



Safe Recruitment Policy

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1 Dates

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Written by: Mark Youd

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Reviewed by: Chris Murnin

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2 Abstract

This document has been heavily based on the Safer Recruitment Guidance document from the Local Safeguarding Children Board – Leicester, Leicestershire & Rutland (30th April 2009), as this offers “best practice” advice to ensure that Leicester Outdoor Pursuits Centre (LOPC) recruits and employs suitable paid and unpaid members of staff.

It is intended that this document will be used by LOPC staff and Trustees who are responsible for the recruitment and selection of staff and volunteers. The practices and procedures outline clear and consistent practices which must be followed throughout the recruitment process.

Continual good practice must also ensure that annual updates to this document are made, and the review dates are displayed on the front of the documentation.

When references are made to children and young people within this document we also include vulnerable adults.

3 Introduction

- a. All paid and unpaid staff and volunteers at LOPC share the objective to keep children and young people safe by contributing to:
 - i. The provision of a safe environment for children and young people at LOPC.
 - ii. Identifying children & young people who are suffering or likely to suffer harm, and taking appropriate action with the aim of ensuring they are kept safe.
- b. The impetus for developing safer employment practices resulted from the tragic Soham murders case and the subsequent Bichard Inquiry Report & recommendations. The principles of safer employment and, in particular, Safer Recruitment are applicable to LOPC.
- c. Working Together to Safeguard Children (HM Government, April 2006) states that “all agencies and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced.”

Safe Recruitment Policy



- d. Safe recruitment practice should include those persons who may not have direct contact with children. The emphasis is on creating a culture of vigilance and deterring people who are deemed unsuitable to work with children and young people from gaining access to the workforce.
- e. The principles of safe recruitment should be included in the term of any commissioning agreement with any provider or contractor that provides services for children.

4 Safer recruitment standards

4.1 Planning recruitment & selection

A Safe Recruitment Plan is essential to ensure that consistent practices are carried out.

The Plan should include the following:

- Identify funding for posts.
- Gaining authorisation to recruit from the Centre Manager and Board of Trustees.
- Timetable of events starting backwards from when a person has been appointed.
- Job analysis.
- Review and agree the Job Description and Person Specification.
- Agree dates for interview.
- Compose and agree job advertisement and publication / closing date.
- Select interview panel.
- Train interview panel (if necessary).
- Agree shortlisting criteria based on Person Specification and shortlist candidates.
- Interview venue (appropriate access for disabled applicants).
- Agree selection method.
- Compose interview questions.
- Invite applicants to interview (ask about special arrangements & notify applicants about tasks or presentations required for interview), and send out rejection letters.
- Ensure audit trail of data & data security.

4.2 Safer recruitment policy / statement

A written recruitment policy must be evident which clearly states the principles of safe recruitment and clearly outlines to existing and potential employees LOPC's stance on safer recruitment practices. This will help with the following:

- Managing the expectations of employees.

Safe Recruitment Policy



- Developing a common understanding of LOPC's goals and values.
- Providing a consistent approach for all existing and newly appointed employees.
- Ensuring that procedures are applied consistently.
- Eliminating ambiguity thereby providing clarity.

4.3 Job Description / Person Specification

A Job Description must outline the role, responsibilities and accountabilities of the job holder including the tasks / duties they will undertake.

The Person Specification must outline the knowledge, skills and experience required to do the job.

The Job Description and Person Specification must clearly state that the job will involve working with children, young people and vulnerable adults.

The Job Description must also state that the post is **“Exempt from the Rehabilitation of Offenders Act 1974 and subject to an Enhanced DBS Disclosure Check.”**

This means that all applicants for the post will be required to reveal all spent (convictions that have expired) and unspent (convictions that have not expired or never expire) convictions, reprimands, cautions, bindovers etc.

The Job Description should also include a clear statement of LOPC's commitment to safeguarding and promoting the welfare of children and young people.

The Person Specification should outline:

- Knowledge and skills required for the post.
- Responsibility and accountability for safeguarding and promoting the welfare of children and young people.
- Qualifications.
- Demonstrable competencies and qualities.
- How the essential requirements of the post will be tested e.g. interview, test, tasks, presentation.

Volunteers should be provided with a volunteer profile which must adhere to the principles stated above.

Having explicitly defined information will ensure that job applicants are aware of the requirements of the post and what is expected of them. It also gives them an opportunity to determine if they have the necessary skills, knowledge and experience to perform the job in question. Most importantly, it may serve as a deterrent to individuals who are seeking to enter the children's workforce for devious reasons.

Safe Recruitment Policy



Job Descriptions and Person Specifications should be reviewed regularly to ensure they continue to meet the needs of the business and to ensure that ever changing legislative and other requirements are taken into account.

4.4 Application forms

Best practice means the use of predefined application forms for all recruitment and selection activities. They must include essential information for the principles of safeguarding shown below:

- Full name.
- Current address.
- National Insurance number.
- Current salary.
- Current & previous employment.
- Employment history – chronological order including start and end dates since completion of secondary school.
- Gaps in employment history.
- Reasons for leaving past and current training or employment.
- Relevant knowledge, skills and experience of applicant.
- Voluntary or unpaid work.
- Educational history – academic and / or vocational.
- Qualifications & professional memberships.
- Supporting evidence.
- Dismissal from previous employment.
- Disciplinary action previous and current.
- Referee details – one of which must be the most recent employer and at least one must refer to the applicant's work with young people.
- Exemption statement – Rehabilitation of Offenders Act 1974.
- Self disclosure of criminal records.
- Signed declaration.
- Equal opportunities monitoring:
 - Disability.
 - Religion.
 - Ethnicity.
 - Age.

Serious deliberate fraud or deception in connection with an application for employment may amount to a criminal offence (obtaining pecuniary advantage by deception) and should be considered for referral to the police.

Safe Recruitment Policy



4.5 Advertisement

This shapes the first impression of LOPC sending the right idea about concept and culture, and the person needed for the job.

It should include a strap-line outlining LOPC's commitment to safeguarding children and promoting their welfare e.g. "Committed to Safeguarding Children and Young People."

It should also mention the successful candidate(s) will be subject to an Enhanced DBS Disclosure.

4.6 Panel selection

The panel should be well briefed and it is good practice to ensure they are involved in the shortlisting process as well as the interview. There must always be at least 2 people on the interview panel.

4.7 Applicant information pack

The pack includes the Application Form, Job Description, Person Specification and current advertising material

Additional information included is:

- LOPC's commitment to safeguarding children.
- Clear guidelines about the pre-employment vetting process.
- DBS Disclosure application process.
- Verification of qualifications.
- Verification of professional body registration.
- References.
- Eligibility to work in the UK.

4.8 Shortlisting

Selection for shortlisting should be done by the interview panel based on the "essential" criteria on the Person Specification, therefore promoting consistency, fairness and providing a clear audit trail.

Scrutiny of the applications must be made to spot any gaps in employment history and / or any issues that may cause concern. These should be noted separately and taken up with the candidate during the interview.

Frequent changes of employment that do not show clear career or salary progression, or which may demonstrate a move from a high paid permanent employment to

Safe Recruitment Policy



temporary or supply work should be noticed. Reasons for these should be explored with the candidate.

References should be read after the shortlisting process and any inconsistencies provided by the applicant should be explored.

4.9 Self-declaration of previous convictions

“Self-disclosure” is where an applicant is expected to declare all convictions, cautions, reprimands and bindovers whether spent or unspent.

The nature of the disclosure will determine a candidate’s suitability to proceed to the interview stage but it is important that the self-disclosure is not used as a criterion for the shortlisting process.

Self-disclosure does not remove the need to carry out an Enhanced DBS Disclosure.

4.10 References

References are an important part of the process as they provide factual information.

References should be requested as soon as possible, and should be sought directly from the referee. Testimonials or employers references supplied directly by the candidate should not be relied upon, which also applies to open references and testimonials i.e. “To whom it may concern”.

The information contained in a reference is vital to reaching a decision to employ or not employ.

A minimum of 2 references must be sought for shortlisted applicants only. One reference must be from the current or most recent employer.

Where an applicant is not currently working with children and has provided details of previous employment that has involved work with children either in a paid or voluntary capacity, then a reference must be sought from that employer even if the applicant has not listed the employer as a referee. Refusal or reluctance by an applicant for you to contact such an employer may be cause for concern and should be explored further.

For applicants who have never been in paid employment but have undertaken voluntary work, a reference must be sought from the voluntary organisation.

For applicants who have never worked in paid employment or on a voluntary basis, a character reference should be sought from someone who is able to confirm (as

Safe Recruitment Policy



best as possible) the applicant's suitability to work with children and young people. This may be someone in authority e.g. a lecturer or community leader.

Any concerns about a reference should be taken up with the referee directly.

A reference request should contain the following:

- Confirmation of employment dates – from / to.
- Confirmation of the applicant's role.
- Performance history, ability and capability of the individual to carry out the post applied for.
- Attitude / behaviour towards work / colleagues.
- Attendance levels.
- Sickness and absence.
- Punctuality.
- Disciplinary action where sanction is current, or has expired but relates to safeguarding or child protection.
- Any known reason that could potentially render the applicant unsuitable to work with children and young people e.g. allegations about the applicant's behaviour towards children; details of the allegation and the outcome of the investigation.
- Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case. Cases in which an issue was resolved satisfactorily some time ago or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues that were not resolved satisfactorily are more likely to cause concern. A history or repeated concerns of allegations over time is also likely to give cause for concern.

Consideration should also be given to an applicant's request to delay seeking references. This could be because the applicant does not want the current employer to know they are actively seeking employment elsewhere. Such knowledge may create difficulty for the applicant if they are unsuccessful in securing the post.

4.11 Selection methods

An interview is just one of a number of selection tools that can be used during recruitment. Other methods of selection that could be used are:

- Role play.
- Presentations.
- Observation of practical delivery.
- Group exercises.
- Written exercises.
- Personality questionnaires.
- Aptitude / ability (recommend use of trained administrator).

Safe Recruitment Policy



If these are structured properly they can be helpful in assessing a candidate's suitability for the job and can be important tools in exploring motives / attitudes for wanting to work with children. They allow you to assess the candidate's interaction with others, giving a useful insight into behaviour and attitude.

All selection methods should be well thought-out and the panel should be well briefed / trained in their use.

4.12 Inviting candidates for interview

The letter inviting candidates for interview should detail:

- The interview process and any tests, assessments or activity delivery they will have to undergo.
- Any documentation they will need to bring along on the day:
 - Identity documentation.
 - Original certificates confirming the qualification / professional registration detailed on the application form.
 - Evidence of the applicant's right to work in the UK.

4.13 Interview

It is good practice for the panel to meet prior to the interviews to agree the format of the interview process; who will chair the interview and to decide who will ask which questions. The panel should also discuss how it will explore any gaps in employment history and any other concerns identified on the application form during the shortlisting process or from references.

Arrangements should be made to ensure a smooth process:

- Suitable venue taking into consideration any additional or special requirements such as disabled access etc.
- Interview timetable allowing for time in-between each interview:
 - To check relevant documents.
 - For breaks.
 - To enable panel discussion.
 - To allow for interviews overrunning.

The interview process should follow a set format:

- Introduction of the panel.
- Overview of the organisation and the post applied for.
- Overview of the interview process and questions that will be asked including the fact that you will explore their attitude towards children.
- Explain the need to take notes throughout the process.
- Explore self-disclosure if applicable.

Safe Recruitment Policy



- Check identity documents and qualifications (original documents required).
- Give an opportunity for candidates to ask questions.
- Give indication of timescales for feedback.

Being clear about the process will help to manage candidate's expectations and help the interviews run smoothly.

In exceptional circumstances, where it is not possible for a candidate to attend an interview in person, the interview can be conducted via a video call application such as Skype.

4.14 Interview questions

Interviews are a particularly helpful way of gaining information about a candidate's knowledge, skills and experience and to ascertain their relevance and how they can be transferred to the post in question.

Interviews allow you to ask questions that will test out the applicant in different ways. This can be by asking for examples of what they have done in their current or previous role or by asking scenario based questions.

Questions should be structured against the essential criteria for the post, including questions about a person's attitude to, and motives for wanting to work with children.

Whilst it is fair that all candidates are asked the same questions around the criteria on the Person Specification, it is important that the panel is satisfied that it has gained enough information to enable it to assess how well the candidate meets the essential criteria and to reach an objective decision over the candidate's suitability to do the job.

If the panel is not satisfied that the question has been answered or feels that the candidate has misunderstood the question, it is acceptable for the panel to probe further by asking supplementary questions. A detailed record of the candidate's responses should be kept in all cases.

4.15 Conditional offer of employment

It is good practice to ensure all pre-employment checks are completed prior to issuing a contract of employment. All offers of employment should be conditional and subject to the satisfactory outcome of all pre-employment vetting checks and where applicable it should be written into all contracts of employment. Verbal offers should clearly state that offers are conditional.

Safe Recruitment Policy



The Safeguarding Children and Safer Recruitment in Education guidance makes it possible for appointments to be made pending the outcome of a DBS Disclosure for staff working in education settings. Nonetheless, employers must carry out a List 99 check prior to making the offer and they must ensure adequate supervision arrangements are in place for the duration until the DBS disclosure has been received.

More information on supervision arrangements can be found at Section 5, subsection c: Appointments Pending DBS Disclosure.

4.16 Record keeping / retention of personal data

It is important to retain data pertaining to all recruitment and selection activities. This can be broken down into two parts:

Retention of data for unsuccessful applicants – all application forms, interview notes and other relevant documentation should be securely retained on a recruitment file for a period of six months. This will allow enough time to deal with queries from unsuccessful candidates. The information should be confidentially destroyed after this time.

Retention of data for successful applicants – all application forms, interview notes and other relevant documentation should be securely retained on a personnel file. This information forms part of the individual's personal records and ongoing employment history with the organisation.

The personnel file of staff employed in a post that gives them unsupervised access to, or involves working directly with children, should contain the following information:

- Application form.
- Interview notes.
- Letter of invite to interview.
- Offer letter.
- Contract of employment.
- Pre-employment vetting documents.
- List 99 clearance (if undertaken separately to the DBS Disclosure).
- Copy of the original academic or vocational qualification certificates.
- Two references.
- Health clearance (if applicable).
- Once a DBS Disclosure is returned the number and issue date must be recorded in the Staff Qualifications and Dates spreadsheet. A copy of the clearance must not be taken.
- Please note that this list is not exhaustive.

Personal records of all staff should be retained for a period of 6 years after they have left the employment. Where staff have been subject to allegations of abuse against

Safe Recruitment Policy



children, then the records must be retained until the normal retirement age or for a period of 10 years if that is longer. In all cases, data should be retained in accordance with the Data Protection Act 1998.

4.17 Data security

LOPC has arrangements for secure storage, handling, use, retention and disposal of all sensitive information, criminal disclosures and disclosure information as set out in the DBS's Code of Practice. Further information on the DBS's Code of Practice can be obtained from: <http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/>

In any event, all personal data should be handled in a confidential manner at all times, in accordance with GDPR guidelines. Data on recruitment and any applicants will be retained and disposed of securely.

5 Pre-employment vetting

5.1 Disclosure and Barring Service Enhanced Disclosure

It is vitally important that people deemed unsuitable to work with children and young people do not gain access to them. It is the employer's duty to utilise robust procedures to prevent / deter such individuals from accessing the children's workforce. Safer recruitment requires strict pre-employment vetting to assess the suitability of an individual to work with children and young people.

An Enhanced DBS Disclosure is a legal requirement for anyone (paid employee or volunteer) seeking to work in regulated activity. This includes all settings in which children and young people are cared for, trained, supervised and in some cases employed.

It is strongly recommended that an Enhanced DBS Disclosure is carried out for everyone who has access, supervised or unsupervised, to children and young people.

Where there has been a break in continuous employment of 3 months or more of an employee or volunteer, a new Enhanced DBS Disclosure must be conducted.

It is good practice to carry out DBS Disclosures on a 3 yearly rolling basis for staff and volunteers who remain in continuous employment.

5.2 DBS disclosures for overseas staff and UK residents

DBS Disclosures will not generally show offences committed by an individual whilst living abroad (except in the case of service personnel and their families). Therefore, in addition to an Enhanced DBS Disclosure, additional checks such as obtaining

Safe Recruitment Policy



certificates of good conduct from relevant embassies or police forces are necessary.

Further information about the criminal record information which may be obtained from overseas police forces and countries, is available from the DBS at:

<http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/>

Where an applicant is from, or has lived in, a country where criminal records checks cannot be made for child protection purposes, or is a refugee with leave to remain in the UK, and has no means of obtaining relevant information, employers must take extra care in taking up references and carrying out other background checks, For example, additional references should be sought, and references should be followed up by a telephone call as well as a letter.

5.3 Appointment pending DBS disclosure

An organisation should obtain the satisfactory outcome of a DBS Disclosure and other pre-employment checks prior to making an offer of appointment or securing the services of a volunteer. The reality is that this is not always possible and the process in most cases will normally take up to 2 weeks. However, in a small number of cases, it has been known for the process to take up to 6 months.

Where it becomes necessary to make an appointment pending the outcome of the DBS Disclosure the organisation should undertake an assessment of the potential risk of employing that person and must conduct a List 99 check. Delays should be regularly followed up with the DBS.

5.4 List 99

List 99 is a confidential document maintained by the Department for Children, Schools and Families (DCSF), which contains the names, dates of birth and National Insurance numbers of people whose employment in relevant regulated activity has been barred or restricted by the Secretary of State. It is an offence for an employer to knowingly employ someone in a post from which they have been barred.

List 99 is the minimum pre-employment check that must be undertaken for all staff. A List 99 check is usually completed as part of an Enhanced DBS Disclosure request. A separate List 99 check is not required unless the DBS Disclosure remains outstanding at the time an individual commences employment.

5.5 References

A minimum of 2 references must be sought for shortlisted applicants only. One reference must be from the current or most recent employer.

Safe Recruitment Policy



Where an applicant is not currently working with children and has provided details of previous employment that has involved work with children either in a paid or voluntary capacity, then a reference must be sought from that employer even if the applicant has not listed the employer as a referee. Refusal or reluctance by an applicant for you to contact such an employer may be cause for concern and should be explored further.

For applicants who have never been in paid employment but have undertaken voluntary work, a reference must be sought from the voluntary organisation.

For applicants who have never worked in paid employment or on a voluntary basis, a character reference should be sought from someone who is able to confirm (as best as possible) the applicant's suitability to work with children and young people. This may be someone in authority e.g. a lecturer or community leader.

5.6 Qualifications

If the post applied for requires a specific qualification, you must notify the shortlisted applicants of the need to bring the original certificate along to the interview. It is normal practice for the chair of the panel to verify the documentation presented and ensure that a copy is provided.

If the original certificate is unavailable, a certified copy of the document must be provided by the issuing establishment. It is good practice for the employer to verify qualifications with the issuing educational / vocational establishment.

5.7 Professional registration

As above, if the post applied for requires registration with a professional body, you must notify the shortlisted applicants of the need to bring the original evidence of registration along to the interview. It is normal practice for the chair of the panel to verify the documentation presented and ensure that a copy is taken.

If the original certificate is unavailable, a certified copy of the document must be provided by the issuing establishment. It is good practice for the employer to verify registration / membership with the relevant professional body. This can be done online in some cases with professional bodies. Verifying online also identifies whether any restrictions have been placed on an individual's registration.

5.8 Eligibility to work in the UK

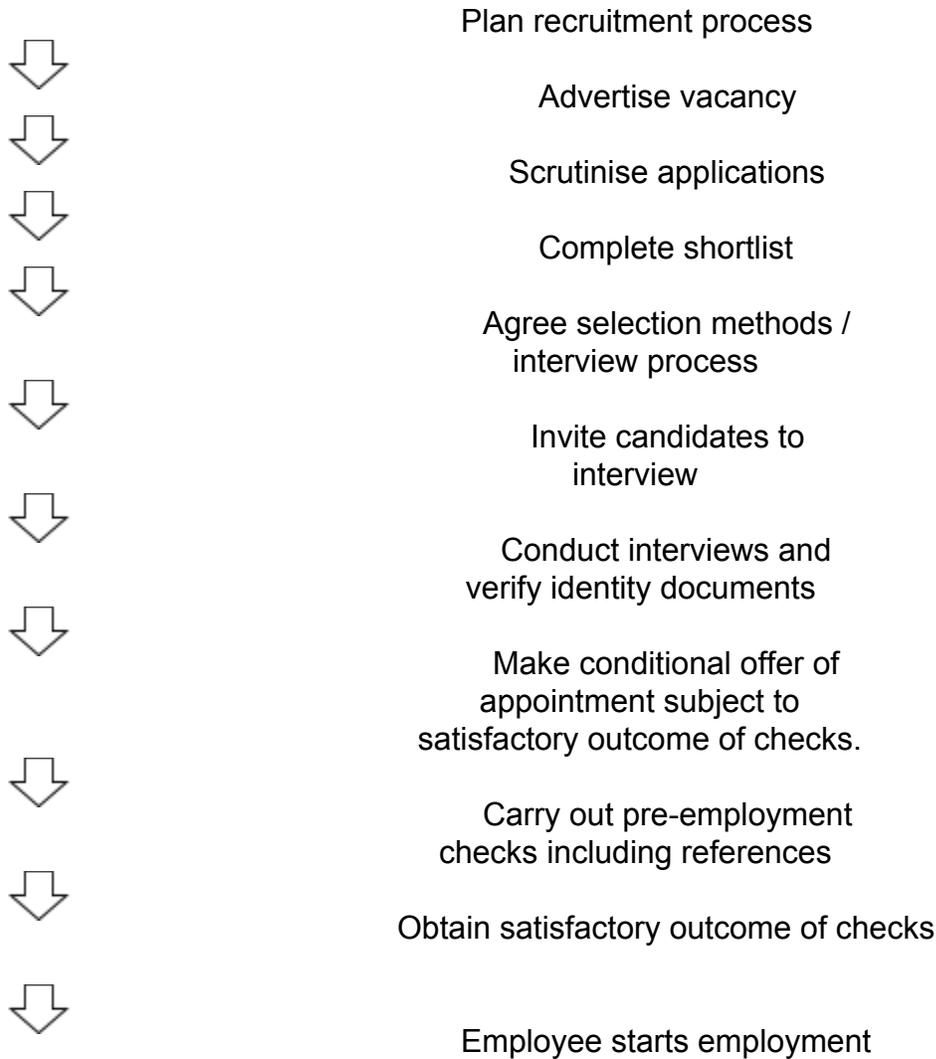
Organisations need to be sure that where the preferred candidate is a foreign national, (s)he has permission to work in the UK.

Safe Recruitment Policy



6 Key stages of recruitment

A summary flowchart of the key stages in the recruitment process:



Safe Recruitment Policy



6 Legislation and guidance

The key pieces of legislation relating to employing staff and volunteers at LOPC are as follows:

a. **Children Act 2004:**

LOPC needs to ensure that all services are fulfilled with regard to the need to safeguard and promote the welfare of children.

b. **Safeguarding Vulnerable Groups Act 2006:**

Provides legislative framework for the introduction of a new vetting and barring scheme for those working with children and vulnerable adults.

The primary aim of the scheme is to bar individuals from working where they may present a risk of harm to children or vulnerable adults.

c. **Rehabilitation of Offenders Act (ROA) 1974 ((Exceptions) Order 1975 as amended):**

Makes regulated activity (i.e. working with children) exempt from the ROA and therefore requires an individual to be subject to an Enhanced Disclosure from the Disclosure and Barring Service.

d. **Working Together to Safeguard Children 2004:**

States that "all agencies and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced."

e. **The Equality Act 2010:**

The simplification and incorporation of all previous anti-discrimination laws.