selection Panel are available for the whole of the selection process.

## Points to Consider

- ❖ The Director of Education or his/her representative is entitled to be present at all stages of the appointment procedure for headteachers and deputy headteachers and to offer advice as appropriate.
- ❖ The Governing Body and the Selection Panel must consider the advice of the Director of Education or his/her representative.
- ❖ In the case of the appointment of a deputy headteacher, the headteacher is also entitled to be present and to give advice to the Selection Panel and the Governing Body.
- ❖ When appointing a Selection Panel, remember that Teacher Governors may be prevented from taking part in the appointment if there is a conflict of interest. This is likely to occur where there is an internal applicant for the head/deputy vacancy; if the internal applicant were to be appointed there could then be a vacancy for which the teacher governor could be a candidate.
- ❖ In order to avoid a delay in confirming the appointment of a selected candidate, it is necessary for the FULL GOVERNING BODY to consider the recommendation of the Selection Panel without delay. Resignation deadlines for serving teachers will need to be considered.
- ❖ The Link Advisers is available to advise Governors on any professional matters relating to the appointment of Headteachers and Deputy Headteachers.

## THE ROLES OF ADVISERS AND PERSONNEL STAFF IN HEADTEACHER APPOINTMENTS

Personnel: when To co-ordinate the process with the Governors and deal with administration required.

Advisers: To be the Director's representative.

Following the outline of procedure for appointing Heads and Deputies – Guidance Note:

### 1. Before the Shortlisting

- ❖ Personnel to provide copies of all applications received for each member of the Selection Panel.

### 2. Shortlisting

- ❖ Shortlisting must have an Adviser and Personnel representative present, with preferably the same people attending interviews.
- ❖ Adviser needs to make it clear to governors which candidates have LEA support.
- ❖ Adviser to be responsible for debriefing applicants not shortlisted.
- ❖ A candidate can only be vetoed if they are not qualified and this needs to happen at the shortlisting stage.

### 3. The Headship Interview

- ❖ Personnel to organise the day, i.e. venue, time, process, timetable.
- ❖ Personnel to have a monitoring role to ensure the process is fair.
- ❖ Personnel to have the opportunity to ask questions and participate in the discussions.
- ❖ Adviser has a duty to inform governors clearly to say if the LEA cannot support the appointment.
- ❖ **Updated interview questions with guidance answers will need to be 'starred' to ensure that certain questions are allocated appropriately. The questions will need to be grouped.**
- ❖ Advisers need to agree and confirm the debriefing information with governors.



**SELECTION PROCEDURES FOR HEADTEACHERS**

**1. Suggested Procedure for Interviews**

- 1.1 Candidates should be seen in alphabetical order.
- 1.2 The Chair of Governors should give a positive lead and ensure that interviews are not unnecessarily protracted. They should not normally exceed forty minutes and if a candidate's answers are excessively long he/she should be asked by the Chair to be more brief in his/her replies.
- 1.3 The Chair should welcome each candidate and introduce him/her to the panel, not by individual name but by group, e.g., Governors, Officers, Members, Advisers, etc.
- 1.4 The Chair should open the questioning, followed where appropriate by:
  - 1.4.1 The Diocesan representative – where appropriate;
  - 1.4.2 The Governors:
  - 1.4.3 The Link Adviser:
  - 1.4.4 The Personnel representative.
- 1.5 It is advisable for the Chair to agree with members of the selection panel the nature of the questions to be asked so as to avoid duplication and unnecessary questioning. Questions must be identified prior to interview and the same questions asked to all candidates. Furthermore, particularly where a large number of Governors are present, it should be emphasised that each is not bound to ask questions. Thus it may be more appropriate for the Chair to determine which of his/her colleagues should be involved directly in questioning and which acting as observers.
- 1.6 The Chair should be aware that questions concerning politics, union membership, religious faith (except in the case of a church school appointment) or questions with a racial or gender bias should not be asked.
- 1.7 The Chair should conclude the questioning by asking candidates if they have any questions and, if they should be offered the post at the end of the day, would they be in a position to accept it.
- 1.8 For more detailed guidelines on the conduct of the selection interview see the Governor's Handbook.

## **2. Analysis of Interviews**

- 2.1 The Chair should ask the Adviser to give his/her professional views on each candidate.
- 2.2 The Diocesan representative (where appropriate) and the Personnel representatives should then be invited to comment.
- 2.3 Open discussion between the Governors should follow and the elimination of any weak candidates should be decided.
- 2.4 Confidential references, if required, should be read at the end.

## **3. Notifying the Candidates of the Outcome**

- 3.1 Where all candidates have left the building, the Chair of Governors will advise all candidates of the outcome and make offer of appointment to the successful candidate following ratification of the Selection Panel's decision by the full Governing Body.
- 3.2 Where there is an acting headteacher on site, he/she should be advised before other candidates.
- 3.3 Where all candidates are on site the Chair and Link Adviser should go to the waiting room. The Chair should invite the successful candidate back to the interview room to be advised of the outcome. Link Adviser will advise unsuccessful candidates.

## **Appointing Newly Qualified Teachers**

Newly qualified teacher (NQT) recruitment focuses on appointments for September. Personnel advertise nationally for NQTs and represent Medway schools at the regional university recruitment fairs as well as organising the Medway teacher recruitment fair. Marketing material is sent to all teacher training colleges in the UK. Schools are able to advertise teaching posts in the Medway teaching vacancy circular. These posts are also advertised on the Medway website and linked to a number of national recruitment websites. Early advertising for NQTs at the beginning of the spring term allows the widest field to apply for posts.

Education Personnel run the NQT 'pool' for primary and secondary student teachers although student teachers can of course still apply directly to individual schools. Personnel will circulate 'pool' applications to schools known to have vacancies through the Medway vacancy circular.

LEA employed NQTs are able to apply for financial help with relocation and new teachers are able to apply for an interest-free loan to help with travel or relocation costs.

## **Induction of Newly Qualified Teachers**

The induction period for NQTs (DfEE circular number 5/99) describes the arrangements for every NQT to complete a period of induction normally for three terms.

Every NQT will be will have an induction tutor who should be a line manager of the NQT. Training is available through the LEA for induction tutor training. NQTs will have a career entry profile from their training college and this will form the basis for initial induction targets although the NQT and induction tutor will agree targets during the period.

Schools should have an induction programme involving a combination of monitoring, support and assessment and build on the NQT's knowledge, skills and achievements.

NQTs are required to teach 90% of a normal timetable. The time released may be used in whatever way is most appropriate to the needs of the NQT and school. It is important, however, that the time is protected, not used simply as non-contact time and distributed appropriately over the induction period.

Medway NQTs will be provided with an induction portfolio to keep a record of their induction. A series of workshops based on generic issues is available throughout the period as are surgeries for NQTs and induction tutors in case the need arises to discuss issues with an LEA officer.

Termly updates on NQT progress are required by the LEA along with a final assessment to indicate whether the NQT has reached the standards set out for induction.

## **Graduate and Registered Teacher Programme**

### **Graduate Programme**

The Graduate Teacher Programme (GTP) enables schools to employ teachers who are not yet qualified and support them through an individual training programme leading to Qualified

Teacher Status (QTS). Potential graduate teachers must have a degree (ideally in an education based or National Curriculum subject) be over 24 years of age and possess GCSE (or equivalent) maths, English and science (if born after 1.9.1979).

The programme is usually organised by a recommending body such as Canterbury Christ Church University College although schools may become their own recommending body.

The recommended body will undertake all administration of the application process and will observe the teacher in the classroom against the qualified teacher status standards as part of an initial needs assessment. The school will provide a mentor for the teacher which can be a considerable time commitment.

The standards that are not met during the needs assessment form the basis of a training programme. This normally lasts for a year although may be reduced for those with considerable classroom experience. During the year the teacher will attend seminars, courses and observe good practice in order that they will meet all standards by the end of the programme. The meeting of standards will be judged by the production of a portfolio. The portfolio will contain details of lesson observations, written assignments, course details etc. that indicate that the teacher has met all standards.

£4000 is made available for the training of the graduate teacher. This sum is managed by the recommending body and all agreed expenses incurred by the recommended body and school such as supply, cost of courses and observations etc should be paid for from this sum.

A training salary of up to £13 000 is available from the Teacher Training Agency (TTA) for all participants of the GTP. Payment of the training grant will be to the school in three equal termly instalments. If the training is for less than a year the amount paid will be proportionately less. The school is entitled to pay more than the £13000 available through the grant. Graduate teachers are paid on the unqualified teacher salary grades.

560 GTP places are available each term although there are unlimited places for school funded applications.

## **Registered Teacher Programme**

The registered teacher programme (RTP) follows a similar route to the GTP but is for those with the equivalent of two years education at higher education level. It is a particularly suitable route for suitable learning support assistants or school technicians to train as a teacher. During the two year programme the registered teacher will continue their studies so that upon gaining qualified teacher status they will also become a graduate. There is no training salary for the RTP but £4000 is available each year to cover training costs. Suitable LSAs can participate in courses at Mid-Kent College or Christ Church Canterbury to give them the minimum qualifications to train as teachers. Further details of the LSA training framework can be found in the learning support training framework document.

## **Supply Teacher Database**

Personnel administer the Medway supply teacher database. This list of suitably qualified teachers are classified by key stage and where relevant subject specialism and geographical area covered is indicated.

In order to qualify for the database teachers must:

- be a qualified teacher (as recognised by the DfEE)
- have at least one year of teaching experience within the last five years or have attended a returners' course
  
- satisfy health and ***criminal disclosure check***
- have two satisfactory references (one of which must be a professional reference from their last headteacher)

Schools will be sent regular updates of the database and headteachers will be asked at intervals to report on quality of teaching of supply teachers they have used from the list.

## **JOB SHARE - GUIDANCE NOTE**

### **1. Definition**

- 1.1 Job sharing is a way of working where two people share the hours and responsibilities of one full-time job between them and receive pay and benefits pro rata to the proportion of the hours which they work. Job share posts are not to be confused with part-time jobs which is where a specific post requires an employee to work less than full-time, and where there is no relationship between their part-time post and any other in the department.
- 1.2 Part-time post will not normally convert to job share since although the posts or duties may be similar there is no shared responsibility. However, there may be full-time posts that have been split between two part-time employees and for whom there is or could be a shared responsibility and duties. Such employees could then apply for a formal job share.

### **2. Jobs Included in the Scheme**

- 2.1 Job share can be applied to all jobs. All posts should therefore be considered suitable unless otherwise indicated. In the case of schools it would be for the Governing Body to determine which posts were unsuitable for job sharing. Governors should establish a policy on job sharing and make it known to staff. The day to day implementation of the policy would then normally be delegated to the Headteacher/Principal.
- 2.2 Reasons for not applying job share arrangements should be job related in order to fall within current interpretation of the Sex Discrimination Act 1976. Education Personnel are available to advise on the interpretation of the legislation and also the council's Policy.

### **3. How Job Shares can be Set Up**

- 3.1 Posts can be shared in a variety of ways:-
  - (i) Two candidates can apply jointly for a vacant post and both be successful;
  - (ii) One successful candidate can be appointed to a vacant post on a job share basis, and the remaining portion would then be advertised;
  - (iii) Two separate candidates can be appointed to a vacant post on a job share basis.
  - (iv) An employee returning from maternity leave who wishes to undertake part-time work can opt to do so in her substantive post as a job sharer, and the remaining portion would then be advertised.
  - (v) An existing post holder can opt to job share and the remaining portion would then be advertised.

## **4. Hours and Work Arrangements**

- 4.1 The particular arrangements for job sharing may vary considerably, depending on both the type of work and the individuals concerned.
- 4.2 Hours - there are no formulae laid down and hours can be organised to suit both the service and the employee. Arrangements for covering the hours of work and the allocation of particular duties must be mutually agreed with the individuals concerned and confirmed in writing. Below are some examples of how the hours may be divided:-
- (i) Split day - one partner works mornings every day, the other afternoons.
  - (ii) Split week - one partner works first half of the week, the other the second half.
  - (iii) Alternate week - one partner works one week, the other the next.
  - (iv) Alternate days - partners work alternate days and share one day.
- 4.3 Headteachers/Principals should consider that wherever an arrangement of work hours is being settled, the hours/days/weeks agreed with each job sharer should form a sufficiently viable package to attract new applicants should one half of the job share need to be advertised. This should be clearly explained to potential job sharers at the earliest possible time.
- 4.4 The need for and length of any overlap period between partners will depend on the type of work concerned. Any overlap should be contained within the hours laid down for the established post. Where the requirement of the service is for cover throughout every working day and an overlap period is necessary, overtime should be paid or time off in lieu granted. In the case of teachers where overtime, or time off in lieu is not practicable, the provision for an overlap period if required must be built into the contracted hours for each job sharer. Teachers' contracts should specify the precise times that attendance is required. Any additional costs arising out of an overlap period must be contained within the budget of the school concerned.

## **5. Duties and Responsibilities**

- 5.1 There are no rules or preferred options. The duties and responsibilities of each post may be analysed and the sharing may take several forms. The aim is that the best method is adopted to ensure efficiency. Therefore division may be into projects, tasks, clients or merely time. It is important that the method of working and division of duties is clear and acceptable to all concerned.
- 5.2 Great care should be taken not to confuse working arrangements with the job description. The latter is what is being shared, and although the duties may be divided, the overall responsibility will be shared. The partners should always be in a position to claim that at some time each had fulfilled the duties and responsibilities of the whole post. Without this understanding it would be possible for one partner to monopolise the most prestigious part of the work.
- 5.3 Job sharers will be individually responsible to immediate line management for their own duties and attendance.

## **6. Adjustments to Working Arrangements**

- 6.1 These should be handled with care and sensitivity using the same principles as for full-time workers who would not expect their working patterns to be changed without full consultation.
- 6.2 Where one partner may be absent from work for any reason, there is no contractual right of management to expect the other partner to cover.
- 6.3 Where one partner has been approached and agrees to cover for an absent colleague, if the time over and above contractual hours is involved, the extra time should be paid as overtime at the appropriate overtime rate ('additional hours' rate in the case of teachers) or time off in lieu granted. If the hours are merely exchanged, then there would be no salary adjustment necessary. These arrangements must be agreed in advance with the Headteacher/Principal.
- 6.4 Headteacher/Principals should be aware that where changes to child care arrangements for example are necessary, additional expenses may be incurred, and it would be unreasonable for job share partners to be willing or indeed able to change those arrangements at short notice.

## **7. Accommodation Problems Arising from Job Share**

- 7.1 Where the sharers have divided the hours and working arrangements in such a way that they do not work at the same time, or where overlap periods are less than half the day, one standard desk should be all that is necessary plus an extra chair. Where a full-time week is concentrated into a lesser number of days and the partners are working simultaneously for a more substantial part of the time, facilities should be provided to allow both sharers to function effectively.
- 7.2 Where difficulties arise in providing accommodation, discussions should take place with those concerned to see if the difficulties can be overcome.
- 7.3 Personal demands for additional facilities on the basis of incompatibility of working habits should be discouraged. Such problems, if they arise, should be overcome by counselling and the encouragement of good working practices rather than by automatically allocating extra desks and cupboards which may lead to unnecessarily overcrowded accommodation and underused equipment.

## **8. Recruitment and Selection**

- 8.1 Advertisements should state that all posts are open to job share, except where exceptions have been agreed (see Paragraphs 2.1 and 2.2).
- 8.2 Applicants for an advertised post would be considered within the normal selection process, and it is recommended that this should be in line with the Council's Equal Opportunities Policy.
- 8.3 Applicants who wish to be considered for job share should be treated exactly the same as all other applicants and should not be excluded from shortlists, interviews or final selection because they have applied on this basis.

- 8.4 All applications should be considered in the following way:-
- (i) each candidate's application is considered in line with the person specification;
  - (ii) each candidate is interviewed individually to assess ability to carry out the job. Where a candidate has expressed a desire to job share it should be ascertained at the end of the interview their preference for hours;
  - (iii) each interviewer should make their own assessment with reasons/evidence at the completion of all the interviews;
  - (iv) the panel should consider each candidate in turn, sharing their assessment and coming to an agreed panel assessment on each;
  - (v) the panel should then examine the pattern of scores and agree on the final rating and selection.
- 8.5 Where the selected candidate has requested job share the panel should consider whether there is another recommended suitable candidate who also wishes to job share who could be appointed to the other half of the job.
- 8.6 If the selected candidate has applied as part of a joint job share then it would be reasonable to discuss the application of their joint job share partner first, providing they are recommended as suitable for appointment, since their hours of working would obviously match. There is however no obligation to recruit the job share partner and equal consideration must be given to other suitable job share candidates and a final decision made on the basis of merit and compatibility of hours.
- 8.7 If at the final selection stage there is some doubt as to the compatibility of hours of potential job sharers then it may be necessary to obtain information regarding hours available before a final offer can be made. Every opportunity should be given to potentially suitable job sharers to discuss whether their hours can be adjusted to fit together.
- 8.8 When job sharers are selected for the same post they should be given the opportunity to meet, together with the Headteacher/Principal, to agree working arrangements.
- 8.9 If there is no suitable job sharing partner then the resultant job share vacancy should be advertised.

## **9. Requests from Existing Employees to Job Share**

- 9.1 Job sharing should be open to all employees whose job is considerable suitable for job sharing arrangements. Existing employees may request to job share their own posts.
- 9.2 At least one term's notice must be given and Headteachers/Principals should give a written reply within three weeks. This is sufficient time to examine how the duties and responsibilities could be organised and what working arrangements would be

best. The advertising procedures should be activated as soon as this decision has been made.

- 9.3 Sympathetic consideration may be given to emergencies and it is open to the employee or management to reduce or extend the notice period by mutual agreement. Commencing job share should not depend on a partner being found. For teachers job sharing must commence at the beginning of a term. Mid-term changes will not normally be possible.
- 9.4 If two individual employees doing the same job on the same grade request to job share one job a joint application should be made to the Headteacher/Principal. The resultant vacant post would then be advertised.
- 9.5 Joint request from existing staff wishing to reduce their hours by sharing one job can only be agreed where this would not involve a promotion. If an applicant in a higher graded post (or for teachers, a post with a management allowance) wishes to share their job with someone at a lower grade the other half of the job must be advertised and the lower graded member of staff may apply. Where an existing member of staff moves to a lower graded position on a job share basis the former salary is not protected.

## **10. What happens when job sharers leave?**

- 10.1 In the event of one job sharer leaving or not wishing to continue in the job sharing partnership, the hours of work previously undertaken by that person shall be offered to the remaining job sharer on a full-time basis. If this is not acceptable the vacancy should be advertised on the basis of agreed working arrangements. Teachers may only terminate job sharing arrangements at the end of a term.
- 10.2 Pending the new appointment, Headteachers/Principals should consider in consultation with the remaining job sharer what alternative arrangements may be required. This might include the remaining job sharer covering part of the duties of the job until a new appointment is made or appointing a temporary employee to ensure that the duties of the job are covered.
- 10.3 If no suitable job sharing partner is found after the first advertisement then the post should be re-advertised. In the event of a job remaining unfilled the remaining job sharer's employment will come to an end.

## **11. Conditions of Service**

- 11.1 There are a number of basic principles which apply to the operation of the scheme.
- (a) Conditions of service applicable to full-time employees apply to job sharers pro-rata to hours worked, with the exception of those which apply regardless of the number of hours worked.
- (b) Entitlements for which employees qualify by length of service e.g. sick pay, long service leave, maternity leave are calculated individually and where appropriate on a proportional basis, according to the number of hours worked.

## 11.2 Contracts of Employment

Each partner to a job share will hold an individual contract of employment. The post holder's job title will be that given to the established post with the endorsement (job share). In the case of existing staff who job share they will each require a new contract of employment. The job description issued will be that prepared for the established post.

## 11.3 Probation

A job sharer whose suitability for employment is subject to the satisfactory completion of a probationary period shall be assessed in the same way as a full-time employee.

## 11.4 Hours

The total maximum number of hours to be covered by a job sharing partnership shall be the normal full-time equivalent to the job.

## 11.5 Pay

In the case of non-teaching employees the rate for the job will be paid for hours worked to each job sharer.

The starting pay of each non-teaching job sharer shall be the minimum of the grade or where applicable in accordance with the usual starting salary formula, and then calculated as a proportion based on the number of hours per week and weeks per year worked by that person. It is therefore possible that job sharers in the same post, and working the same hours, will not receive the same pay, although they will be on the same grade.

Teachers will be paid for the appropriate proportion of the week in line with the arrangements for part-time staff (e.g. 0.5), but similarly, an individual's position on the Standard Scale may be different to the job share partner.

## 11.6 Overtime

Where non-teaching sharers work beyond their normal hours but not outside the normal working day, sharers are to be paid for the extra time on normal rates or to take time off in lieu. Sharers are to be paid on overtime rates only where they work beyond the full time working day or where they work unsocial hours.

## 11.7 Superannuation

Prospective job sharers are strongly advised to check the effects on their superannuation provision before committing themselves to working less than the normal week as this may well affect their superannuation entitlements.

## 11.8 Annual Leave (Not applicable to Teachers)

Entitlement to annual leave (including extra statutory days and locally agreed additional days) shall be proportional to the number of hours worked in relation to the normal working week. The entitlement, normally calculated in working days shall be converted to an entitlement in working hours in order to avoid any confusion which may arise due to complex working arrangements. There shall be no restriction on job sharers taking annual leave at the same time, subject to the normal provisions which apply to full-time employees in this respect e.g. effective running of the service.

## 11.9 Public Holidays (Not Applicable to Teachers)

The benefits of public holidays should be equally distributed between job sharers regardless of which days they work.

Where an establishment is physically closed on a public holiday which falls on a day when neither job sharer normally works, the job sharers should cover the remainder of that working week on a proportionate basis.

## 11.10 Sick Leave/Maternity Leave

Entitlement to sick leave/maternity leave shall be based on reckonable length of service calculated on an individual basis and payments shall be made on a proportional basis according to the number of contractual hours worked.

Normal self-certification or requirement of a Doctor's certificate will apply according to the number of calendar days sickness involved.

## 11.11 Hospital and Medical Appointments

Since one of the advantages of a job sharing scheme is that job sharers are usually able to make arrangements for medical appointments and other appointments outside working hours it would be unreasonable to abuse the scheme by not doing so. However, it is recognised that some clinics and surgeries take place on set days of the week and these days may be working days for the job sharer

## 12. In-Service Training

12.1 This must be allocated on an individual and not pro rata basis. Job sharers shall have normal access to internal/external courses. Requests from job sharers for release facilities to study an appropriate and recognised qualification will be considered on the same discretionary basis as for full-time employees.

12.2 Headteachers/Principals should also consider carefully when it would be beneficial to the service or the employee to train job share partners simultaneously. Overtime or time off in lieu provisions may be necessary for non-teaching staff, whilst teachers may need supply cover.

13. Declaration of Interest in Job Sharing by Applicant for Post

- 13.1 All jobs should be open for job sharing unless otherwise stated and employees may request to share their own posts.

Headteachers/Principals should recognise that any applicant short-listed for interview may be a potential job sharer.

- 13.2 There is no requirement on the application form for a statement of intent. Many potential applicants for fear of prejudicing their chances of obtaining a post, may leave this declaration until after an offer of appointment has been made. Therefore it is recommended that further particulars sent to applicants contain a statement to confirm whether or not the post is open to job sharing, that posts are allocated to the person with the best ability to do them, and interviewers may ask candidates whether they intend to job share.

- 13.3 Candidates seeking advice on whether or not to declare their intentions before or at interviews are recommended to be open but must not be discriminated against as a result.

14. Complaints

If anyone has reason to believe that they have been discriminated against on the basis of wishing to job share including recruitment or their application to job share, a written complaint should be made to the Headteacher/Principal with a copy to the Director of Education. Appropriate arrangements will then be made for the complaint to be investigated.

## FIXED TERM AND TEMPORARY CONTRACTS

### GUIDANCE NOTES

#### 1. Types of Contracts

- Fixed Term:** A contract for a specified term with a fixed end date.
- Temporary:** A contract which does not have a specified end date (see "fixed term" above) nor is related to a specific piece of work (see "performance" below) but the employer does not intend it to be "permanent".
- Performance:** A contract for a specific task or piece of work with no specified duration.

#### 2. Using Fixed Term and Temporary Contracts

The following are examples of the circumstances in which it would be appropriate to use these types of contracts.

- Fixed Term:** Where the need for the job is temporary and there is an identified date when it will end, e.g. the end of a school term;  
To work on a specific project or task that is time limited;  
Seasonal work for a defined duration;  
Jobs which are dependant on external funding which is time limited;  
Where there is a need to cover work for a defined period pending the outcome of a review/reorganisation.
- Temporary:** To cover for the absence of permanent employees e.g. maternity, long term sickness;  
To cover a vacancy, pending a permanent appointment;  
To respond to fluctuating work loads;  
Seasonal work where the exact duration is unknown;  
Where there is a need to cover work pending the outcome of a review/reorganisation but the exact duration is unknown.
- Performance:** To complete a specific task/project, e.g. cut down trees;  
Where the need for the contract will expire on the future occurrence of an event, e.g. to provide support services to a specific special needs pupil which will terminate when the need for support ceases;  
Where the continuation of the contract is dependent on the non-happening of a future event, e.g. the contract will subsist only as external funds are provided for it.

### 3. Length of the Contract

- Fixed Term:** There are no minimum or maximum periods, it is for the employer to determine and the employee agree. There must be a defined duration stated.
- Temporary:** There are no minimum or maximum periods but the reason for the temporary nature and the anticipated duration must be stated.
- Performance:** There must be no reference to a specified duration. It should be stated that the contract will expire upon completion of the task/occurrence of event.

### 4. Statutory Rights

- Fixed Term:** Statutory rights which accrue according to the length of continuous service apply to employees on fixed term contracts in exactly the same way as permanent employees. For example:
- right to a written statement of the main terms and conditions of employment not later than 2 months from the start of employment;
  - right to claim unfair dismissal after 1 years' continuous service;
  - right to a redundancy payment after 2 years' continuous service (but see Waiver Clauses below).
- Temporary:** Statutory rights accrue in the same way as permanent employees (see above).
- Performance:** Statutory rights will accrue except that the termination of the contract upon completion of the specified task/occurrence of event will not be a dismissal. No notice is required, there will be no entitlement to claim unfair dismissal or to a redundancy payment.

### 5. Contractual Terms

- Fixed Term ):  
Temporary )  
Performance)** The terms and conditions of employment should be equivalent to that of permanent employees.
- The Working Time Regulations require a minimum of 20 days paid annual leave, including public and statutory holidays (pro rata for part-time) to be given for a contract of 13 weeks or more.

## 6. Waiver Clauses

These may be used in respect of fixed term contracts only. Where the contract is for two years or more the employee may agree in writing, as part of the contract, or separately, and either at the beginning of the contract or before it expires, to waive his/her rights to a redundancy payment. Waiver clauses are valid only on the expiry of the fixed term, not if the contract is terminated at an earlier date.

If the contract is extended or renewed the waiver clause will continue to be valid if the contract is truly an extension of the original one, i.e. it is identical in all respects. If the contract is a new one, i.e. on terms which differ from the original, a new waiver clause will need to be included. The contract must be for a minimum duration of two years for the waiver clause to be valid.

## 7. Continuity of Employment

### **Fixed Term ): Temporary )**

Employees establish continuity of employment for every week, ending on a Saturday, during which they are employed under a contract of employment. Continuity will be broken by any week, ending on a Saturday, during which there is no contract of employment. However, continuity of employment may be preserved between successive fixed term contracts, even where there is a gap, if that gap represents a "temporary cessation of work" or the employment is regarded as continuing "by arrangement or custom". Whilst it is difficult to be precise, general tests are:

have there been a succession of contracts with gaps between them spanning a number of years?

Is there an expectation the contract will continue?  
Is the time when the employee has been working significantly greater than the gaps?

If the answer to these is "yes", continuity is likely to be established and statutory/contractual rights and entitlements will apply accordingly. Any attempt to contract out of such rights, other than through the proper use of waiver clauses (see 6 above), will be void.

### **Fixed Term:**

If a fixed term contract expires by reason of redundancy (see Termination below) and a new contract is made after the termination date, continuity will be broken. If, however, the new contract is offered before the expiry of the old one, to commence within four weeks of the termination date, then there will be no dismissal and continuity will be maintained.

## 8. Renewal

### **Fixed Term:**

There is no obligation to renew or extend a fixed term contract. Where any such offer is made, the terms should be clearly stated, including the new end date. If the terms differ in whole or in part the offer should be presented as a new contract, with a new waiver clause included where appropriate (provided the new contract is of the required duration). If the new contract follows on from an existing contract, continuity of employment will probably be maintained.

### **Temporary:**

Any offer to extend an existing temporary contract or offer a further temporary contract, should be made in writing, re-affirming the temporary nature of the employment. The terms and expected duration should be stated, particularly where this differs from the original contract. Continuity of employment may be maintained, even where it is a different job with the same employer, and statutory/contractual rights will accrue accordingly.

Where it is decided to establish a permanent post which has previously been undertaken on a temporary basis, there is no requirement to give the temporary employee any preferential consideration. However, any decision not to appoint them should be properly justified by objective reasons.

## 9. Termination

### **Fixed Term:**

The expiry and non-renewal of a fixed term contract constitutes a dismissal in law. The reason for dismissal is likely to be either redundancy (where the need for the work has diminished or come to an end) or for "some other substantial reason". If the reason is redundancy then the normal consultation requirements apply and the employee may be entitled to a redundancy payment, unless a valid waiver clause is operative. There is no requirement to give notice where the termination occurs at the expiry of the fixed term. However, the ability to terminate at an earlier date by the giving of notice should be provided for in the contract, otherwise, if no such clause is included, the employee will be able to claim wrongful dismissal. Any dismissal on grounds of conduct or capability should be dealt with through the appropriate procedure.

- Temporary:** The termination of a temporary contract is a dismissal in law and the relevant statutory employment protection provisions apply. Any claim for unfair dismissal can be best avoided by ensuring the employee is clearly advised, in writing, that the contract is temporary, the reasons for this, and the circumstances which will bring it to an end. The reason for dismissal is likely to be some other substantial reason, e.g. the return from maternity leave of another employee. Any dismissals for conduct or capability should be dealt with through the appropriate procedure.
- Performance:** Termination of the contract will occur on completion of the specified task and will not be a dismissal in law. There is no requirement to give notice of termination.
- NB** The European Commission has recently adopted an agreement on the use of fixed term contracts which provide measures to ensure that workers on such contracts are treated no less favourably than permanent workers and that there should be controls on the use of fixed term contracts. This must be implemented by the end of 2001. The above guidance may therefore be subject to change in the light of this.

## MEDWAY COUNCIL - Rehabilitation Of Offenders Act 1974 Treatment Of Ex-Offenders - Information For Candidates

### Introduction

At Medway Council we aim to promote equality of opportunity for all with the right mix of talent, skills and potential, and welcome applications from a diversity of candidates. Criminal records will only be taken into account for recruitment purposes when they are relevant to the post for which you are applying. Otherwise, consideration for employment will be on merit and ability.

### Details of Criminal Records

*Under The Rehabilitation of Offenders Act 1974, job applicants do not have to disclose information on certain convictions after a set period of time, ie when they become 'spent'.*

*We ask for details of any unspent criminal convictions you may have. If you have an unspent criminal conviction we will look at it in relation to the job you have applied for before making a decision. We will treat it in the strictest confidence.*

*However, there are specific job categories which are **exempt** under the provisions of the Act. This means that **you must declare** 'spent' or 'unspent' convictions for work in these categories. Failure to disclose any 'spent' or 'unspent' convictions may result in an offer of employment being withdrawn. If already appointed, you could be dismissed without notice. If you are applying for a job in any of the following categories, you **must** disclose all details of any cautions, reprimands, formal warnings or criminal offences:*

- *Work involving any access to children, for example, school based staff, youth Service etc., or work involving the provision of services to persons under the age of 18 which includes social services, care, further education, leisure and recreational facilities and the provision of accommodation as defined as a regulated position.*
- *Work involving the provision of social services to persons:*
  - *over the age of 65;*
  - *suffering from serious illness or mental disability of any description;*
  - *addicted to alcohol or drugs;*
  - *who have a sensory impairment;*
  - *who are substantially and permanently disabled by illness, injury or congenital deformity.*

*Any information which you may give will be strictly confidential and will be considered only in relation to this or similar exempted jobs within the Council, for which you may be considered.*

### Criminal Disclosure Checks

In addition to you volunteering any information, all appointments to the above posts are subject to a criminal disclosure, and will only be made upon receipt of a satisfactory disclosure. The CRB standard and enhanced disclosure will detail cautions, reprimands and formal warnings, as well as convictions. If the post is subject to an Enhanced Disclosure, other relevant non-conviction information is disclosed such as police enquiries and details of any prosecutions pending.

The advert specifies which level of disclosure check will be required for the post you are applying for. There are three types of check, these are:

**(1) Basic Disclosure:** (to be introduced after 2002) which can be issued to any individual on request, subject to confirmation of identity, which will reveal only **unspent** convictions.

**(2) Standard Disclosure:** will reveal any spent or unspent convictions, as well as caution, warnings and reprimands and for those applying for a childcare position, whether the person is included on the list of those considered unfit to work with children held by the DfES (Department for Education and Skills).

**(3) Enhanced Disclosure:** issued to those who are applying for posts exempt under the Rehabilitation of Offenders Act 1974, and who will be working in positions which entail regularly caring for, training, supervising or being in sole charge of persons under 18, or in positions which are specified in Regulations made under the Police Act as working with "vulnerable" adults. An Enhanced Disclosure will disclose other non-conviction information such as police enquiries and details of any prosecutions pending.

### Subsequent checks

Further criminal disclosure checks will be obtained at three yearly intervals whilst the employee remains in a relevant post. If a criminal record is subsequently disclosed an investigation will be carried out to ascertain whether the employee is suitable for continued employment in the post.

### Treatment of Ex-Offenders

In order to ensure the proper use of disclosure information the council has a policy on the recruitment and treatment of ex-offenders. The main principles are detailed here but a full copy is available on request to HR Services, Medway Council, Civic Centre, Strood, ME2 4AU.

### Security of Disclosure Information

In accordance with the Criminal Records Bureau Code of Practice, the council has a policy for ensuring this information is held confidentially and securely. A copy is available on request from the above address.

If a disclosure is issued and an individual wishes to query the accuracy, it is possible to do so through the Criminal Records Bureau.

The CRB Code of Practice is published on the CRB website ([www.disclosure.gov.uk](http://www.disclosure.gov.uk)). Alternatively a copy is available on request from HR Services.

### Rehabilitation Periods

The following sentences are deemed as never being 'spent' and **must** be declared regardless of what type of job you are applying for:

- ◆ imprisonment for life;
- ◆ imprisonment, youth custody, detention in a young offenders institution, or corrective training for a term exceeding 30 months;
- ◆ preventive detention;
- ◆ detention during Her Majesty's pleasure or for life under s.205(2) or (3) of the Criminal Procedure (Scotland) Act 1975, or for a term exceeding 30 months passed under s.53 of the Children and Young Persons Act 1993 (young offenders convicted of grave crimes), or under the Act of 1975 (detention of children convicted on indictment), or a corresponding court martial punishment;
- ◆ custody for life.

Cautions, reprimands and formal warnings are considered 'spent' immediately they are given. However, for the posts requiring a criminal record disclosure, all spent convictions are required to be disclosed regardless of the fact that they became spent immediately. Having an 'unspent' conviction will not necessarily bar an applicant from employment, this will depend on the circumstances and nature of the offence (s).

The Following List includes sentences which are subject to rehabilitation under the Rehabilitation of Offenders Act

Type of sentence imposed On adults aged 18 years and over at the time	Number of Years (from date of conviction) Before Conviction Becomes 'Spent'
Imprisonment or detention in a young offender institution (previously known as youth custody) between six months and two and a half years	10 years
Imprisonment or detention in a young offender institution (previously known as youth custody) for six months or less	7 years
A fine or any other sentence for which a different rehabilitation period is not provided (eg a compensation or community service order, or a probation order received on or after 3 <sup>rd</sup> February 1995)	5 years
An absolute discharge	6 months

Except an absolute discharge, all periods above are **halved** if the person convicted was **under 18** at the time. If you were under 18 and received a probation order on or after 3<sup>rd</sup> February 1995, the rehabilitation period is two and a half years or until the order expires – whichever is the longer.

In the past, there were sentences that could be imposed **only on young people**. The rehabilitation periods for sentences like this are as follows:

Type of sentence imposed On young people aged under 18 years at the time	Number of Years (from date of conviction) Before Conviction Becomes 'Spent'
Borstal	7 years
Detention Centre	3 years
An order for custody in a Remand Home or an Approved School order	1 year after the order expires

Some sentences like this carry **variable rehabilitation periods**.

Type of sentence imposed On young people aged under 18 years at the time	Number of Years (from date of conviction) Before Conviction Becomes 'Spent'
A probation order received before 3 <sup>rd</sup> February 1995, a conditional discharge or a bind over	1 year, or until the order expires (whichever is longer)
A care order or supervision order	1 year, or until the order expires (whichever is longer)
An Attendance Centre order	1 year after the order expires
A Hospital Order ( with or without a restriction order)	5 years, or two and a half years after the order expires (whichever is longer)

In Scotland, supervision requirements made by Children's Hearing have the same rehabilitation periods as care or supervision orders.

Rehabilitation periods for people from the armed services are the same as civilians, except for specific service offences as follows:

Type of sentence imposed On young people aged under 18 years at the time	Number of Years (from date of conviction) Before Conviction Becomes 'Spent'
A sentence for cashiering, discharge with ignominy or dismissal with disgrace from Her Majesty's service	10 years
A sentence of dismissal from Her Majesty's service	7 years
A custodial order under the relevant schedules and sections of the Army, Air Force and Naval Discipline	

Acts – where the maximum period of detention specified in the order is <b>more than six months</b>	7 years
A sentence of detention in respect of a conviction in service disciplinary proceedings	5 years
A custodial order under the relevant Schedules and sections of the Army, Air Force and Naval Disciplines Acts – where the maximum period of detention specified in the order is <b>six months or less</b>	3 years

The periods are **halved** if the offender was **under 18** at the time.

## **Assessing the relevance of criminal records**

In assessing a candidate's (with a criminal record) suitability for employment, depending on the nature of the job and the details and circumstances of any convictions, the council will take into account their skills, experience and conviction circumstances and weigh it against the element of risk for the job. For example, paedophile, or child pornography offences would disqualify anyone required to work with children; some violent offences would be relevant to positions involving unsupervised contact with the public, fraud would be considered in relation to posts involving the handling of money, and theft in relation to posts involving the handling of stock. These are a few examples and the list is not exhaustive.

Whilst it may not be possible to carry out a complete assessment on each individual, the Council will ensure that the following issues are taken into account when assessing the suitability of an applicant with a criminal record for a vacancy.

- the seriousness of the offence and its relevance to the safety of other employees, customers, clients and property;
- the length of time since the offence occurred;
- any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example the influence of domestic or financial difficulties;
- whether the offence was a one-off, or part of a history of offending;
- whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely;
- the country in which the offence was committed, some activities are offences in Scotland and not in England and Wales, and vice versa;
- whether the offence has since been decriminalised by Parliament;
- the degree of remorse, or otherwise, expressed by the applicant and their motivation to change.

**If it is the case that following a criminal disclosure check, information provided by the Criminal Records Bureau contradicts that provided by the applicant, this will be discussed as part of a post-interview process with the applicant and recruiting manager.**

### **Existing Employees**

*In cases where someone has been employed, and during the course of their employment it is discovered that they have failed to disclose an 'unspent' conviction, this will not necessarily lead to dismissal. Existing employees should read the relevant statement in the Council's Working for Medway Guidelines for Staff. Only after a full appraisal of the situation, including the risks involved, will dismissal be considered. It will first be established whether the criminal record is relevant to the post. If an employee deliberately withholds or has withheld criminal record information to gain employment, appropriate disciplinary procedures should be considered. Where it is considered there is a significant risk, the employee may be redeployed to a more*

*suitable job. Evidence of previous convictions will not be used to dismiss a person for other reasons, including poor job performance.*

**HR Schools  
Recruitment & Selection Code of Practice  
Updated 01/06**