



MacIntyre

Providing support...your way

Recruitment and Selection Policy

MacIntyre School and Children's Homes

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1 Introduction

For the purposes of this policy “MacIntyre School” refers to MacIntyre School, Wingrave and includes its on-site children’s homes and Hillside children’s home in Leighton Buzzard and Woodland View in St Albans

MacIntyre School recognises that our staff are fundamental to its success. We therefore need to attract and retain suitably qualified and experienced staff that are committed to the provision of high quality, person centred education and support for our students which will support the delivery of the school and children’s homes improvement plan. In order to do this the recruitment process is designed to recruit those staff who will be committed to uphold MacIntyre’s values, be facilitative in their approach, and who will continually learn and develop themselves to improve their teaching and practice.

MacIntyre School is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work. MacIntyre School is also committed to ensure that recruitment and selection is undertaken in a consistent, fair and transparent way and that appointments are based on the applicant judged to be most suitable, securing the position.

The purpose of this policy is to provide a sound framework for the recruitment and selection of staff based upon the objectives outlined below as well as all other relevant MacIntyre Policies, employment legislation and Department for Education guidance and the children’s’ homes regulations Parts 3 & 4 and Schedule 2. . The objectives for the recruitment and selection process are to:

- Adopt an anti-discriminatory, transparent and fair approach to all recruitment practice
- Adhere to the principles of Safer Recruitment detailed in the Department for Education Guidance Keep children safe in education: (as outlined in the “Keeping children safe in education Statutory Guidance for Schools and Colleges” (2016 DfE and as may be subsequently amended and updated) to prevent people who pose a risk of harm from working with children.
- Ensure we are fully complying with schedule 2 from the children’s home regulations
- Identify successfully those who will work in a facilitative way.
- Ensure that the direct needs and wishes of the students are respected throughout the recruitment process.
- Recruit natural practitioners/educationalists who through their capacity for reflective practice will provide the very best of education and Great Interactions to the students we support.
- Retain those staff who will be regarded as a positive role model in the sector.

This policy and the associated good practice guidance applies to all employees, relief workers and volunteers of MacIntyre School, as well as the school governors and MacIntyre directors responsible for and involved in the recruitment and selection of its staff. It does not form any part of any employee’s contract of employment and it may be amended at any time. Its associated good practice guidance will be reviewed and may be revised periodically to ensure continuing relevance and effectiveness in the light of any developments in employment legislation, Department for Education and Ofsted guidance, good employment practice and MacIntyre policy.

2 Policy Statement

The Chief Executive Officer (CEO) of MacIntyre, The MacIntyre School Local Advisory Board (LAB), the Head of Operations and Senior Leadership Team at MacIntyre School are committed to running MacIntyre School in the best way possible. This means that MacIntyre School is committed to recruiting from the widest possible pool of talent in order to attract and select the best applicants to provide the very best education and support for our students. MacIntyre School is committed to comply with its legal obligations under the Equality Act (2010) and its associated codes of practice to provide equal opportunity for all and to ensure applicants are not discriminated against. The appendices to this policy therefore provide statements on MacIntyre's position with regards to the recruitment of volunteers, ex-offenders and non UK workers.

A motivated and committed workforce with appropriate knowledge, skills, experience and ability to do the job is critical to the school's performance and fundamental to the delivery of high quality education. The recruitment and selection process is also a key way in which the professionalism of MacIntyre School, its staff and processes, is showcased to external stakeholders.

It is therefore the responsibility of all teachers and managers to be familiar with this policy and associated Recruitment and Selection Procedures - Good Practice Guidance. Teachers and managers are responsible for implementing it fairly, effectively, in a timely and impartial manner. It is expected that each teacher and manager should be accountable for their own competence. This means teachers and managers identifying and completing, as necessary, a range of training to ensure this is the case.

All employees of MacIntyre School who are responsible for recruitment will follow clear procedures to support a safe, fair, consistent and legal recruitment and selection process and work to the highest standards of good practice at all times.

The key principles of the recruitment process in MacIntyre School are that:

- The first consideration at each stage of the process will be to ensure the safeguarding and welfare of our students.
- Checks will be carried out as required in accordance with the guidance in the DfE Keeping Children Safe In Education - Statutory Guidance For Schools And Colleges (2023 DfE and as may be subsequently amended). This guidance includes Teacher Prohibition orders and Section 128 Directions.
- Checks will also be carried out as required in accordance with The Children's Homes (England) Regulations 2015 – Parts 3 & 4 and Schedule 2.

- All Appointing Officers will have completed recruitment and selection training that covers their legal responsibilities and MacIntyre Appointing Officer training. At least one member of the interviewing panel will have passed appropriate Safer Recruitment training.
- All advertising will include a Safer Recruitment statement.
- Appropriate participation of our students and their needs will be considered in all aspects of the recruitment process. Appointing Officers will plan explicitly how best to appropriately and positively involve our students.
- All vacant posts will be advertised.
- To encourage and develop the capability and skills of the existing workforce, internal opportunities for development or promotion within the MacIntyre School workforce may be considered before advertising externally.
- Externally advertised roles will be advertised using various job boards, relevant media and local promotion as necessary.
- Every vacant role will have clear criteria for shortlisting, interview and selection designed to test competencies and skills.
- Clear records will be kept for every stage of the process.
- Any offers of employment will be made as conditional to meeting MacIntyre's minimum recruitment standards.

3 Other MacIntyre Policies and Relevant Information

This policy has been updated to reflect current legislation and good practice externally. This policy should be read in conjunction with:

- Recruitment and Selection Procedures: Good Practice Guidance – MacIntyre School, Wingrave
- MacIntyre Great Interactions Policy
- MacIntyre An Introduction to Inclusive Recruitment
- MacIntyre Equal Opportunities and Diversity Policy and Guidance
- MacIntyre Confidentiality and Data Protection Policy and Guidance
- DfE Keeping Children Safe In Education - Statutory Guidance For Schools And Colleges (Sept 2023)
- The Children's Homes (England) Regulations 2015 – Parts 3 & 4 and Schedule 2.

4 Schedule of Responsibilities

Chief Executive Officer (CEO) of MacIntyre

To take overall responsibility for the implementation of policies and procedures and to provide, as appropriate, reports to Trustees in relation to this policy. The CEO has the authority within this policy to vary this policy or its guidance in exceptional cases dependent on operational requirements.

MacIntyre School Local Advisory Board (LAB)

The LAB has governance powers delegated to it by MacIntyre's Board of Trustees. The LAB takes ultimate responsibility for recruitment and selection within MacIntyre School although day to day implementation is delegated to the Senior Leadership Team (SLT) of MacIntyre School. The LAB will consult with MacIntyre's Director of Children and Young People and its School Improvement Partner in relation to the recruitment process for the appointment of principal to MacIntyre School.

MacIntyre Group Director for Education and Children's Services

- To act as Appointing Officer for the Head of Operations and any equivalent positions.
- To monitor and review the management and implementation of this policy in consultation with MacIntyre's Workforce Director and the Senior Leadership Team (SLT)
- To manage the deployment and secondment of employees in accordance with changing business requirements.
- The group Director for Education and Children's Services has the authority within this policy to vary this policy or its guidance in exceptional cases dependent on operational requirements.

MacIntyre Workforce Director

- To monitor and review the management and implementation of this policy in consultation with MacIntyre's Group Director of Education and Children's Services and the Senior Leadership Team(SLT).
- To provide advice and training under this policy as required, ensuring continuing relevance and effectiveness in line with any developments in employment legislation, good employment practice and other MacIntyre policies.
- To provide appropriate management information reports for MacIntyre Trustees, MacIntyre Directors, MacIntyre School LAB and Senior Leadership Team (SLT) as required.

MacIntyre School's Senior Leadership Team (SLT)

The SLT is comprised of the Head of Operations, the Head of Education. The Regional Lead for Children's Homes, The Development Manager and the School Business Manager and whatever other senior position as may be appointed from time to time and deemed by the Head of Operations as a key leader within MacIntyre School. The responsibilities of the SLT are to:

- Actively promote good practice under this policy
- Monitor and review the management and implementation of this policy in consultation with MacIntyre's group Director of Education and Children's Services and MacIntyre's Workforce Director
- Promote the appropriate involvement of student in the recruitment process, wherever possible

- Identify training needs and ensure competence in those employees who are responsible for and involved in recruitment
- Act as Appointing Officers for Teachers, Home Managers and equivalent roles

All Employees with Recruitment Responsibilities

Teachers, home managers and other supervisory roles will, where required, carry out recruitment and selection procedures, ensuring effective and competent operation of this policy. In order to do so they will complete the following recruitment and selection training:

- MacIntyre Appointing Officer training to cover legal and operational responsibilities
- Safer Recruitment training (for at least 1 member of any interview panel)
- Any other key training as may be identified by MacIntyre School from time to time

Appointing Officers

- To complete the training detailed in the above section for all employees with recruitment responsibilities
- To have overall responsibility for employing the right people at the right time, with the relevant skills and behaviours to meet the needs of our students
- To demonstrate good practice, ensuring that all recruitment activity is completed
- To agree recruitment plans and timescales with MacIntyre Recruitment Team
- To carry out all stages of the recruitment process without discrimination on any grounds applicants for employment, appointing people on the basis of their demonstrable ability to fill the requirements of the role
- Ensure that all pre-employment checks have been completed satisfactorily prior to agreeing a start

All Employees, Volunteers and Workers

- To read the *DfE Keeping Children Safe In Education - Statutory Guidance For Schools and Colleges* (September 2023 and as may be updated from time to time).
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf
- To read the *Guidance For Safer Working Practice For Those Working With Children and Young People In Education Settings*

5 Definitions

Appointing Officer

A named person at Manager or Teacher Level and above who is personally responsible for the recruitment process, ensuring non-discriminatory practice at every stage. This includes; completing and monitoring paperwork, monitoring the online application process, and authorising offers of employment. The Appointing officer must be at a level above that of the post being recruited to and have received appropriate training. They are responsible for the final selection decision.

School Improvement Partner

An independent educational consultant who works with the Senior Leadership Team to deliver continuous school improvement.

Involving Everyone

This means Appointing officers finding creative ways of involving our students in recruiting their staff. The students are involved wherever possible, as appropriate and meaningful to each of them as an individual. If appropriate then family, friends, current staff and advocates may also be involved.

MacIntyre's Minimum Recruitment Standards

The minimum standard is that MacIntyre must be satisfied with the outcomes from all the following checks made on any applicant offered a position.

- Verification of identity using the government guidance on <https://www.gov.uk/government/publications/proof-of-identity-checklist/proof-of-identity-checklist>
- Verification of right to work in the UK using the government guidance on <https://www.gov.uk/legal-right-work-uk>
- Two written references, including a reference from the applicant's current or most recent employer
- For children's' home positions- ensuring that a reference is sought from all previous work within in children's' services (voluntary or paid)
- For teaching positions, references will be sought and checked and if needed clarification sought directly with the referees (wherever possible by telephone) prior to interview.
- If a person has previously worked in a position involving work with children or vulnerable adults, verification so far as reasonably practicable of the reason why the employment or position ended.
- A full employment history
- Verification/documentary evidence of any qualifications required for the role
- Verification of the applicant's mental and physical fitness to carry out their work responsibilities.
- Enhanced Disclosure and Barring Service (DBS) Certificate ([including barred list information](#) for those successful applicants who will be engaging in regulated activity –see definition below)

For further information please refer to:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_child_ren_safe_in_education.pdf

- Section 128 Prohibition Check (for those successful applicants appointed to carry out teaching work or those to be engaged in management roles) using the Teacher Services' system.
- Further appropriate checks if the successful applicant has lived or worked outside of the UK to ensure that any relevant events that may have occurred outside the UK can be considered. This

includes a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the National College for Teaching and Leadership (NCTL) Teacher Services' system. The Home Office has published guidance on criminal record checks for overseas applicants. The department has also issued guidance on the employment of overseas-trained teachers. For further information please see:

<https://teacherservices.education.gov.uk/>

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

<https://www.gov.uk/government/publications/employing-overseas-trained-teachers-from-outside-the-eea>

Regulated Activity

An enhanced Disclosure and Barring Service (DBS) check including a barred list check will be required for all staff at MacIntyre School engaged in regulated activity. A person is considered to be engaged in regulated activity if as a result of their work:

- Will be responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Will carry out paid, or unsupervised unpaid, work regularly in a school or college where whatwork provides an opportunity for contact with children; or
- Engage in intimate or personal care or overnight activity, even if this happens only once

For all staff (including contractors) who are not engaged in regulated activity but have regular contact with children, then an enhanced DBS certificate will be required.

6 Recruitment Procedures - Good Practice Guidance

MacIntyre School has produced Recruitment Procedures - Good Practice Guidance in relation to this policy.

Appendix 1: Recruitment of Volunteers Policy Statement

MacIntyre School considers that volunteers have an important role to play in supporting the inclusion of students in their local communities and thereby increasing the opportunities and experiences available to them. The School is therefore committed to encouraging formal and informal volunteering whilst ensuring the safety of the students we support.

A volunteer is a person who gives their time, experience and skills freely. They are not an employee and will not have a contract of employment or receive any pay. The volunteer is free to decline to provide their time to MacIntyre School and the School is not under any obligation to provide volunteering opportunities for the volunteer. It is expected that the volunteer will give as much notice as is possible if they are unable to provide services as a volunteer. Similarly, MacIntyre School will give as much notice as possible if it needs to cancel or change the volunteering opportunities it has previously made available to the volunteer.

Volunteers will be required to complete an application form and appropriate and proportionate recruitment checks will be undertaken for the type of voluntary work being proposed. The volunteer candidate will be invited to an informal interview to provide opportunity for them to understand more about volunteering in the school and for MacIntyre to seek further information about the volunteer candidate. Due to the vulnerable nature of the students supported at the school all volunteers will be required to provide an enhanced DBS Certificate which satisfies MacIntyre with regards to their suitability as a volunteer for the school.

Under no circumstances will volunteers be left alone and unsupervised in charge of our students.

Appendix 2: Policy Statement – Recruitment of Ex-Offenders

The aim of this policy is to state the organisation's approach towards employing people who have criminal convictions. MacIntyre School fully recognises its responsibilities under the Rehabilitation of Offenders Act 1974 and undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed. MacIntyre School is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, where appropriate, qualifications and training. MacIntyre School will therefore consider ex-offenders for employment on their individual merits.

All positions within MacIntyre School are likely to require staff to engage in regulated activity and these roles will therefore be covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. This means that MacIntyre School will require job applicants to disclose all convictions, whether spent or unspent (other than where protected cautions and protected convictions do not need to be disclosed, depending on the job concerned). Even in these circumstances, however, the School will not refuse to employ a particular individual unless the nature of the conviction has some relevance to the job for which the individual has applied.

Successful job applicants will be required to make an application to the Disclosure and Barring Service (DBS) for a standard, enhanced or enhanced with DBS barred lists check (as appropriate). Where the successful applicant is member of the DBS update service, the school will seek permission to carry out a status check on any current certificate. MacIntyre complies fully with the Disclosure and Barring Service Code of Practice. For further information please see:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/474742/Code_of_Practice_for_Disclosure_and_Barring_Service_Nov_15.pdf

If a successful applicant has any matters revealed on their DBS Disclosure Certificate, then MacIntyre School will discuss the matters revealed with the applicant before reviewing the individual circumstances of the case and making any decision to continue with or withdraw the conditional offer of employment. Where an applicant for employment fails to disclose information relating to a conviction which is subsequently revealed on a DBS Disclosure Certificate or where MacIntyre School is not satisfied with the explanation provided by the applicant then the School is entitled to withdraw the conditional offer of employment.

Where an application is received from a person who is barred from working with children, this is a criminal offence and MacIntyre School will report this to the Disclosure and Barring Service and the Police

MacIntyre School is committed to ensuring that all information provided about an individual's criminal convictions, including any information released in disclosures, is used fairly and stored and handled appropriately and in accordance with the provisions of the Data Protection Act 1998. Data held on file about an individual's criminal convictions will be held only as long as it is required for employment purposes and will not be disclosed to any unauthorised person.

App3 Policy Statement – Recruitment of non-UK Workers

MacIntyre is committed to positively promoting equality of opportunity, eliminating discrimination and encouraging diversity amongst the workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give their best.

The law states that, prior to employment; checks must be made to ensure a person has the right to work in the UK. MacIntyre will undertake such checks with all potential employees in order to demonstrate its Commitment both to the prevention of illegal working and to the Equality Act 2010. This means that MacIntyre School will treat all job applicants in the same way at each stage of the recruitment process, and no assumptions will be made on the basis of, for example, appearance or a foreign name. There will be no assumption that a foreign national or someone from an ethnic minority has no right to work in the UK. MacIntyre School will recruit applicants who are most suited to the position in question and comply with its equal opportunities policy at all times. The requirement to provide documentary evidence of the right to work in the UK will apply to all appointees, regardless of their race, nationality or ethnic or national origins.

The Right to Work Checklist must be completed at recruitment stage in accordance with current legislation. Further information for employees responsible for and involved in the recruitment process can be obtained from MacIntyre's central Recruitment Team and also on the government website at <https://www.gov.uk/legal-right-work-uk>.

MacIntyre School will not employ an individual unless they can demonstrate to MacIntyre School's satisfaction that they have the legal right to work in the UK. All offers of employment will be subject to the successful applicant providing the required original documents showing evidence of their right to work in the UK (on an ongoing or restricted basis). These documents will be checked by the Appointing Officer during the recruitment process.

In the event that an individual has time-limited permission to live and work in the UK, they will be required to provide evidence, that satisfies MacIntyre of their renewed right to live and work in the UK at the expiry date of the relevant current permission.

If a successful applicant for employment is unable to provide evidence, that satisfies MacIntyre School, of their right to work in the UK, then MacIntyre School will withdraw the conditional offer of employment. If it becomes evident to MacIntyre School during the course of an employee's employment that they do not appear to have the right to work in the UK, the school will investigate the circumstances. If, following that investigation, MacIntyre is not satisfied from the evidence available, that the employee has the right to work in the UK, MacIntyre will terminate the employee's contract of employment.