



VISITING SPEAKERS' POLICY

SUMMER TERM 2024

RENEWAL DATE: Summer 2025

CONTENTS

Policy Statement

Visiting Speakers' Request Form/Checklist

Employment status - employed or self-employed?

Guidance for engaging individuals

Guidelines and questionnaire for schools

Supplier employment status questionnaire – schools

APPENDIX

Appendix 1 Visiting Speakers' Request Form/Checklist

Appendix 2 Supplier Employment Status Questionnaire - Schools

CHANGES

November 2016 Policy adopted from PCC guidelines and approved by the Board of Trustees

May 2017 Amendments to Supplier Employment Status Questionnaire approved by the Board of Trustees, in line with new guidance from HMRC

May 2021 Reviewed and minor amendments made

July 2024 Taken out employment status section, as this is included elsewhere in financial policies across the Trust.

POLICY STATEMENT

Discovery Multi Academy Trust (the MAT) pays full regard to current DfE guidance 'Keeping Children Safe in Education 2023' and 'The Prevent Duty' (2016). We ensure that all appropriate measures are applied in relation to everyone who works in the MAT who is likely to be perceived by the children as a safe and trustworthy adult, including volunteers and staff employed by contractors.

Together with the MAT's Safeguarding Policy this document provides information on the procedures that are followed when visiting speakers come to each academy.

The following actions are undertaken:

- Any visiting speaker invited by the school needs approval by the Head of School. For this process, a clear understanding must be had as to why this speaker has been chosen, what they will discuss with the children and whether safeguarding checks have been made;
- A Visiting Speakers' Request Form (Appendix I) should be completed by the member of staff as soon as possible and provided to the Head of School, which will contain information about the content of the presentation;
- On arrival the visitor will be asked for ID which includes a valid DBS. All visitors are requested to read our safeguarding notice and Section I of 'Keeping children safe in Education 2023'. If there is not a valid DBS then the visitor must be accompanied at all times; the visitor will then be given a colour coded lanyard indicating this.
- If there are any concerns about what a visitor has said or done, during their time in school, then these should be passed on to the Head of School immediately.

The Head of School should determine the employment status of the visitor and should follow the appropriate financial procedures set out by the Trust. This process will determine the basis on which the visitor is engaged and paid.

WHAT TO DO NEXT

Schools have adopted a two-stage procedure to define the employment status of a service provider. This consists of a written Employment Status Questionnaire (ESQ) which needs to be completed by the Head of School with information from the proposed service provider - both parties sign the completed document. This is then used by the Head of School to carry out an on-line employment status check on the HMRC website using the Employment Status Indicator (ESI) tool. The ESQ has been designed to ask the key questions that the HMRC use in determining employment status of individuals undertaking specific work. The answers cannot be taken as conclusive evidence of employment status and further information may be required.

The answers provided in the ESQ, together with other factors including the terms of the planned contract for these services and the type of duties to be performed, will assist you in

completing the HMRC's online Employment Status Indicator (ESI) tool. The ESI tool will determine whether the status is *employed* or *self-employed*. (Both completed documents need to be kept in an accessible place as they will be audited periodically.) If the employment status has been determined as:

- **Self-employment** - you can follow the usual purchasing process. If applicable, future payments to this individual for the same kind of work would also be paid without deductions. If this becomes on-going then the status is likely to change to one of employee.
- **Employee** - you should go through the normal recruitment processes, subject to the usual budget and establishment requirements. Payment will be made via payroll with the deduction of tax and NI.

APPENDIX I: VISITING SPEAKERS' REQUEST FORM/CHECKLIST

Name of class teacher organising the speaker:

Name of speaker: _____

Topic/Event it is linked to/Year Group:

What they are going to discuss:

Discussed the visitor with the Head of School: Yes/No

Visitor name: _____

Company: _____

Address:

DBS Number: _____

If the visitor is charging the school, an Employment Status Questionnaire must be completed (see attached guidance and questionnaire).

Visitor approved by the Head of School: Yes/No

Name Head of School

Signed

On arrival at the school, ID must be shown to the office, as well as the DBS (if needed) and the safeguarding guidance notes (at the office) and Section I of 'Keeping children safe in Education 2023' are read.

Any concerns about what the visitor has said or done, during their time at school, must be reported to the Head of School immediately.

APPENDIX 2: SUPPLIER EMPLOYMENT STATUS QUESTIONNAIRE - SCHOOLS

This questionnaire will be used to assist in determining the employment status of individuals engaged by schools, which is important in ensuring the correct application of Income Tax and National Insurance in line with HM Revenue & Customs' guidance - see www.hmrc.gov.uk/employment-status

An individual who is sourced to carry out work may be classed as either:

- Employed
- Self-employed
- Sub-contractor in the Construction Industry Scheme

Details of School Engager

Name of Engager [print name]

Name of School

About the Individual/business

Name of individual or business

Address:

Telephone:

Email:

Nature of business:

Business registration [if applicable]

VAT registration number [if applicable]

Date business started trading

Does the business meet the definition of a Personal Services Company?

Yes No

* The generally accepted definition of a PSC is a limited company that typically has a sole director, the contractor, who owns most or all of the shares and undertakes the work.

Do they have the expense of running an office? Yes No

Are they or have they been employed by the school? Yes No

If so, what differences are there, if any, between the roles?

Do they operate a business bank account? Yes No

Is an annual return filed with HMRC? Yes No

Do they employ any staff [if yes how many]? Yes No

Business Activities

What will they be doing for the school?

Give brief details:

Please provide answers to the following questions about the work they will be doing

Will a written contract or similar be in place for these services? [If yes, save a signed copy with this document] Yes No

Under the terms of their contract are they obliged to provide someone else to carry out the work if they cannot OR will they have to do the work themselves? Someone else Themselves

Does this obligation reflect what happens or would happen in practice? Yes No Not applicable

Can they hire someone to do the work or engage helpers at their own expense for this work? Yes No

If Yes, have they done so? Yes No

Is the school obliged to offer on-going work to them? Yes No

Are they obliged to accept work offered to them by the school? Yes No

Apart from an initial brief, will someone tell them what to do? Yes No

Will someone tell them at any time where to carry out the work? Yes No

Can they decide how to do the work? Yes No

Will they work a set amount of hours? Yes No

Can someone move them from task to task? Yes No

How will their payment be calculated? Hourly Daily Job Other

Are they paid regularly by timesheet or on submission of an invoice? Timesheet Invoice

Will they receive a fixed price? Yes No

regardless of how long the job
may take?

Have they suffered late or non-
payment of an invoice? Yes No

Will they receive overtime pay
or a bonus payment? Yes No

Are they risking their own
money when undertaking this
activity? Yes No

Does the work involve the use
of major items of equipment? Yes No Not Applicable
(Excluding computers, laptops, printers)

If so, who provides these major
items? School Individual

What are the implications for
them if the work performed is
substandard?

Are they subject to the school's Yes

No
internal disciplinary and grievance
procedures?

If yes, to what extent?

Who provides the public liability
insurance? School Individual (save a copy of
their current certificate
with this document)

Do they regularly undertake
similar work for
clients/customers other than the
school? Yes [If yes, how many in
last 12 months] No

Will they be provided with any
of the following? [Please tick if
yes]

<input type="checkbox"/> School email address	<input type="checkbox"/> School phone number	<input type="checkbox"/> School business card
<input type="checkbox"/> School desk	<input type="checkbox"/> Access to Pension	<input type="checkbox"/> Entitlement to sick or holiday pay

Do they directly manage school
staff? Yes No

OTHER INFORMATION

Please give details below of any further information which you feel may be helpful

DECLARATION

Engager: I declare that the information given on this form is accurate

Name [Print name]

Signature

Date

Individual/supplier: I declare that the information given on this form is accurate

Name [Print name]

Signature

Date

Completed questionnaire to be signed by both parties. Now complete the ESI tool to determine the employment status of the individual, www.hmrc.gov.uk/calcs/esi.htm

OTHER INFORMATION

Please give details below of any further information which you feel may be helpful

DECLARATION

Engager: I declare that the information given on this form is accurate

Name [Print name]

Signature

Date

Individual/supplier: I declare that the information given on this form is accurate

Name [Print name]

Signature

Date

Completed questionnaire to be signed by both parties. Now complete the ESI tool to determine the employment status of the individual, www.hmrc.gov.uk/calcs/esi.htm