

SAFER RECRUITMENT GOOD PRACTICE GUIDANCE

Children Young People and Families Services



INTRODUCTION

All organisations which employ staff or engage volunteers to work with children and/or adults at risk of abuse or neglect (formally known as vulnerable adults) should adopt a consistent and thorough process of safer recruitment, in order to ensure that those appointed to work in such roles are safe to do so (as far as can be reasonably expected) and people who are unsuitable to work with children and/or adults at risk are prevented from doing so.

This guidance document should help and encourage organisations to implement safer recruitment and selection practices by providing advice regarding relevant national and local guidance, examples of good practice, and reference to model policies and procedures.

Safer recruitment practice should include those persons who may not have direct contact with children and/or adults at risk, but because of their presence and familiarity in certain settings will still be seen as safe and trustworthy. The principles of safer recruitment should also be included in the terms of any contract drawn up between the organisation and contractors or agencies that provide services for children and/or adults at risk for whom the organisation is responsible. In such cases the organisation should monitor compliance with the contract, which should also include a requirement that the provider will not sub-contact to any personnel who have not been part of a safer recruitment process.

TRAINING

All organisations involved in the selection of staff and/or volunteers to work with children and/or adults at risk should ensure that designated staff undertake appropriate safer recruitment training specific to their organisational needs.

FEATURES OF A SAFER RECRUITMENT PROCESS

Set time aside for planning and structuring the process.

Have clear job, role and person specifications/profiles, setting down the boundaries and expectations of the role including a statement of responsibility and requirements for safeguarding. Where volunteers are being appointed it is good practice to follow this specific point (as far as is reasonably practical), but especially in setting the boundaries and expectations of the role.

Clear messages about safeguarding should be sent to candidates from the outset.

A statement about commitment to safeguarding should be incorporated in any job advert, together with confirmation that a DBS check (including checks against the DBS Barred lists where relevant) will be undertaken.

Use application forms. Not CVs (application forms gather the information you require to help make an informed judgement, whereas a CV provides the information the candidate wants you to have!)

Obtain references before interview wherever possible; include specific enquiries about the applicant's background in relation to safeguarding and ensure references are given proper weight and consideration in the selection process.

As a minimum, the selection process should involve a face-to-face interview and where possible another form of assessment e.g. role play, presentation, teaching a lesson, participating in activities with children and/or vulnerable adults under observation etc.

At interview, use probing questions into motives, attitudes and behaviours, not just skills and experience, and questions that cover safeguarding issues as well as other role-related areas. Wherever possible such questions should be competency based i.e. 'explain how you have managed a situation of

Seek information about criminal history and use it appropriately.

With this guidance document, exemplars of best practice documents such as role profiles, job descriptions and person specifications are not provided because there are considerable variations in format and terminology between different organisations. For examples of the practice appropriate for your organisation please consult your Human Resources Adviser(s), recruitment and selection code of practice or recruitment manual.

SAFER RECRUITMENT PRACTICE

Safer recruitment practice should be applied at all stages of the recruitment process including:

- Advertising and information for applicants
- References
- Other checks before interview
- Selection of candidates
- Interviewing short-listed candidates
- Offer of appointment to successful candidate
- Induction and supervision of newly appointment staff and volunteers

The information and guidance below expands on the general features of a safer recruitment process to provide more detail for organisations to ensure that safer recruitment practise are in place.

ADVERTISEMENTS AND INFORMATION FOR APPLICANTS

Organisation should demonstrate their commitment to safeguarding and protecting children and/or adults at risk by ensuring that all recruitment advertising material contains a policy statement to this effect. All information given to the interested applicant should highlight the importance placed by the organisation on rigorous selection processes.

The information should stress that the identity of the candidate, if successful, will need to be checked thoroughly, and that where a Disclosure and Barring Service check is appropriate, the person will be required to complete an application for a DBS Disclosure to the appropriate level straight away and the outcome will be considered before the appointment is confirmed.

The role profile or job description should clearly set out the extent of the relationship with and the degree of responsibility for, children and/or adults at risk with whom the person will have contact.

The role profile or person specification should explain:

- The qualifications and experience needed for the role.
- The competencies and qualities that the applicant should be able to demonstrate.
- How these will be tested and assessed during the selection process.

The application form should ask for:

- Full personal information, including any former names by which the person has been known in the past.
- A full history of employment, both paid and voluntary, since leaving school, including any periods of further education or training. This should include:
 - Start and end dates,
 - Explanations for leaving, and
 - Reasons for any gaps in employment
- Details of any relevant academic and/or vocational qualifications.
- A declaration that the person has no convictions, cautions, warnings or reprimands, including those regarded as spent and not protected*. This should also include referral to or inclusion on the DBS Children's or Adult's Barred List or regulatory body, restricting or preventing them from working with children and/or adults at risk.

Curriculum vitae (CV's), drawn up by applicants in place of an application form should not be accepted because these will only contain the information the applicant wishes to present and may omit relevant details.

*The rules regarding the filtering of information for inclusion on a DBS disclosure changed on 29th May 2013. Filtering is the term used to describe the process which will identify and remove protected convictions and cautions so that they are no longer disclosed on a DBS certificate. This means that employers are not able to take certain old and minor cautions and convictions into account when making recruitment decisions and they are not allowed to ask the applicant to disclose the protected convictions and cautions on an application form. It is worth noting that all cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance to posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure on a DBS check. All convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where more than one conviction is recorded. Changes were made to legislation that determines which convictions and cautions can be taken into account by employers and other bodies and what is included on a standard and enhanced DBS check. The changes made to legislation impact both what an employer can ask an individual in relation to convictions and cautions, as stated above, (for example a self-declaration on an application form of 'do you have any convictions etc.')

Employers can only ask an individual to provide details of convictions and cautions on an application form that they are legally entitled to know about (i.e. those not protected).

Similarly, where a standard or enhanced DBS certificate can legally be requested (where the position is one that is listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended) and where appropriate, Police Act Regulations (as amended), an employer can only ask individuals about convictions and cautions that are not protected.

REFERENCES

The application form should request both professional and character references, one of which should be from the applicant's current or most recent employer. Additional references may be asked for where appropriate. For example, where the applicant is not currently working with children and/or adults at risk, but has done so in the past, a reference from that employer should be asked for in addition to that from the current or most recent employer if this is different.

References should be sent wherever possible to business addresses, not a home address.

Wherever possible references should be obtained prior to the interview so that any issues of concern raised in the reference can be explored further with the referee and taken up with the candidate during interview.

References should contain objective, verifiable information and in order to achieve this, a reference pro-forma with questions relating to the candidate's suitability to work with children and/or adults at risk should be provided.

References should include:

- Length of time the person has known the applicant and in what capacity;
- Post held with dates, salary and reasons for leaving;
- Ability and suitability to work with children and/or adults at risk (where applicable);
- Skills, strengths and weaknesses and how these have been demonstrated;
- Any current disciplinary investigation and/or sanction;
- Any allegations and/or disciplinary investigations relating to the safety or welfare of children and/or adults at risk and the outcome of these (including where any sanction has expired);
- Details of any criminal convictions, cautions, warnings or reprimands
- If the referee would re-employ the applicant and, if not details of why; and
- Verification of the identity of the referee.

It is vitally important that the referee is asked to confirm whether the applicant has been the subject of any disciplinary sanctions and whether the applicant has had any allegations made against him/her or concerns raised which relate to either the safety or welfare of children and/or adults at risk or about the applicant's behaviour towards children and/or adults at risk. Details about the outcome of any concerns or allegations should be sought.

Open references and testimonials or references addressed 'To whom it may concern' should not be accepted as they are not written, knowing the type of post the individual is applying for. References must not be accepted from a family member.

References are just as important for voluntary posts as for paid employment. A similar process must be followed when seeking volunteers for the kinds of posts that require a formal recruitment process. However, prospective volunteers might not be employed or have previous experience of working with children and/or adults at risk. Consequently, organisations may have to be prepared to be flexible about the kind of people from whom they will accept references and the nature of those references, but should always consider the guidance outlined above.

OTHER CHECKS BEFORE INTERVIEW

If the applicant claims to have specific qualifications or experience relevant to working with children and/or adults at risk, which may not be verified by a reference, the facts should be verified by making contact with the relevant body or previous employer, or by checking original qualification certificates etc. Any discrepancies should be explored during the interview.

SELECTION OF CANDIDATES

There should be standard procedures for short listing to ensure that the best candidates are selected fairly. All applicants should be assessed equally against the criteria contained in the role profile or person specification without exception or variation.

Remember that safer recruitment means all applications must always be:

- Checked to ensure that they are fully and properly completed. Incomplete applications should not be accepted and should be returned to the candidate for completion.
- Scrutinised for any anomalies or discrepancies in the information provided.

- Considered with regard to any gaps in employment history, or repeated changes in employment, or moves to supply work, without clear and verifiable reasons.

All candidates should be instructed to bring with them documentary evidence of their identity, either a full birth certificate, passport or photo card driving licence and additionally a document such as a utility bill or bank statement (dated within the last 3 months) that verifies the candidate's name and address. Where appropriate, change of name documentation must also be brought to interview. Candidates should also be asked to bring original or certified copies of documents confirming any necessary or relevant educational and professional qualifications. If the successful candidate cannot produce original documents or certified copies, written confirmation of his/her relevant qualifications must be obtained from the awarding body before the appointment is confirmed and the candidate commences work.

INTERVIEWING SHORT-LISTED CANDIDATES

At least two people should be involved in an interview panel.

It is important to record objective evidence about the extent to which each candidate meets the questioning criteria.

Questions should be set which test the candidate's specific skills and abilities to carry out the advertised job or role. Wherever possible such questions should be competency based i.e. 'explain how you have managed a situation of' or 'how have you dealt in the past with' etc. Asking competency based questions of this nature may not be possible when recruiting individuals without past experience in this area of work, such as a 'school leaver'.

The candidate's attitude toward children and/or adults at risk in general should be tested and also their commitment to safeguarding and promoting the welfare of children and/or adults at risk in particular. At least one member of the interview panel should be trained in how best this can be done.

Any gaps and changes in employment history should be fully explored during the interview, as should any discrepancies arising from information supplied by the candidate or by the referee(s).

All candidates should bring to interview documentary evidence as detailed in the Asylum and

Immigration Act and in line with DBS requirements.

www.ukimmigration.com/employer/uk_work_permit14.htm

<https://www.gov.uk/disclosure-barring-service-check/documents-the-applicant-must-provide-> Where relevant, change of name documentation must also be brought to the interview.

Where the successful applicant is a foreign national or a UK national who has lived or worked abroad for a determined period (e.g. in the case of the local authority this will be a period of more than 3 months), the candidate must provide an original 'Certificate of Good Conduct' from the Embassy of the country concerned and this document must be considered before an employment decision is made. Where the document is not in English, a fully endorsed official English translation must be provided by the candidate with the original document.

OFFER OF APPOINTMENT TO SUCCESSFUL CANDIDATE

Any offer of appointment should be conditional upon pre-employment checks being satisfactorily completed, including:

- Where the role is considered to be working with children and/or adults at risk either in regulated activity (see www.dhsspsni.gov.uk/regulated-activity-children.pdf) or in a supervised role, a DBS check appropriate to the role.
- Verification of the candidate's medical fitness.

- Verification of any relevant professional status and whether any restrictions have been imposed by a regulatory body such as the Teaching Agency (TA) or the General Medical Council (GMC).
- Receipt of satisfactory references.
- Receipt of a satisfactory Certificate of Good Conduct (where relevant).
- Confirmation that the candidate has the right to work in the UK.
- All checks should be confirmed in writing and retained on the candidate's personnel file, together with endorsed photocopies of original documents used to verify his/her identity and qualifications.

DBS CHECKS

There are three levels of DBS checks, Standard, Enhanced and Enhanced with barred list checks. DBS checks cannot be obtained by members of the public directly. They are only available to organisations and again only for those professions, offices, employment, work and occupations listed in the Exceptions Order (1975) to the Rehabilitation of Offenders Act 1974 as amended by the Protection of Freedoms Act 2012.

Standard DBS Check

Standard certificates reveal details of any convictions, cautions, warnings and reprimands the applicant has received.

Enhanced Disclosure

This includes the same as the standard check plus any additional information held by local police that's reasonably considered relevant to the workforce being applied for (adult, child or 'other' workforce).

'Other' workforce means those who don't work with children or adults specifically, but potentially both, e.g. taxi drivers. In this latter case, the police will only release information that's relevant to the post being applied for.

Enhanced Disclosure with Barred List Check

This includes all of the information normally included in an Enhanced Disclosure but also identifies whether the person is barred from working in regulated activity with the group they are applying to work for, i.e. whether they are barred from working with children, adults or both.

A record should be kept of the date the disclosure was obtained and who by, the level of the disclosure and the unique reference number.

DBS Update Service

The Disclosure and Barring Service Update Service is a subscription service that lets applicants keep their DBS certificates up to date online. Where the applicant has given their permission, the service allows employers to check a certificate online without the need to make the applicant apply for another check. In order to use the service you must:

- Be legally entitled to carry out a check
- Have the applicant's permission
- An individual must pay an annual fee to the DBS to join the Disclosure and Barring Update Service.

- This is not the responsibility of the employing/engaging organisation.
- Employers have the choice whether or not to accept checks undertaken via the DBS Update Service.

Record Keeping - those not directly employed by the organisation

A record should be kept of evidence to show that DBS checks have been carried out in respect of supply staff and volunteers whether recruited directly or through an agency.

Satisfactory references must be kept on a staff member's (including temporary or supply staff) personnel file or, in the case of volunteers, on a central record within the organisation.

Where information gained by the employer from either references or other checks calls into question the candidate's suitability to work with children and/or adults at risk, or where the candidate has provided false information in support of the application, the facts should be reported to the Police and/or the DBS as appropriate.

INDUCTION AND SUPERVISION OF STAFF AND VOLUNTEERS

The induction of all newly appointed staff and/or volunteers should include an introduction to the organisation's child protection and/or adult safeguarding policies and procedures. This should include being made aware of the identity and specific responsibilities of those staff with designated safeguarding responsibilities.

New staff members should be provided with information about safe working practice and given a full explanation of their role and responsibilities, and the standard of conduct and behaviour expected.

They should also be made aware of the organisation's personnel procedures relating to disciplinary issues and the relevant whistle blowing policy.

The programme of induction should also include child protection and/or adult safeguarding training at a level appropriate to the member of staff's or volunteer's work with children and/or adults at risk. Senior managers should ensure that their staff and volunteers are adequately and appropriately supervised and that they have ready access to advice, expertise, guidance and management support in all matters relating to safeguarding and child/adult protection.

Appropriate safeguarding controls must be in place for all staff and/or volunteers, and should be reviewed on a regular basis. Supervision of those undertaking such activities must take place "on a regular basis" and this means that supervision must not, for example, be concentrated during the first few weeks of an activity and then tail off thereafter.