

Maiden Erlegh Trust

RECRUITMENT AND SELECTION POLICY



MAIDEN ERLEGH
TRUST

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Introduction

This policy provides a framework for the efficient and effective recruitment of all categories of staff at Maiden Erlegh Trust

The Trust values the contribution of all staff and recognises that the recruitment of appropriately skilled staff is key to the provision of a safe and successful teaching and learning environment in which pupils can thrive.

The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. Accordingly, this policy complies with the current DfE guidance document 'Keeping Children Safe in Education'.

Aims of the Policy

- To ensure that newly recruited staff possess the most appropriate blend of qualifications, experience, knowledge, skills and abilities to meet the demands of the post and the needs of the school.
- To ensure a consistent and equitable approach to the appointment of all staff.
- To ensure that all relevant equal opportunities legislation is adhered to and that appointees are recruited without regard to the protections set out in the Equality Act 2010.
- To ensure that the recruitment and selection process is accessible to all by giving appropriate regard to the needs of individuals with a disability, with provision of reasonable adjustments where necessary.
- To ensure that all recruitment practices are compliant with DfE safeguarding guidance, with clear links to child protection policies and procedures, thereby ensuring as far as possible that all staff are suitable to work with children and young people.
- To ensure the most cost-effective use is made of resources in the recruitment and selection process.

Responsibilities

The Trust, with appropriate advice from the Executive Leadership is responsible for determining the staffing complement at each school and for all appointments to the Trust staff.

Headteachers will have delegated responsibility for the appointment of teachers and other staff outside of the leadership group, provided it is an approved vacancy within the approved budget.

Once the selection panel has been agreed, the lead person, in conjunction with the panel, will be responsible for drawing up the relevant documentation and planning the selection process.

The selection panel for any position will have responsibility for ensuring that a fair, equitable and non-discriminatory process is maintained throughout the recruitment and selection activities.

Safer Recruitment

Matters relating to child protection, safeguarding and the promotion of the welfare of children will be central to the recruitment process, starting with the planning of recruitment needs through to the selection exercise and appointment itself.

Particular measures to ensure safe recruitment practice, compliant with DfE advice, are identified throughout this policy. The selection panel has responsibility for ensuring the implementation of these measures. The safeguarding measures noted in this policy are neither exhaustive nor intended to obviate the need to refer to the most recent DfE guidance.

The safer recruitment activities set out in the policy must also apply to the recruitment and pre-work checks for school-based volunteers and staff sourced through an agency.

All staff taking part in the recruitment process must familiarise themselves with Part 3: Safer Recruitment of KCSIE.

Equality

The Equality Act 2010 sets out nine protected characteristics - age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity leave, race including colour, nationality, ethnic or national origin, religion or belief, sex, sexual orientation.

Care must be taken at every stage of the planning and recruiting process to avoid direct or indirect discrimination, to ensure that:

- Wording in adverts does not imply bias,
- Assumptions based on a protected characteristic, for example, a person's age are not made,
- Decisions are not made based on personal prejudices.

The Planning Process

All recruitment to vacancies must go through an approval process to ensure staffing in all schools and settings is financially viable and effective.

Before the start of the recruitment process, there will be a review of the requirements of the specific role. Where a job description or person specification does not exist (e.g. for new posts) then these will be drawn up for agreement by the selection panel.

Job descriptions and person specifications for existing posts will also be reviewed to determine whether the roles and responsibilities of the post need to be revised and to

update the necessary qualifications, knowledge, experience, skills or abilities required by the post holder.

The person specification will also be assessed to ensure that it does not unlawfully discriminate on the basis of gender, gender reassignment, sexual orientation, marital or civil partnership status, colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave.

All new or updated JDs with Person Specifications will be job evaluated before the advert is placed.

Safeguarding Measures – Job Descriptions & Person Specifications

- A statement of the school's commitment to the safeguarding and promotion of the welfare of pupils will be included in both the job description and the person specification.
- All job descriptions will make reference to the responsibility for safeguarding and promoting the welfare of pupils. The job description will clearly set out the extent of relationships and contact with children and the degree of responsibility for children that the post holder will have, including whether the post holder will be in regulated activity.
- All person specifications will give consideration to the need for the job holder to be suitable to work with children. Qualifications, experience, competencies and qualities, including attitudes and behaviours, needed for the role will be identified. The interview panel must agree how they will be assessed during the selection process.
- All shortlisted applicants will be notified that any relevant issues arising from references and other pre-interview checks will be taken up at interview.

Advertising

All posts

All teaching and support posts will be approved and advertised using My New Term. The vacancy may be advertised:

- internally only, within the Trust via bulletins, email, intranet or other method
- internally and externally, on the Trusts' vacancy website and other media
- externally only

Occasionally the decision may be taken not to advertise a post. This may occur, for example, when a similar post has recently been advertised and an appointment can be made from the subsequent interviewees, or because a temporary appointment needs to be made as soon as possible to ensure continuity within a post. Additionally, it may be because, upon evaluation, a current role slots into the new role.

Leadership posts

All Senior Leadership posts will be advertised as the Trust considers most appropriate. As a general rule, such posts will, as a minimum, be advertised using My New Term.

Where the Trust has determined that there is good reason not to advertise a senior leadership post nationally the decision-making process will be clearly documented.

Salary Details

All vacancies will be advertised giving clear details of the grade, spinal points and both full time equivalent and, where applicable, pro rata salary information. Allowances will also be shown with the name of the allowance and both full time and pro rata rates. All pay arrangements must be in line with the Trust's current Pay Policy.

Safeguarding Measures – Job Adverts

- All advertisements will include a statement about the Trusts' commitment to safeguarding and promoting the welfare of children, and that safeguarding checks will be carried out.
- Whether the post is exempt from the Rehabilitation of Offenders Act 1974, along with reference to Ministry of Justice and DBS guidance.
- The safeguarding responsibilities of the post will be set out.
- Reference will also be made to the requirement for the successful applicant to undertake an enhanced-level check via the Disclosure & Barring Service (DBS).

The Application Process

For all posts, information packs will be made available electronically, to all interested parties. Hard copies can be issued on request. The information pack will generally consist of:

- a job description and, a person specification;
- an application form
- Applicants will be given access to equality and child protection policy statements, the policy for the recruitment of ex-offenders, and the data privacy notice;
- information about the recruitment process (interview dates etc);
- any other relevant information regarding the post, the school and the Trust.

Applications received after the closing date will not normally be considered, unless the applicant has given prior notice of a late application and this has been agreed by the selection panel, or there has been a low response to the advertisement.

Applications made through means other than application forms will not be considered, unless a reasonable adjustment has been made to accommodate the needs of an applicant with a disability. If a CV is submitted, for example through a recruitment agency, the applicant must complete the Trust's application form prior to an interview and before any offer of employment,. The Trust's application forms require applicants to provide the information required by KCSIE guidance.

Applications made by internal candidates should be made via My New Term as for other candidates detailing their suitability and experience for the role, a reference will be requested from their Line Manager if shortlisted.

The Trust reserves the right to interview and appoint prior to the published end date of the advertisement.

Safeguarding Measures – Application Forms

- All applications must be made using the application form template for the position to ensure receipt of relevant personal data, education and employment history, qualifications, declaration of relationships, details of referees and a statement of personal qualities and experience.
- The application form also includes an explanation of posts exempt from the Rehabilitation of Offenders Act 1974, the filtering rules and the need to declare all unspent convictions, cautions, warnings, bind overs and current police investigations or pending criminal proceedings. Applicants will also need to declare that they are not on the Children's Barred List, disqualified from teaching or subject to sanctions imposed by a regulatory body e.g. National College for Teaching and Leadership.
- Applicants will be made aware that it is an offence for them to apply for a post in regulated activity if they are barred.

The Selection Process

The selection panel

A selection panel of at least two people will be set up prior to the shortlisting process. The members of this panel should normally include:

- Line manager for the post
- A member of senior leadership
- For senior leadership posts this may include a member of Trust leadership, including governance colleagues
- Professional advisers as appropriate.

Wherever possible, all panel members will have been trained in and/or have relevant experience of recruitment and selection and interviewing. It is mandatory, however, for at least one member of the interviewing panel to have had certificated Safer Recruitment training that covers the safer recruitment requirements set out in KCSIE.

Where a candidate is known personally to a member of the selection panel, and/or the panel member has referred the candidate for the role, this fact should be declared before shortlisting takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunities principles are adhered to.

Safeguarding Measures – Selection Panel Members

- At least one member of the panel will have completed appropriate safer recruitment training.
- The shortlisting panel members will also form the interview panel, for consistency.

Shortlisting

If an applicant has requested reasonable adjustments to a part of the shortlisting process to accommodate a disability, then this will be notified to the chair of the selection panel.

The shortlisting process for interview will determine those applicants who best meet the criteria for the post as outlined in the person specification. Decision making will be based solely on the information available on the application forms.

Safeguarding Measures – Shortlisting

- Incomplete applications will be rejected and may, at the discretion of the selection panel, be returned to the candidate for completion.
- Notes will be made of any anomalies, discrepancies or gaps in employment so that these can be considered as part of the shortlisting process. Reasons for gaps in employment, repeated career changes, moves from permanent to temporary or supply teaching will also be noted for exploration and verification.

Safeguarding Checks Prior to Interview

References

References will be requested for all shortlisted candidates (including a line manager reference for internal applicants) prior to interview, unless the candidate has indicated that referees should not be contacted at this stage. The school will comply with the requirements of the Equality Act 2010 by not asking questions about a candidate's health or disability as part of these references prior to a job offer being made (this includes information relating to levels of sickness absence).

It will be for the selection panel to determine whether the referees given by applicants are suitable and appropriate. Any applicants currently working in a school setting will be expected to give the headteacher/principal of that school/college as one referee or have the headteacher verify the accuracy of any disciplinary information provided; this reference will be verified with a telephone call to the referee. References from family members or friends will not be acceptable.

If the applicant is currently not working with children, a reference from the most recent employment where they worked with children is required.

If the applicant has never worked with children, one reference must come from their current employer.

All references subsequently received will be held by the chair of the interview panel who will cross-reference them with the candidate's application form to identify any discrepancies or gaps, and explore any areas of concern at interview. Once a preferred candidate has been chosen following the interview process, the rest of the interview panel will be given access to the references of that person only, in order to confirm their decision.

Safeguarding Measures - References

- References will be sought prior to interview and obtained directly from the referee. References or testimonials provided by the applicant will not be accepted.
- References will seek the necessary relevant and objective information in line with current DfE guidance, a declaration from the referee that the applicant is suitable to work with children, and the applicant's reason for leaving the job.
- The reference from the current or most recent position working with children will be verified with a telephone call to the referee, including exploring any concerns and reason for leaving.
- All references will be vetted according to current DfE guidance, and cross-referenced with other information gathered as part of the application and selection process, including the application form.
- Issues of concern will be raised further with the referee and taken up with the candidate during the interview.
- Where, in exceptional situations, references are not received prior to the interview, any concerns will be resolved satisfactorily prior to any unconditional offer of employment. The candidate should be asked at interview if they expect anything of concern to come up in their references, and to explain this.

Criminal Record, Prohibitions, etc. Declarations

All shortlisted candidates will be asked to complete a declaration prior to interview, asking for information that would make them unsuitable to work with children, stating:

- Any criminal history,
- Any disqualifications from teaching
- Any overseas criminal offences considered in line with the law as applicable in England and Wales,
- If they are included on the children's barring list
- If they are prohibited from taking part in the management of an independent school
- If they are known to the police and children's local authority social care
- If they have been disqualified from providing childcare

Any such information must be discussed at interview to establish the facts. The information shared can be cross-referenced with the DBS disclosure certificate received later in the onboarding process, and with the employment references and application form.

A printed copy of this declaration must be signed by the candidate at interview if it was originally submitted electronically.

Social Media Checks

All shortlisted candidates will be subject to a social media check to identify any causes for concern, that can then be explored at interview. All candidates will be made aware that these checks will be made.

Other checks prior to interview

Where a candidate is claiming specific qualifications or previous experience that is relevant to the job but is not verified by reference checks, these will be verified before interview so that any discrepancy can be explored at interview.

The interview and selection process

Prior to the interview and selection process candidates will be given any relevant information, e.g. details of any selection methods that will be used. Candidates who have a disability or any other particular needs will be given the opportunity to highlight this prior to any selection activities taking place in order that reasonable adjustments may be made to the recruitment process if required.

Administrative arrangements must be in place beforehand to ensure adequate rooms are booked, candidates have a colleague to meet and escort them, selection activities such as tests or observations are run, and ID documents the candidates are asked to bring are copied, signed and scanned to HR for the successful candidate.

Whilst an interview is always likely to be used as the primary feature of the selection process, the selection panel will consider whether any additional selection methods are required to supplement the interview. These may include presentations, teaching observation, supervised interaction with pupils, in-tray exercises, verbal or numerical tests, according to the requirements of the role.

The panel will agree and prepare questions which will include why the applicant applied for the role, motivation for working with children, to explore their skills and experience of working with children by drawing out examples; along with any presentations, tests, observations, etc. in advance of the interview. The application form, references, social media checks, criminal record declarations and any other information available as part of the application process will be used to identify any other areas of concern to explore with the candidate.

The selection panel will assess the merits of each candidate against the job description and person specification and explore their suitability to work with children. The selection panel will ensure that all candidates are asked the same main questions at interview based on the –selection criteria for the post, although supplementary

questions may differ according to the candidates' answers and pre-interview background checks.

Particular care will be taken to ensure that no questions or selection methods could be viewed as discriminatory.

Safeguarding Measures – selection process

- Invitations for interview will stress that the successful candidate will be subject to thorough identity checks and an Enhanced DBS Check. Candidates will be requested to bring with them documentation to verify their ID, i.e. passport, driving licence, birth certificate, etc. This will be photocopied by the school during the interview process.
- Candidates will be instructed to bring with them to interview any relevant documentation that will confirm education and professional qualifications. Copies of all documents will be kept on file for successful candidates.
- Candidates must have declared any criminal record, disqualifications and barring decisions.
- In addition to assessing the candidate's suitability for the post, the panel will assess the candidate's attitude toward children and young people, their motivation for working with children and their ability to support the school's safeguarding agenda and promote the welfare of children. Gaps in employment history and concerns or discrepancies in the application form and references and all other pre-interview safeguarding checks will also be explored.
- The panel must consider the guidance in KCSIE regarding what to look for that might flag concerns – the implication that adults and children are equal, a lack of recognition or understanding of the vulnerability of children, the inappropriate idealisation of children, inadequate understanding of appropriate boundaries between adults and children, and indicators of negative safeguarding behaviours.

Record Keeping

All shortlisting and interview notes and recorded decisions must be retained and scanned to HR.

Job Offers to Successful Candidates

Job offers

Successful candidates will normally be offered the post verbally, followed by an offer letter as soon as possible afterwards. The offer must not be made before any concerns are satisfactorily resolved. The written and verbal offer of appointment must include the conditions upon which the offer is made, e.g. DBS clearance, satisfactory references if not already received, satisfactory completion of an occupational health questionnaire/medical clearance, provision of appropriate documentation to verify entitlement to work in the UK and other relevant details.

Conditions of Appointment

Any offer of employment at the school will be conditional upon:

- The receipt of at least two satisfactory references, if not already received;
- Verification of the appointee's identity, if not verified following interview;
- A satisfactory Enhanced DBS Check (including a check of the Children's Barred List – completed separately if starting in post before the DBS certificate is received);
- Letter of Professional Standing for teachers with overseas service
- Overseas police checks and/or professional conduct letter where necessary;
- Verification of any sanctions or prohibition decisions imposed by the Teaching Regulation Agency, the Secretary of State or previous organisations such as the GTCE;
- A section 128 prohibition under the Education and Skills Act 2008 for senior staff such as senior managers, Trustees, LAB members, etc.;
- Verification of the appointee's physical and mental medical fitness to undertake the role;
- Verification of the appointee's right to work in the UK (including a photocopy of the original evidence provided);
- Verification of the appointee's qualifications, if not verified following interview.

Where it is a requirement of the post the offer will also be conditional upon:

- Verification of professional status, e.g. QTS/QTLS status, successful completion of statutory induction etc;
- A completed declaration form to confirm the appointee is not restricted in the work they may perform under Childcare (Disqualification) Regulations 2018 (reception classes, wraparound care up to age 8);
- Satisfactory completion of a probationary period.

If any of the following circumstances come to light during the vetting process the facts will be reported to the Disclosure and Barring Service (DBS) and/or the police, as appropriate:

- Candidates are found to be on the Children's Barred List, or the DBS check shows that the candidate has been disqualified from working with children;
- An applicant has provided false information in, or in support of, his/her application; or
- There are serious concerns about an applicant's suitability to work with children.

DBS Checks and Risk Assessments

A risk assessment can be completed if the DBS disclosure certificate has not yet been received and:

- there is a genuine urgency to start that person in post, and
- the DBS application has been made and is in process, and
- a Children's Barring List check has been completed and is satisfactory, and

- all other checks are in place.

Regardless of whether the DBS clearance has been achieved through the DBS Update Service or through a new DBC disclosure certificate being issued, the appointee must produce the original certificate and show it to the Headteacher or Hiring Manager. A record of this will be kept on the SCR.

Any positive DBS disclosure will be considered fairly with regard to the nature and seriousness of the disclosure, when any incident occurred, whether there have been repeated offences, the circumstances of the incidents, whether the individual has accepted responsibility, and evidence of the rehabilitation of the appointee; and in line with the Trust's policy on the recruitment of ex-offenders and the requirements of the Teachers' Standards and teacher misconduct guidance where applicable.

References and Risk Assessments

A new recruit may start in post with only one reference in place only in exceptional circumstances. The received reference must relate to the candidate's current or most recent work with children. In these circumstances, a risk assessment must be carried out, all other checks must be complete and satisfactory, and the risk must be manageable.

Appointment and Promotion of Existing Staff

The Trust values the contribution of all staff within its community and seeks to retain key knowledge and skills. The Trust will support as far as possible the continued professional development of all staff as they seek promotion to new opportunities both within the Trust and elsewhere. All members of staff are therefore encouraged to consider their suitability for any vacancy within the Trust and internal applications are always welcome.

Where the Trust determines that there is the potential for a strong field of internal candidates for a role it may choose to run an internal-only interview process prior to advertising for external candidates. This approach supports the Trust ethos of developing and supporting its own staff.

If no internal candidate is appointed through this approach, then the Trust will seek to advertise for external candidates and this need not exclude those, or other, internal applicants from applying however they will be given equal consideration alongside external candidates based on the selection criteria for the post.

Feedback to Unsuccessful Candidates

Unsuccessful shortlisted candidates can be offered feedback, which will be given by the recruiting manager, if the candidate requests it. Feedback should be factual and balanced.

All internal candidates will be given feedback unless they decline it, and again this must be factual and balanced. Where there is the opportunity to provide development in areas that fell short of the required standard for the advertised role, then these should

be identified, discussed and agreed. This can be informally or through use of formal processes such as the Professional Development Framework.

Use of Fixed Term and Temporary Contracts

Where the Trust determines that posts are of a short-term nature, this will be clearly specified in the job description and on any advertising literature. Posts will only be advertised on a temporary or fixed-term basis for genuine temporary reasons. Most temporary or fixed-term contracts will come to a natural end. Where, however, a fixed duration contract expires and the need for the post remains for a further definite period, then the post holder will usually be given an extension to their fixed period contract.

Where the need for a temporary or fixed-term post becomes a permanent one, there will be no automatic entitlement for the temporary post holder to be offered the permanent contract, however, please check with HR as length of continuous service can impact on employment rights.

It will be for the Trust to consider the most appropriate recruitment process in the circumstances. This could include, for example, consideration of the original reason for the post initially being temporary, any subsequent changes to the needs of the school and the original recruitment process that was undertaken.

Use of Supply Staff, Agency Staff, Volunteers and Contractors

The school workforce is made up of a variety of professional and highly skilled and committed people, not all of whom are paid or direct employees. The Trust values the diversity that this brings to its community as it strives to provide a safe environment and improve the standards of teaching and learning for all pupils. To ensure the continued high standards of contributions:

- The Trust will use, as preferred sources of supply staff, agencies that operate to high quality standards, particularly in terms of recruitment checks and legislative compliance.
- Agency staff must have been subject to the same set of pre-employment checks, and these must be confirmed in writing by the agency or carried out by the Trust. The DBS certificate must be seen by the school if there are any disclosures. The agency worker must provide photo ID on arrival for their first day in order to verify their identity, including their appearance against the ID provided.
- The Trust will adopt similar recruitment measures for contractors, with appropriate adjustment, for whom the DBS must be in place before the contractors are on site. The DBS may or may not need to include the children's barred list check depending on whether the contractor is engaging in regulated activity. The checks required should be covered in the contract.
- Volunteers must be subject to the pre-employment checks listed in this policy. Any volunteer who is supervised, as defined by government guidelines, is required to have an enhanced DBS check but is not subject to the children's barred list check. Volunteers who are not supervised, as defined by government guidelines, are subject to the children's barred list check as well as an enhanced DBS check.

Employment of Migrant Workers

The Trust will not employ, as a member of staff, any individual who cannot demonstrate that they have the right to work in the UK, regardless of the individual's colour, race, nationality or ethnic origins. Any employee who has a restricted right to work in the UK will be required to provide ongoing evidence of that right during employment.

The Trust is licensed to sponsor migrant workers who require sponsorship in order to work in the UK under Home Office rules.

The Trust complies with Home Office requirements in relation to the points-based system for employing migrant workers and will ensure, prior to appointment, that a worker who is subject to immigration control can be employed within the terms of the licence. The Trust will also meet, as required, all necessary conditions relating to sponsorship.

Induction and Probation

All new staff must be given an induction that covers Trust, school and location/role specific requirements.

All new support staff must be supported with a six-month probation period to maximise their potential in the role.

Policy Review

The Trust is mindful of its commitment to best practice in recruitment and its obligations under the Equality Act 2010 and DfE safer recruitment guidance and will ensure regular review of all recruitment activity. This will be undertaken with a view to improving future recruitment practices and thereby achieving the aims of this policy.

Data Protection

Records relating to recruitment and selection activities will remain confidential and accessible only to those who require information either as part of the recruitment decision-making process or for the administration of the process (including monitoring activities for the purposes of this policy or equality policies).

Records relating to successful candidates will be placed in employee files.

Records for unsuccessful candidates will be retained in a secure place for a period of six months, after which time they will be destroyed, except where the provisions for record keeping relating to migrant workers require a longer period of retention.

ANNEX 1: VIRTUAL RECRUITMENT

In exceptional circumstances recruitment activity can be carried out virtually. Exceptional circumstances will include periods of school lockdowns or holiday closures, and the recruitment of senior/key members of the Trust/schools' staffing teams where a candidate is, for good reason, unable to attend in person. Approval must be sought from Headteacher or Shared Services Functional Leader first.

Aside from the adjustments set out below, all other processes and expectations set out in the Recruitment and Selection Policy must be applied.

Interviewing – where there is good reason for an interview to take place remotely. It is recommended that hiring managers use Microsoft Teams to arrange interviews, with cameras on, so that the candidates are visible.

The normal requirement for each member of the interview panel to take interview notes still applies. These should be retained should the interviewee wish to see them or have feedback on their interview performance. Virtual interviews can be recorded, using the record function that is usually available to the user, providing all parties have given their permission for this.

Interviews

When arranging and running remote interviews, the following key points should be noted:

- Test the technology and make sure the candidate can access and use it,
- The panel must present themselves in a professional manner,
- The room should be well lit,
- As far as possible the visible background should be plain with nothing which could be considered inappropriate or showing personal\confidential information. Alternatively, staff should choose a Trust background,
- Other members of the household must not be involved in video-conferencing in any way,
- No one-to-one video-conferencing will take place,
- The hiring manager should ensure they have the candidate's telephone number and e-mail address available in case of issues with the technology.
- Make sure allowances are made for any time delays or glitches, and reduced ability to read body-language so make sure the candidate is always clear what is being asked and that notes are being taken.

Teaching Observation

The lesson observation should normally be conducted on-site. If this is not possible the following process will be followed;

- 1) A lesson topic and anonymised class information will be sent to the candidate by the hiring manager in advance,
- 2) The candidate will be given 48 hours to review this information and put together a lesson plan and presentation.
- 3) The presentation and lesson plan will be sent to the hiring manager by 3pm the day before the interview and will be discussed during the interview. As well as the normal interview questions, the candidate will be asked to answer example-led scenario-based questions so that the hiring manager/s can assess potential class performance and suitability for the post.

Interviewers should take into consideration the length of service and experience of the candidate e.g.: an experienced teacher would be expected to give a more sophisticated account compared to an ECT.

Pre-Employment Checks

All pre-employment checks as set out in this policy and Keeping Children Safe in Education must be carried out in the expected timeframes.

References

References will be sought in advance of the interview, wherever possible, with an additional question seeking specific assessment and comment on the candidate's classroom teaching where relevant.

DBS and Right to Work Checks

Care must be taken to ensure that legal and policy requirements in place at the time are met when conducting these pre-employment checks. Both checks rely on the candidate supplying original documentation, which must be achieved before the start date in employment. If this cannot be achieved guidance should be sought from the Trust HR team as soon as possible.

ANNEX 2: RECRUITMENT OF EX-OFFENDERS

Maiden Erlegh Trust has a responsibility to ensure that all employees in regulated activity are suitable to work with children. In doing so the Trust must comply with statutory guidance and regulation. This policy sets out Trust responsibilities with regards criminal record checks and recruitment decisions.

The Trust must assess the suitability of applicants for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS). In doing so the Trust complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

The following principles apply:

- The Trust undertakes not to discriminate unfairly against any subject of a criminal record check because of a conviction or other information revealed
- Maiden Erlegh Trust can only ask an individual to provide details of convictions and cautions that The Trust is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)
- The Trust can only ask an individual about convictions and cautions that are not protected
- The Trust is committed to the fair treatment of its staff, potential staff, or users of its services, regardless of race, gender reassignment, religion or belief, sex, sexual orientation, married or in a civil partnership, pregnant or on maternity leave, responsibilities for dependents, age, disability, or offending background
- The Trust has this written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process
- The Trust actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records
- The Trust selects all candidates for interview based on their skills, qualifications, and experience
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts, and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position

- Maiden Erlegh Trust ensures that all those in the Trust who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences
- The Trust also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g., the Rehabilitation of Offenders Act 1974
- At interview, or in a separate discussion, the Trust ensures that an open and measured discussion takes place about any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment
- The Trust makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.