



13 – RECRUITMENT POLICY

A POLICY TO BE ADOPTED BY ALL MITRE SCHOOLS

Agreed Autumn 2022

Signed by Chair of Trustees



NEXT REVIEW AUTUMN 2024
MINSTER TRUST FOR EDUCATION
RUFFORD COURT, WELLOW ROAD, EAKRING, NOTTINGHAM NG22 0DF

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1. Introduction

- 1.1 This policy sets out the approach that the Minster Trust for Education (MITRE) will take when recruiting members of staff and volunteers¹ to posts involving work with children and vulnerable young adults.

The CEO, or their delegated representative will determine how and where a post will be advertised according to circumstances prevailing at the time, save for circumstances where it involves replacement of the CEO in which case the Directors of the Trust will determine.

In normal circumstances vacancies will be advertised externally on the MITRE website and via other media as appropriate. In some circumstances, the person leading the recruitment may determine, in consultation with the HR team, that the vacancy should be advertised internally. In these circumstances applicants will be asked to submit an expression of interest instead of completing an application form..

In all cases, prior to advertising, the advert, job description, grade and person specification must be referred to the Trust HR Team for approval (where appropriate) and also to ensure that any candidate with a disability will not be excluded unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role, having considered reasonable adjustments. Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of their disability.

MITRE will comply with its legal obligations in relation to recruiting people to work and volunteer with children and vulnerable young adults in England and Wales.

- a) Recruiting the right staff in the right place at the right time is vital for our continued success in providing the highest standards of education to our students.
- b) Not appointing the right people to our roles can have a negative impact on the performance of our organisation.
- c) Once a vacancy has been identified the Head Teacher/Head of School will notify the HR team and provide them with relevant information/documentation to enable them to advertise the post. Where the vacancy relates to a 'like for like' replacement no authorisation is required. However, if the Head Teacher/Head of School wishes to advertise a new post and/or changes to the post have occurred (e.g., grade/hours/weeks) approval must be sought from the Trust (using the vacancy requisition form) in advance of the vacancy being advertised. The person leading the recruitment is responsible for deciding on the arrangements to recruit to a post (with the exception of Head Teacher/Head of School role) where the Chief Executive Officer and the Governing Body of the Academy are responsible.
- d) In conducting our recruitment processes we are committed to the creation of a safe environment for our students by operating safer recruitment practices in line with the statutory requirements and guidance.
- e) We are also committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against as a consequence of their gender, transgender status, sexual orientation, marital or civil partnership status, colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave or trade union membership.

¹ Please refer to Volunteer Protocol when engaging volunteers.

- f) In the very exceptional cases where we are required to discriminate due to an occupational requirement this must be approved by MITRE who will provide reasons for this requirement
- g) Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience, and skills will be assessed at the level that is relevant to the job.
- h) If an applicant makes the academy aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments will be considered to ensure the applicant is not disadvantaged by the process

2. Scope and Purpose

- 2.1 It is essential that, as part of the responsibilities highlighted above, all organisations that employ staff or engage volunteers to work with children adopt a consistent and rigorous approach in their recruitment and selection processes with the aim of ensuring that those recruited are suitable for such an important and responsible role.

The purpose of safer recruitment is to:

- a) **Deter.** From the beginning of the recruitment process, it is important to send the right message – that the organisation has a rigorous recruitment process and does not tolerate any form of abuse. Wording in adverts and recruitment information must aim to deter potential abusers.
- b) **Identify and Reject.** It will not always be possible to deter potential abusers. Therefore, careful planning for the interview and selection stage, in terms of asking the right questions, setting appropriate tasks, and obtaining the right information can assist in finding out who is suitable for the role and who is not.
- c) **Prevent and Reject.** There are no guarantees that even the most robust safer recruitment process will prevent an inappropriate appointment. However, this does not mean it is too late to act. Ensuring that comprehensive induction processes are in place, together with appropriate policies and procedures, raising awareness through staff training and developing and maintaining a safe culture within MITRE will all help to prevent abuse or identify potential abusers.

- 2.2 The intention of this policy is to ensure that all stages of the recruitment process contain measures to deter, identify, prevent, and reject unsuitable people from gaining access to students within the organisation. The policy and the practical implementation of recruitment and selection processes also aim to meet all legislative requirements as highlighted above, any statutory or other guidance that may from time to time be issued in order to keep children safe and safer recruitment in education, as well as principles of general good practice.

3. Roles and Responsibility

MITRE has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. MITRE has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Head Teacher/Head of School of each academy.

4. Regulated Activity and Disclosure and Barring Service Checks

- 4.1 Organisations providing 'Regulated Activity' in relation to children and young people have specific responsibilities for conducting appropriate pre-employment checks, including Enhanced Disclosure and Barring Service (DBS) with Barred List check, when recruiting paid members of staff and workers. Other people coming into such an organisation (e.g., volunteers, including Governors) with access to children may not be in regulated activity. MITRE is responsible for continuing vigilance in relation to staff, workers and any others coming onto the premises, and/or with access or opportunity for contact with the students, at all times.

MITRE will act in accordance with the statutory requirements relating to **'Regulated Activity' relating to children.**

- 4.2 The DfE's factual notes on 'Regulated Activity in relation to Children: Scope and Statutory Guidance: Regulated Activity (Children) – Supervision of Activity with Children which is Regulated Activity when Unsupervised' are available on the website www.gov.uk to provide full information and guidance on regulated activity and Supervision. Supervision guidance is also included as Annex F within the document 'Keeping Children Safe in Education.'
- 4.3 MITRE will take appropriate steps to ensure that all those members of staff, paid workers and any others deemed to be in regulated activity, are subject to the highest level of checks including, for new recruits, a full Enhanced DBS with Barred List Check, or as required at the time of recruitment.

5. Safer Recruitment

- a) All recruitment must be in line with this policy to ensure that we identify, deter, and prevent people who pose a risk of harm from working with our children/students.
- b) The recruitment of all applicants and volunteers to MITRE must, without exception, follow the processes of safer recruitment. All offers of employment will be subject to us being satisfied that the applicant or volunteer is a suitable person to work with children.
- c) Any person involved in recruiting to MITRE Academy must read the "Keeping children safe in education" (2022) guidance (or updated statutory guidance) produced by the Department for Education (DfE) and the MITRE child protection policy. These can be obtained from the MITRE website.
- d) All recruitment must be planned to ensure that there is adequate time available to recruit safely.
- e) Any person who becomes aware that this policy is not being followed during recruitment must inform the Head Teacher/Head of School and the Trust HR team immediately.
- f) All of the checks described in Sections 13 must be conducted and have been determined as satisfactory before an applicant can start their employment with MITRE.

6. Advertising

- a) Any vacant position will normally be advertised via the appropriate channels to ensure the most appropriate field of applicants is obtained.

- b) All external advertisements will have the following statement:
'The Minster Trust for Education is committed to safeguarding children and the promotion of equal opportunities for staff and students. The successful applicant will be required to undertake an enhanced DBS check and complete a Keeping Children Safe in Education (KCSIE) Self Declaration.'
- c) For internally advertised posts you may have someone already undertaking the role you wish to advertise or undertaking significant aspects of that role. In these circumstances you may state that a 'preferred candidate has already been identified' in your internal advert.

7. Job Description

7.1 Job Analysis

- a) When a vacancy arises due to a member of staff leaving or moving to a different role, it cannot be assumed that a 'like for like' replacement is required. A review of the job description may highlight the fact that the existing role no longer meets current needs. Therefore, the requirements for any replacement or new role will be analysed prior to drawing up the Job Description and Person Specification which define the role.
- b) A job description will be required for all posts which describes the duties and responsibilities of the post. It must be up to date, accurate and specific to the role and may need to reflect any local or national requirements e.g. The statutory School Teachers' Pay and Conditions document sets out the contractual framework for all teachers in terms of their professional responsibilities and duties. The job description must also be accompanied by a person specification which outlines all of the necessary skills, experience, qualifications, and knowledge requirements for the post.
- c) The person specification describes the profile of the ideal person to fill the job requirements. It is essential to the recruitment and selection process as it is used to inform the content of the advertisement, long/shortlisting and the interviewing and selection process. It sets out the criteria against which candidates will be assessed and includes the core areas for the focus of interview questions.
- d) Person specifications will include:
- Any qualifications required for the post;
 - Knowledge, skills, and abilities required to perform the duties of the post;
 - Any specific training requirements;
 - The need for awareness of, and commitment to, equal opportunities issues.

7.2 All job descriptions and person specifications must refer to the responsibility for safeguarding, health and safety at work and promoting the welfare of children.

7.3 The person specification will clearly indicate whether the stated criteria are:

- a) Essential – relating only to those areas without which the job cannot be performed;
or
b) Desirable – not essential to performing the duties, but which would be valuable.

They may assist in the final selection process if several candidates meet the essential criteria.

It will also indicate how the criteria will be tested, i.e., on the application form, through provision of documentary evidence, at interview and/or through a task set as part of the selection process.

8. Application form

- 8.1** All applicants (other than where the post is advertised on an internal only basis) are required to fill out our standard application form ensuring detailed information, critical to the recruitment process, can be gathered from all applicants in a consistent format.
- 8.2** A suitably structured, pre-defined application form will be used for recruitment to all posts requiring specific information from all applicants. A Curriculum Vitae will not be accepted in lieu of an application.
- 8.3** A statement will be included on the application form or in guidance notes provided to candidates that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.
- 8.4** Information provided to candidates will include an explanation that the post is exempt from the provisions of Section 4(2) of the Rehabilitation of Offenders Act 1974 by virtue of the Rehabilitation of Offenders Act 1974 (exceptions) Order 1975 and the requirement for shortlisted candidates to complete a 'self-disclosure' – a signed declaration of any unspent and relevant spent criminal offences. The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed at interview before the DBS certificate is received.

A full DBS check will still be conducted on making a conditional offer and the two sets of information compared. Note that applicants will only be asked about 'unspent and relevant spent' convictions, cautions, reprimands, and warnings and these will be the only ones appearing on Disclosure certificates. Other minor, older offences will be filtered out after the relevant time period. Those offences to be declared include:

Cautions relating to the list of offences that will never be filtered from a DBS certificate (refer to gov.uk website)

Cautions given less than 6 years ago (where the individual was over 18 years old at the time of the caution)

Cautions given less than 2 years ago (where the individual was under 18 years old at the time of the caution)

Convictions relating to an offence from a prescribed list (refer to DBS filtering guide)

Convictions that resulted in a custodial sentence (regardless of whether served)

Convictions which did not result in a custodial sentence, given less than 11 years ago (where the individual was over 18 years old at the time of the conviction)

Convictions which did not result in a custodial sentence, given less than 5.5 years ago (where the individual was under 18 years old at the time of the conviction)

Irrespective of the above list, if individuals have more than one conviction then ALL convictions must be declared.

9. Speculative Applications

- a) The Trust may decide to accept speculative applications for supply posts where individuals would be engaged via a casual worker basis (non- mutuality of obligation) e.g., supply teachers, supply TA's. Where this does occur applicants will be required to complete a standard application form to enable the Trust to satisfy the requirements set out within the Keeping Children Safe in Education Guidance.
- b) Where applicants are former employees of the Trust consideration will be given as to what checks need to be conducted at the time dependent on how long it is since the individual left the Trust. In all circumstances regard will be had to statutory guidance to ensure that any potential risk is managed appropriately.

10. Short-listing

- a) Applicants will be short-listed against the requirements of the person specification. This will be conducted by a shortlisting panel of not less than two appropriate staff members. The outcome of the short-listing process will be recorded and retained.
- b) The equal opportunities monitoring form will be removed from the application and not provided to the short-listing panel.
- c) The short-listing panel are responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. A satisfactory explanation for any concerns must be obtained from the applicant during the interview process.
- d) Applicants that are shortlisted will be asked to complete a 'self-disclosure' (refer to paragraph 8.4) so that relevant information can be shared for discussion at interview.
- e) As there is currently no requirement to undertake online searches for candidates that have been short listed (Para 221. of KCSIE 2022 Guidance) the Trust have decided not to routinely undertake these as part of the due diligence process due to ethical reasons and not wishing to pry into an individual's personal life unless there is cause to do so.

11. References

11.1 All offers of employment will be conditional upon receipt of at least two satisfactory written references. References will:

- a) normally be requested for all shortlisted applicants, which may include internal applicants (where appropriate);
- b) include the applicant's current or most recent employer and where an applicant for a teaching post is not currently employed as a teacher, will include the applicant's most recent employer as a teacher;
- c) ask the current employer for details of any capability history in the previous two years, and the reasons for this;
- d) ask the current employer for details of any disciplinary warnings which were current at the time of leaving;

- e) any disciplinary/capability action that is/was pending or unresolved;
- f) details of any expired warnings that relate to the safety and welfare of children or young people or behaviour towards children or young people;
- g) reason(s) for leaving if no longer in that employment;
- h) any convictions the referee may be aware of;
- i) whether the referee would re-employ and whether the applicant is recommended for the post;
- j) be directly from the referee;
- k) not be accepted if they are 'to whom it may concern' letters;
- l) request information on the applicant's suitability to work with children and young people;
- m) normally be requested before the interview; and be explored further with the referee and with the applicant during the interview if necessary;
- n) references requested prior to interview, or prior to a conditional job offer being made, will NOT ask about attendance or health-related matters. However, health-related questions may be asked of referees when a conditional offer of the post has been made. Therefore, a supplementary request for further information from referees may be made at that stage;
- o) where it has not been possible to obtain references before the interview any concerns that are subsequently raised will need to be resolved before the appointment is confirmed;

11.2 Referees will be provided with a copy of the job description and person specification for the post.

12. Interviews/structured conversations

12.1 A face to face interview/structured conversation must take place for all short-listed applicants for all posts. Structured conversations will only be appropriate in circumstances where a post has only been advertised internally and there has only been one applicant. ~~Otherwise~~, applicants for internal vacancies will be expected to participate in an interview. The use of video conferencing, Skype, Facetime, Zoom or other similar technologies is acceptable for a preliminary interview. However, candidates may be asked to attend a second interview in person.

12.2 All those involved in interviewing must be properly trained. At least one person on the interview panel must have successfully passed the appropriate safer recruitment training. Wherever possible all panel members will be involved throughout all stages of the recruitment and selection process but, in any event, a panel member trained in safer recruitment will be involved throughout.

12.3 The purpose of the interview is to assess the merits of each applicant against the job description and person specification to establish their suitability for the post and to work with children and young people.

12.4 A set of common questions relating to the requirements of the post will be asked of each applicant. Their response will determine whether that is followed up through further questioning.

12.5 At the conclusion of the interview the panel will establish whether each person remains a firm candidate and ensure that candidates know the arrangements for communicating the decision.

13. Other selection methods

13.1 Assessment and Selection methods in addition to an interview are useful in obtaining a range of information about individuals, including assessing their interaction with others, adults and students, teamwork, skills, and abilities to conduct the particular tasks etc. In addition to a face-to-face interview with the interview panel a variety of other selection methods may be used, such as:

- one or more additional panel interviews (for example, a panel made up of students from one or various academies);
- a presentation;
- in tray exercises, written tests, and psychometric testing;
- role play;
- group exercises;
- data analysis exercises;
- observation (of teaching or activity with a class or group of students or colleagues)

Those responsible for deciding the arrangements for recruitment to a specific post will determine the selection method(s). They will be relevant and appropriate to the role and will be based on the requirements for the particular post as set out in the job description and person specification

13.2 A grid will normally be used for the purpose of questions to be asked, expected and actual responses.

14. Pre- employment checks

An offer of appointment to the successful applicant will be conditional upon the following:

- verification of the applicant's identity, preferably from current photographic ID and proof of address;
- receipt of at least two satisfactory written references (one of which must be their current or most recent employer);
- verification of the applicant's mental and physical fitness to carry out their work responsibilities;
- verification of qualifications where relevant;
- Verification of professional status where applicable. For teachers, this will include checking that the individual has the required teaching qualification and has successfully completed any statutory induction, if required, through the NCTL's Employer Access Online System;
- satisfactory enhanced DBS check;
- for teachers, verification that they are not subject to a prohibition order issued by the Secretary of State, or any sanction or restriction imposed by the GTCE before its abolition in March 2012, by checking the NCTL's Employer Access Online System

- a clear children's barred list check (except supervised volunteers)
- verification of the applicant's right to work in the United Kingdom;
- any further checks that are deemed to be necessary where the applicant has lived or worked outside of the UK including receipt of criminal record information from overseas;
- confirmation that the applicant is not disqualified or disqualified by association from providing childcare;
- for applicant's taking up a management position (as described at para 145 of the DFE guidance relating to Keeping Children Safe in Education) is not subject to a section 128 direction made by the Secretary of State.
- for staff who work in childcare provision, or who are directly concerned with the management of such provision appropriate checks will be conducted to ensure that individuals are not disqualified under the Childcare Disqualification Regulations 2018.

15. Single Central Register (SCR) of Checks

MITRE will ensure that it complies with statutory requirements for information to be recorded and retained on its single central record. This includes pre-employment checks conducted in relation to staff members as detailed below. For each item, it will be recorded (as relevant) whether the check has been completed, any evidence obtained (e.g., certificates) and the date clearance was obtained.

- Identity check
- Address check
- Children's Barred List check (where appropriate)
- Enhanced DBS check/certificate
- Prohibition from teaching check
- Professional qualifications
- Right to work in the UK
- QTS check (where appropriate)
- Disqualification from childcare (where appropriate)
- Additional checks on people living or working outside the UK (where appropriate)
- References (x2)
- Employment history check
- Pre-employment (medical) questionnaire

In addition:

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

Confirmation of Childcare Disqualification Check (where appropriate).

A section 128 check (for management positions as set out in paragraph 144-147 for independent schools (including academies).

A letter of assurance from all agency and third-party supply staff, details in relation to whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that the confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of supply staff.

16. Record keeping and data protection

All written records of interviews, application forms and reasons for appointment or non-appointment will be kept by each academy for six months, unless a longer period can be justified by the Head Teacher/Head of School. Records will be treated as confidential and kept for no longer than necessary in accordance with the General Data Protection Regulations other than for successful appointees in which case details will be held on their personal file.

17. Induction

Induction is an extension of the recruitment process and will apply on commencement of employment. A general Induction Programme is required for all new recruits, including those already within MITRE but appointed to new roles.

- Early Career Teachers (ECTs) are required to satisfactorily complete a statutory Induction period. Where applicable, the induction period will be applied in accordance with the relevant Regulations and statutory guidance issued by the DfE.
- Support Staff who are 'new staff members' whether new entrants, newly appointed staff or new starters will be subject to a 'Probation and Assessment Period' of 6 months.
- The induction programme will include all information on professional standards and boundaries in respect of child protection and safeguarding and promoting the health, safety, and welfare of students. Reference will be made to statutory requirements and/or local guidance in these areas. i.e., DfE documents:
 - a) 'Keeping Children Safe in Education' 2021;
 - b) 'Working Together to Safeguard Children' 2015;
 - c) MITRE policies, procedures and practices and the code of conduct for MITRE employees;
 - d) Supply teachers and other supply workers, including agency workers and volunteers will receive information and guidance to enable them to conduct their temporary work in accordance with statutory requirements, alongside MITRE's policies, procedures, and practices essential to their role.

18. Volunteers

Please refer to the Volunteer Protocol if you are considering engaging volunteers to work at your School.