





MidKent College Human Resources Policy

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GB Sub Committee	No			
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1. Introduction

- 1.1. MidKent College aims to employ, on merit, applicants who are able to demonstrate the appropriate skills and who are suitably qualified and experienced to fulfil the vacant position.
- 1.2. The aim of this policy is to ensure that the organisation has a consistent and non-discriminatory process for recruiting and selecting the right numbers of quality staff. It also promotes and supports good practice by providing clear guidance to those with responsibility for recruitment.
- 1.3. All appointments, either permanent or sessional, internal or external, must be made in accordance with this policy.

2. Scope and Aim of Policy

- 2.1. This policy applies to all applicants as well as existing, employed staff and covers all activities that form part of the recruitment and selection process. It is applicable to all staff recruitment, including agency and sessional recruitment.

3. Safer Recruitment Policy Statement

- 3.1. MidKent College is committed to safeguarding and promoting the welfare of children, young people, and vulnerable adults and expects all staff and volunteers to share this commitment.
- 3.2. At MidKent College we will safeguard and protect all students by implementing robust safer recruitment practices as part of our commitment to keeping children safe. This will include processes that enable us to identify and reject applicants who are unsuitable to work with children, young people and vulnerable adults.
- 3.3. We acknowledge that taking a planned and structured approach will help:
 - minimise the risk of appointing someone unsuitable
 - ensure we select the right person for the role
 - make sure the process is fair
 - make sure there are records of the process for future reference.
 - enable us to think about the resources that we need and ensure they are available.
- 3.4. In order to do this, the whole recruitment process will be planned in advance to make sure we have a consistent approach every time we recruit a new staff member or volunteer.
 - We will respond to concerns about the suitability of applicants during the recruitment process and employees and volunteers once they have begun their role
 - All new staff and volunteers will participate in an induction which includes child protection.
 - Our safer recruitment policy statement works alongside other policies within

our organisation, and these are identified in the policy cross reference table above.

- 3.5. This policy is designed to achieve the following objectives:
- Ensure adherence to current best practice in relation to “Safer Recruitment” processes in order to ensure the safeguarding of all students.
 - Recruit staff with the appropriate skills and behavioural qualities, in order to meet the organisation’s current and future needs.
 - Ensure that staff appointed to posts involving teaching responsibilities are qualified to carry out such duties or are working towards an appropriate qualification.
 - Ensure the College complies with employment legislation and the organisation’s Equality and Diversity policies and practices.

4. Planning the Recruitment Process

- 4.1. The process will be agreed and planned with the recruiting manager to ensure we apply a consistent approach every time we recruit a new staff member or volunteer.
- 4.2. Taking a planned and structured approach will ensure we:
- Minimise the risk of appointing someone unsuitable
 - Select the right person for the role
 - The process is fair
 - There are records of the process for future reference
 - We are less likely to miss anything out and always adhere to legislation and guidance
 - Consider the resources we need and how we will ensure they are available
 - Ensure the right people are available to take part in the process

5. Defining and Advertising the Role

- 5.1. Review the job description and specification to ensure it includes the skills, abilities, experience, attitude and behaviours required for the role as well as to what extent the role involves contact with children and any regulated activity relevant to children.
- 5.2. Adverts will include a statement about our commitment to safeguarding, keeping children safe and promoting the welfare of children and make it clear that safeguarding checks will be undertaken. It will also be clear if the role is exempt from the Rehabilitation of Offenders Act 1974.
- 5.3. It is normal practice that all vacancies are advertised, internally within the organisation. The exception to this is at a time of organisational change where redundancies may be made. At such times adverts may be sent only to those “ring fenced” staff who are affected by the consultation process. Any exceptions to this must be agreed by the Establishment and Recruitment Panel.

- 5.4. Every advertisement will contain the proposed interview date. In exceptional circumstances, such as a lack of suitable candidates to be interviewed or absence of a key member of the recruitment panel, this date may be postponed. In such circumstances all applicants to be interviewed will be advised of the new date as soon as practicable.

6. Applicant Information Pack

- 6.1. The online applicant information pack will include information on the recruitment and selection process
- 6.2. The application form allows the applicant to detail how they meet the criteria outlined in the person specification
- 6.3. All applicants will also understand what information will be sought from them and why, and what will be expected of them at each stage of the process. This will include:
- References
 - Shortlisting
 - Preparing for an interview and some transparent interview questions
 - The Interview
 - ID check
 - Offer
 - Pre-employment checks and on boarding

7. Shortlisting

- 7.1. Shortlisting will be undertaken by at least two people (one can be a colleague from HR), although it is preferred that both undertaking the shortlisting attend the interview for consistency
- 7.2. References. The Human Resources Team will request references for the shortlisted candidates at the point that the short listing is complete, subject to the candidate's permission to obtain references at this stage. Any issues of concern that arise from the references will be explored further with the referee and taken up with the candidate at interview.
- 7.3. Further references may need to be obtained if a candidate is successful at interview. The candidate will be advised if this is the case.
- 7.4. We will:
- Not accept open references
 - Not rely on applicants to obtain their references
 - Ensure any reference is from the candidates current or last employer wherever possible and completed by a senior person with appropriate authority (if a school, this will be by the Head Teacher/principal as accurate with regards to any disciplinary investigations)

- Obtain verification of the individuals most recent relevant period of employment where the applicant is not currently employed wherever possible
 - Secure a reference from the relevant employer from the last time the applicant worked with children (if they do not currently work with children).
 - Verify information with the person who provided the reference
 - Ensure electronic signatures originate from a legitimate source
 - Contact referees to clarify content where information is vague or insufficient
 - Compare the information on the application form with that in the reference and take up any discrepancies with the candidate
 - Establish the reason for the candidate leaving their current or most recent post
 - Ensure any concerns are resolved satisfactorily before appointment is confirmed.
 - Should there be a delay in receiving a reference, it may be deemed appropriate to undertake a risk assessment whilst this is being obtained. The Director or Deputy Director of People will agree and confirm any risk assessments, which are reviewed every four weeks as necessary.
- 7.5. Online searches. As part of the shortlisting process, the HR team will undertake an online Google search on any shortlisted candidates against any names declared by the candidate. The purpose of this is to identify any incidents or issues that may have happened and are publicly available on-line.
- 7.6. The searches will only be looking for information that suggests that a candidate is unfit to work with children/students, rather than general information about their social life or views on certain issues.
- 7.7. Any information that is relevant will be raised and explored further at interview before making any firm decisions about a candidate's fitness for the role.
- 7.8. Any low-level concerns will be explored and noted for future reference.
- 7.9. Self declaration. As part of the invite to interview process, candidates will be asked to contact HR prior to attending an interview, to discuss any relevant details regarding their criminal record or information that would make them unsuitable to work with children.
- 7.10. If any disclosure is made at this point, an HR Business Partner will then arrange to have a discussion about this, with the candidate in advance of the interview.
- 7.11. The statement will need to include any criminal history and barred information as outlined in Keeping Children Safe in Education Part 3 – Safer Recruitment.
- 7.12. A further, written declaration will also be obtained from successful candidates – please see section 14. Offer of Employment for more details.

8. Interview Panel

- 8.1. The interview must be conducted by a panel. For teaching posts, the panel should consist at least two the following:
 - Executive Director (Curriculum) / Director of Curriculum/ Head of Department
 - Curriculum Manager
 - Relevant appropriate person with specialist knowledge of the role to be undertaken – this may be an internal or external person
- 8.2. For support posts, the panel should consist of at least two the following:
 - Director or equivalent level manager or above
 - Head of Department or equivalent
 - Relevant appropriate person with specialist knowledge of the role to be undertaken – this may be an internal or external person
- 8.3. A mix of male and female panel members is preferred.
- 8.4. Any changes to the above must be agreed by the Director of People in advance of the interviews. Where it is not possible to form a panel of the above staff or it is deemed necessary an HR representative will support the recruitment process.
- 8.5. The panel Chair must have undertaken the Safer Recruitment training and wherever possible all other panel members should also be Safer Recruitment trained. The panel Chair must be consistent where panels are held over more than one day, subject to illness/ unforeseen circumstances. The HR Department will check to ensure that at least the Chair of the panel is Safer Recruitment trained.
- 8.6. The panel Chair, or where they are in attendance, the HR Representative will ensure that relevant safeguarding and PREVENT knowledge is explored during the interview, including any information obtained through the reference check.
- 8.7. The panel chair or a member of the HR team will undertake an ID check of the candidate in advance of the interview commencing as well as checking their eligibility to work in the UK. See section 10. Eligibility to Work in the UK.
- 8.8. Gaps in employment will also be discussed during the interview.

9. Interviews and Assessments

- 9.1. The recruiting manager will work with the HR team and confirm the structured interview questions that will be asked of candidates and also if any 'transparent' questions which will be sent to candidates in advance by the HR team along with any preparation that candidates need to make for assessments.
- 9.2. Questions should explore potential areas of concern and to determine the applicant's suitability to work with children and will cover:

- What attracted the candidate to the post being applied for and their motivation for working with children
 - Exploring their skills and asking for examples of experience or working with children, which are relevant to the role
 - Probing any gaps in employment or where the candidate has changed employment or location frequently, asking the reason for this.
- 9.3. Job-related assessments can be used as part of the selection process. The College reserves the right to carry out an assessment of an individual's literacy and numeracy competence, which may form part of the assessment process.
- 9.4. It is the manager's responsibility for deciding upon the most appropriate tasks to ask candidates to undertake. It is also their responsibility for making and ensuring that all arrangements are in place for any assessment tasks that they will be using during the recruitment process. This will include arranging for students to attend if required for teaching assessments.
- 9.5. All candidates will be given the same written information as to any interview questions shared in advance, how long the task will take, the topic area(s) they will cover, and what, if anything they should prepare in advance.
- 9.6. For teaching roles a relevant assessment will be undertaken to assess the candidate's competence in a teaching environment. This will apply to any applicant for a teaching post, irrespective of whether this is for a permanent or sessional member of staff or for agency cover.
- 9.7. The performance of the candidate will be assessed and scored throughout the interview based on the predetermined criteria for the job. Where possible, the scoring of candidates should take place following each method of assessment. The recruiting panel must record why the decision to offer the job to a candidate was made, and why each of the other applicants interviewed was not selected.
- 9.8. The successful candidate will be determined by the recruitment panel based on all parts of the assessment. The recruitment panel Chair's decision on an appointment is final.
- 9.9. The panel Chair is responsible for ensuring the offer paperwork is completed to the required standard and returned to the HR team to enable a formal offer to be made and contract to be drawn up.
- 9.10. If the successful candidate does not accept the offer of employment, any decision to offer the appointment to the second choice applicant must be taken by the whole panel. Before the panel disbands it should agree, if possible, on the reserve name(s).

10. Eligibility to Work in the UK

- 10.1. The Immigration, Asylum and Nationality Act 2006 make it an offence to employ anyone who does not have permission to work in the UK. All

documents will be copied and retained in personal files for the duration of employment. The HR team will carry out regular audits of these documents as required by immigration legislation.

11. Applicants with Disabilities

- 11.1. Disabled applicants who provide reasonable evidence that they meet the minimum essential criteria for the role will be guaranteed an invitation to the interview or selection event.
- 11.2. A disability is, as defined in the Disability Discrimination Act 1995, any physical or mental impairment which has a substantial and long term (over 12 months) adverse effect on your ability to carry out normal day to day activities.'
- 11.3. A disabled applicant:
 - is strongly encouraged to declare any disability to ensure that the appropriate level of help and support can be provided at the interview or selection event;
 - needs to have disclosed a disability at the application stage in order to be considered for a guaranteed invitation to the interview or selection event subject to the conditions above;
 - has a right to disclose a disability at any point in the application process;
 - who does not declare a disability is advised that the current health and safety legislation states that if the disability has implications for the health and safety of either herself/ himself or the people that they may be working with, the prospective employer must be informed of the disability.
- 11.4. Candidates invited to attend an interview should contact the Human Resources department, if any reasonable adjustments are required in order to enable them to attend.

12. Ex-Offenders

- 12.1. As an organisation assessing applicants' suitability 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), MidKent College complies fully with the code of practice and undertakes to treat all applicants for positions fairly.
- 12.2. MidKent College undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed. Please see Appendix 1 for the full policy statement on the recruitment of ex-offenders. A copy of the Revised Code of Practice for Disclosure and Barring Service Registered Persons is available upon request or can be downloaded from the Government website Gov.uk.

13. Interview Outcomes

- 13.1. The Human Resources representative, or in exceptional circumstances, an Executive Director, will contact the successful candidate in order to provide them with details of the conditional offer of employment, including any pre-employment requirements. A wet signature will then be obtained when the successful candidate returns to the College in order to evidence their pre-employment check documentation.
- 13.2. Unless otherwise agreed unsuccessful candidates will be advised of the decision by the Human Resources Team. The Recruiting Manager is responsible for providing detailed feedback to the unsuccessful candidate on request.

14. Offer of appointment

- 14.1. As part of the initial, conditional verbal offer, the successful candidate will be asked to return an electronically signed self-declaration, prior to any written confirmation of offer being provided. This is further to the initial self-declaration being requested at shortlisting stage. See section 7.9.
- 14.2. This self-declaration will include any relevant details regarding their criminal record or information that would make them unsuitable to work with children.
- 14.3. The declaration will ask them to sign that the information they have provided is true, with them physically signing a hard copy in advance of the DBS being obtained, if only an electronic signature has been provided up to that point.
- 14.4. This allows the candidate to have an opportunity to share relevant information and allow this to be discussed before any DBS is received.
- 14.5. The statement will need to include any criminal history and barred information as outlined in Keeping Children Safe in Education Part 3 – Safer Recruitment.
- 14.6. Anything declared on this self-declaration will be discussed with the candidate prior to any further actions being taken. Offers may be withdrawn at this stage if details on a self-declaration are of concern.
- 14.7. The written offer of appointment, which is made to a successful candidate, including one who has lived or worked abroad, will be conditional on satisfactory completion of all necessary pre-employment checks.
- 14.8. As part of the Safeguarding and vetting checks, when appointing new staff the College will:
 - verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
 - obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity);
 - obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available (as part of risk assessment

- process, please refer to DBS policy);
- undertake prohibition checks including whether an individual is barred from teaching
- verify the candidate's mental and physical fitness to carry out their work responsibilities;
- verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then the College will follow advice on the GOV.UK website;
- if the person has lived or worked outside the UK, the College may make any further checks deemed appropriate;
- verify professional qualifications.
- undertake references if these were not able to be obtained prior to the interview

15. Health Questionnaire

- 15.1. All new members of staff are required to complete a confidential health questionnaire which is sent to the College occupational health provider for review.
- 15.2. The purpose of this is for occupational health to assess whether any reasonable adjustments will need to be put in place for the individual. Where it is identified that reasonable adjustments may be required, the occupational health provider will notify the Human Resources department of this and a representative from the department will contact the individual to arrange a meeting to discuss this further.

16. Disclosure and Barring Service (DBS) Checks, Prohibition Checks and other Security Checks

- 16.1. The purpose of the DBS check and the Prohibition check is to assist the organisation in protecting and safeguarding children. The Human Resources department will ensure these checks are completed in accordance with the College DBS checks policy. If an individual commences employment prior to satisfactory clearance being received, the Recruiting Manager must complete a DBS Risk Assessment and submit to the DBS Lead Signatory for review.
- 16.2. Other Security checks may be obtained if relevant to the performance of the role.
- 16.3. The DBS code of practice and the Standard & Enhanced DBS Check Privacy Policy are available from Human Resources and on the Employment Policies page on SharePoint.
- 16.4. Where an individual discloses and/ or as part of the safeguarding checks it becomes apparent that an individual has a conviction. The College's DBS Lead Signatory will consider the appropriateness of appointment and discuss the matter with the applicant, in accordance with the above Ex-Offenders section. In reaching a decision the DBS lead may take advice regarding suitability from

the Principal and College Executive Team.

17. Reasonable adjustments

- 17.1. When a disabled person is selected for a position with the College, the relevant HR Business Partner will discuss with them what reasonable adjustments, if any, are required to ensure that they can carry out the job to the required standard. This will involve seeking specialist support and advice from our occupational health provider or other relevant specialist.
- 17.2. If additional or alternative equipment or any other assistance is required for the candidate, the candidate can request an assessment for further support through the Government Scheme, 'Access to Work' which provides individuals and their employers with advice and financial support with extra costs which may arise as a result of a long term health condition or disability. Further information on Access to Work is available at: <https://www.gov.uk/access-to-work>
- 17.3. In the unlikely event that the necessary adjustments prove to be too extensive or impractical, a review would be conducted by the Director of People & Payroll and relevant Executive Director/ Head of Department. In exceptional circumstances the College may withdraw the offer of employment.
- 17.4. The College is committed to;
 - Discussing with disabled employees, at least once a year, their continuing professional development to ensure they can develop and use their abilities. Managers will undertake this through their regular one to ones with staff as appropriate.
 - Making every effort when an employee becomes disabled to ensure they stay in employment.
 - Taking action to ensure all employees develop an appropriate level of disability awareness to support the above commitments.
- 17.5. Where copies of academic qualifications and professional registration were not obtained at the interview, the line manager is responsible, in conjunction with the HR team, for ensuring that these are obtained and validated within 4 weeks of the job offer being made.
- 17.6. If any of the above conditions are not met, the organisation reserves the right to withdraw any offer of employment. Any decision to exercise this right shall be taken by an appropriate manager and the applicant will be informed in writing within five working days.

18. Overseas Recruitment

- 18.1. If the person to be appointed is not a United Kingdom citizen or does not have EU/EEA settled status, they must provide proof of their right to work in the United Kingdom at the time of the interview. Additional identification checks may be required for applicants in accordance with the DBS Policy.

- 18.2. For some nationals a Certificate of Sponsorship may be required. The College may consider Sponsorship of an individual where a post has proven to be difficult to recruit to, and/ or if the role is detailed in the Government approved Tier 2 Shortage Occupation List. In addition the College may support an applicant in meeting the requirements to work in the United Kingdom. Please speak to the HR department for more information.

19. Contracts

- 19.1. Once pre-employment checks have been received and a start date agreed, a letter confirming an agreed start date will be issued. A full contract will be sent to the successful employment in advance of their start date.

20. Fraudulent Applications

- 20.1. Serious and/ or deliberate fraud and deception in connection with an application for employment may amount to a criminal offence (Obtaining Pecuniary Advantage by Deception). In such cases, where the applicant is offered and accepts employment, the organisation will consider taking a disciplinary action and reporting the matter to the police and DBS.

21. Observation

- 21.1. In order to ensure the organisation's compliance with both the Recruitment and Equality Opportunities policies, an observer may be present at any part of the process. The observers do not actively participate in any stage of the proceedings and do not have voting rights for selection.

22. Positive Action

- 22.1. The organisation may decide to use positive action in recruitment, if there is sound evidence that a group of people who share a particular characteristic is under-represented in the workplace or suffer a disadvantage connected to that characteristic. Positive action will only be considered, if it is deemed a proportionate way of addressing the underrepresentation or disadvantage of a particular group e.g. an under representation of women lecturers within a particular department such as construction. Additionally, the interview panel will only be able to use the candidate's protected characteristic as a "tie-breaker" if two or more applicants are of equal merit and one is from the group which is underrepresented or otherwise disadvantaged within the workforce.

23. Equality and Diversity Monitoring

- 23.1. For equality and diversity purposes, recruitment statistics will be collated and monitored on an annual basis by protected characteristics to ensure that there

is no discrimination on these grounds.

24. Complaints

- 24.1. If a member of staff or an applicant has a formal complaint regarding the application of this policy, the complaint should be raised in writing to the Director of People & Payroll, MidKent College, Maidstone Campus, Oakwood Park, Tonbridge Road, Maidstone Kent. ME16 8AQ.

25. Breaches of the Policy

- 25.1. Breaches of this policy by employees of MidKent College may be treated as a disciplinary offence which will be considered under the College Disciplinary Policy.

26. Duties and Responsibilities

26.1. Executive Group

It is the Executive Group's role to make a final decision on whether there is a continuing need for a role, if there is they must authorise the post, confirm the appropriate grade of that role and the contribution of the post to the success of the College.

26.2. Recruiting Manager

The Recruiting Manager is the manager responsible for the vacancy and the process which leads to the appointment of an individual to a post. The Recruiting Manager must ensure that they fully comply with this policy and its associated procedures and any other associated College policies. They must also ensure that they maintain the appropriate level of confidentiality throughout the recruitment process at all times.

26.3. Human Resources

The role of the Human Resources department is to act in an advisory capacity to all parties involved and ensure full compliance with the recruitment and selection policy and associated procedures. Representatives from the department will be involved in the recruitment and selection process at various stages as required.

27. GDPR

- 27.1. All records associated with this policy will be retained and disposed of in accordance with the HR Retention policy.

28. Policy monitoring, Review and Evaluation

- 28.1. A review of this policy will be undertaken by the review date by the policy writer and the Senior Manager responsible. The policy will then be

presented to the Executive Group and, where required, the Governing Body for approval.

29. Equality Impact Assessment

- 29.1. This policy has been Equality Impact Assessed and generates no concerns about differential impact. The Equality Impact Assessment is filed on the HR SharePoint site.

30. Policy Distribution

- 30.1. A current version of this document is available via SharePoint. It does not contain confidential information and can be released to external parties
SharePoint site.

Appendix 1 - Policy Statement on the Recruitment of Ex-Offenders

As an organisation assessing applicants' suitability 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), MidKent College complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

MidKent College undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

MidKent College can only ask an individual to provide details of convictions and cautions that MidKent College are 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).

MidKent College can only ask an individual about convictions and cautions that are not protected.

MidKent College is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background.

This written policy on the recruitment of ex-offenders, is available to all DBS applicants at the start of the recruitment process.

MidKent College 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.

MidKent College select 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.

MidKent College ensures that all those in MidKent College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

MidKent College 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, MidKent College ensures that an open and measured discussion takes place on the subject of 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.

MidKent College 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.

MidKent College undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

The Safer Recruitment & Selection Policy, version 1.0 2023 has been consulted and negotiated with UCU representatives and its members on the understanding that the content will be subject to review no later than April 2026.

For and on behalf of UCU:

Signed: 

Name: Sukh Gill

Date: 13/04/2023

Signed: 

Name: Jey Odumade

Date: 13/04/2023

For and on behalf of MidKent College:

Signed: 

Name: Wade Herring

Date: 27/04/2023