

Safer Recruitment and Selection Policy

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Regulations and Standards:

The Children's Homes (England) Regulations 2015:

- Regulation 27 – Appointment of Manager
- Regulation 28 – Fitness of Manager
- Regulation 29 – Continuing Professional Development – Registered Person and Responsible Individual
- Regulation 31 – Staffing of Children's Homes
- Regulation 32 – Fitness of Workers
- Regulation 33 – Employment of Staff
- Schedule 2 - Information required in respect of persons seeking to carry on, manage or work at a children's home.

Ofsted – *Children's Home; Recruiting Staff:*

<https://www.gov.uk/guidance/childrens-homes-recruiting-staff>

Working Together to Safeguard Children 2023:

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Further Guidance:

Please also refer to the following internal policies and procedures:

2.2 – Safeguarding – Child Protection Policy,

1.2 – Agency Staff Policy.

1.3 – Equality and Diversity Policy.



1.5 - Confidentiality Policy.

1.6 – Data Protection Poli

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1. Job Description and Person Specifications:

At the start of the recruitment process, it is important to define what the post holder's responsibilities towards children will be, as well as the qualifications and experience needed to perform the job, with particular attention to their duties with such vulnerable groups.

It is also important to confirm HND Children's Care Ltd commitment to safer recruitment. It is therefore advisable to ensure that a statement of intent is included in all person specifications.

All job descriptions must detail:

- Main duties and responsibilities of the post.
- The post holder's specific responsibility towards the promotion and the practice of safeguarding the welfare of children that they come in to contact with through their job.

Suggested content for person specifications:

- Qualifications required to do the job.
- Professional Registrations (if required).
- Enhanced DBS Disclosure required.
- Define the skills and competencies required.
- Explore issues relating to the safeguarding of children, such as: Motivation to work with children; ability to form and maintain appropriate relationships

and personal boundaries with children; emotional resilience in working with challenging behaviours; attitudes to use of authority and maintaining discipline.



2. The Advert:

The advert for a vacancy should demonstrate our commitment to safer recruitment and vetting procedures, protecting every potential applicant from unfair practice, and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers.

When placing an advert, please make sure the following statements are on the advert:

- The Company Name.
- Post Title.
- Hours (this should indicate if full or part time).
- Salary.
- Permanent or Fixed Term (if Fixed Term the duration of the contract should be stated).
- Location of the role.
- ADVERT TEXT (which should include some reference to the post holder's responsibilities towards safeguarding children)
- The successful applicant will be required to undergo enhanced disclosure from the Disclosure and Barring Service (DBS).
- Closing date for applications,

3. Application Packs:

The importance of safeguarding and protecting children should be promoted as much as possible throughout the recruitment process in order to deter unsuitable candidates.

It is advised to include the following in an application pack:

- Dependent on the post advertised either a CV or application form will be required to be completed. Following a short listing in all posts, an application form should be completed.
- Job Description / Person Specification Guidance for applicants
- A Disclosure of Criminal Conviction
- A disclosure of previous employment conduct.
- Employment Health Questionnaire.
- Relevant information about the company and the recruitment process.
- A statement of the terms and conditions relating to the post.

Pre-employment health questionnaires must not be used unless they serve one or more of the following purposes:

- Establishing whether the applicant would be able to participate in an assessment / interview to test his or her suitability for work.
- Establishing whether reasonable adjustments need to be made to the recruitment



process, such as an assessment or interview.

- Establishing whether the applicant would be able to carry out a function that is essential to the work concerned.
- Monitoring the diversity of applicants.
- Allowing us to take positive action to enable disabled people to overcome their disadvantage.
- Establishing whether a person has a disability and identifying how to potentially manage / facilitate this.

4. Scrutinising and Short Listing:

The same selection panel should both shortlist and interview the candidate. At least one member of the panel should have undertaken safer recruitment and selection training.

All application forms should be scrutinised to ensure:

- They are fully and properly completed.
- The information is consistent and does not contain any discrepancies.
- Gaps in employment / training or a history of repeated changes of employment are identified.
- Incomplete applications should not be accepted.
- Any anomalies, discrepancies or gaps in employment and the reasons for this should be noted, so that they can be taken up as part of the consideration of whether to shortlist the applicant, as well as a history of repeated changes of employment without any clear career or salary progression or a mid-career move from a permanent to temporary post.
- All candidates should be assessed equally against the criteria contained in the person specification.
- The staff member short listing will begin the completion of the safer recruitment checklist / form.

5. Interview Process:

Interview Panel:

A panel of at least two people is recommended, allowing one member to observe and assess the candidate and make notes, while the candidate is talking to the other. At least one member of the panel should be trained in safer recruitment and selection.

The members of the panel should:

- Have the necessary authority to make decisions about the appointment.
- Meet before the interview to agree their assessment criteria in accordance with the person specification and to prepare a list of questions they will ask all candidates



relating to the requirements of the post.

- Identify any issues they wish to explore with each candidate based on the information provided in their application form and in the references.
- Make notes of the applicant's interview answers which should be scored then be collated by chair of the panel and stored.

Scope of the Interview:

In addition to assessing and evaluating the applicant's suitability for the post, the panel should explore:

- The candidate's attitude towards children / vulnerable adults.
- His / her ability to support the organisation's agenda for safeguarding and promoting welfare.
- Any gaps in the candidate's employment history.
- Concerns or discrepancies arising from the information provided by the candidate and / or referee (if appropriate at this stage).
- Whether the candidate wishes to declare anything relating to the requirement for a DBS check.

The interview should also explore issues relating to safeguarding, including:

- Motivation to work with children / vulnerable adults.
- Ability to form and maintain appropriate relationships and personal boundaries.
- Emotional resilience in working with challenging behaviours.
- Attitudes to use of authority.

Participation of Children and Young People:

Children can make a valuable contribution to the recruitment process and their participation should be considered for key strategic and managerial posts as well as posts where staff will have a high level of responsibility for children's day to day care, e.g., residential staff.

The following considerations should be taken into account in planning children's involvement:

- Clarification of the role children will take in the process, how their views will be considered in selection and what weighting these will be given.
- Preparation and / or training.
- Process for debriefing / feedback.

6. References:

Where possible, references should be requested prior to interview and ideally received back prior to interview. The interview / selection panel MUST seek authorisation to request references prior to interview, and indeed afterwards also.



One of the two referees must be the candidate's current or previous employer. We may contact any previous employers where the applicant has worked with children / vulnerable adults to attempt to get a reference. Open references should not be accepted if they are addressed 'To whom it may concern', with no date evidenced or no obvious authorisation, as these may have been forged, or may have valuable information missing if it is out of date. All referees will be asked to complete a reference pro-forma, which ensures that certain questions are asked about all candidates.

When references are received prior to interview it enables the interviewing panel to follow up any discrepancies or issues at interview and to make a decision with reference to all the facts available at the time. Obviously, this relies entirely on the speed referees return them. It may not always allow for them to be seen prior to interview, but it should be aimed for as best practice.

Where references are received after an interview, posts will only be offered subject to satisfactory references. In the first instance the manager and 1 other senior staff member will check the references received and verify their authenticity.

Employment Gaps:

At an interview, gaps in employment history **MUST** be discussed with the candidate. If there are gaps in their history, the candidate should provide written details declaring the reasons for their break from work. This should then be signed by the candidate.

Valid reasons for gaps in employment may be; the candidate did not need to work, travel, bringing up a family, caring responsibilities, family bereavement or a period of sickness. As there could be negative reasons for a gap in employment, it is important to ensure that the candidate is able to give as much detail as possible, in order for the panel to make an informed decision and are in receipt of all relevant information / evidence where appropriate.

It is strongly advisable to discuss patterns of repeated change in career or employers at interview, ensuring that the reasons for this are fully explored and satisfy the interview panel.

7. Qualification Verification:

At interview, essential qualifications required for the post must be verified as a minimum, by reviewing copies of all relevant documentation. Other qualifications stated on the application form may also need to be checked and verified.

A photocopy of all the original qualification certificates should be taken and if the candidate is successful these should be placed on their personnel file. If the candidate is unsuccessful, these should be destroyed.



8. Rehabilitation of Offenders Disclosure:

As posts are exempt from the Rehabilitation of Offenders Act 1974, candidates should disclose any unspent and spent convictions during the application stage.

When applying for the post, candidates should complete the Rehabilitation of Offenders Disclosure section on their application form. Candidates must declare any convictions and provide explanatory details. It would be advisable to ask the candidates attending the interview if they have any previous convictions, either spent or unspent, and ensure the form is completed. This gives the candidate a chance to discuss the circumstances surrounding any previous convictions they may have at an interview.

Once the panel have made a short-list and invited them for an interview, they should then be made aware of any candidate's criminal disclosure. Disclosing a criminal background should not be used as a reason to not short-list a candidate. Having a criminal conviction will not necessarily restrict a person from working with children and should not be used to discount applications – this can be dependent on the type and seriousness of any previous conviction through.

If they are successful, they will be required to complete a DBS Disclosure application form. Once the Enhanced DBS Disclosure Certificate is returned, any conviction information will need to match up with the candidate's original disclosure to the interview panel. This information will not be kept if the candidate is not successful and should be destroyed.

9. Commitment to Safeguarding Children:

Person specifications allow HND Children's Care Ltd to explore a potential candidate's views and expectations in relation to working with children. The recruiting panel should seek to identify the candidate's experience or views on the following points:

- Motivation to work with children.
- Ability to form and maintain appropriate relationships and personal boundaries with children.
- Emotional resilience in working with challenging behaviours.
- Attitudes to use of authority and maintaining discipline.

Providing questions that ask candidates to draw on their experience of situations with children will give a good impression of the candidate's understanding of the points above. It will enable the panel to probe issues that the candidate may not discuss, allowing the panel to be aware of issues or lack of knowledge that a candidate may have or refuses to discuss their motivation to work within a residential home setting.

10. Pre-employment Checks:

In summary any offer of employment to any post in or within the company should be subject to the following:



References:

This should be a minimum of two references for every employee; one of these references must be from their current or most recent employer. As the post requires working in an environment with children, it is important to have a reference, if available, from an employer or voluntary agency demonstrating the candidate's previous work experience, paid or unpaid, of working with children. This may mean another reference will need to be requested.

Reference Verification:

ALL references MUST be verbally verified, i.e., the author of the reference MUST be contacted via telephone call to clarify that they did indeed provide the written reference. This should also be used as an opportunity to ask any further questions regarding the employee and to again clarify the character, commitment, and safeguarding. The verification decision MUST be recorded as evidence.

Verification of Candidate's Identity:

It is vital that we evidence the identity of all staff e.g., by requesting an original Birth Certificate and Passport.

Enhanced DBS Disclosure:

This shows previous convictions held on file for a potential employee. Having a conviction will not necessarily restrict someone from working in a job with children or vulnerable adults. The severity, nature, circumstances, and timing of the conviction will need to be taken into consideration. Candidates will need to be given the opportunity at the application stage to declare any unspent or spent convictions they may have, any declaration they make will be compared with the returned criminal record disclosure.

Verification of Qualifications:

Any essential qualifications required to perform a particular job, as stated in the person specification, need to be evidenced by the potential employee. A copy of the original certificates should be taken and placed in their personal file. This should ideally be confirmed at the interview stage.

Verification of Professional Registration:

Some posts require professional registration with a regulatory body, such as the General Social Care Council, General Teaching Council, Nursing and Midwifery Council, General Medical Council etc. This again needs to be evidenced and placed on file if the person specification states it as an essential prerequisite.



Right to Work in the UK:

It is a legal obligation that every employer in the UK verifies whether a potential employee has the right to work in the UK. For information about this, go to [Gov.uk](https://www.gov.uk) - Permission to work in the UK.

Compulsory documentation to be provided by all employees prior to commencement of employment:

All documents referred to in either of the lists below must be original documents.

List 1 - documents for individuals who are not subject to immigration control or have no restriction on their length of stay.

Single Documents:

- A passport showing that the holder is a British citizen, or a citizen of the United Kingdom and colonies having the right of abode in the United Kingdom.
- A document showing that the holder is a national of a European Economic Area country or Switzerland. This must be a national passport or national identity card.
- A residence permit, registration certificate or document certifying or indicating permanent residence issued by the Home Office or the UKBA to a national from a country in the European Economic Area country or Switzerland.
- A permanent residence card issued by the Home Office or the UKBA to the family member of a national of a European Economic area country or Switzerland.
- A biometric immigration document issued by the UKBA to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom.
- A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the United Kingdom, has the right of abode in the United Kingdom or has no time limit on their stay in the United Kingdom.

Document Combinations:

- An official document issued by a previous employer or government agency which contains the permanent national insurance number of the person (for example, a P45, P60 or national insurance number card) AND one of the following:
- An Immigration Status Document issued by the Home Office or the UKBA to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the United Kingdom or has no time limit on their stay in the United Kingdom.
- A full birth certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's parents.
- A full adoption certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's adoptive parents.
- A birth certificate issued in the Channel Islands, the Isle of Man or Ireland.
- An adoption certificate issued in the Channel Islands, the Isle of Man or Ireland.
- A certificate of registration or naturalisation as a British citizen.
- A letter issued by the Home Office or the UKBA to the holder which indicates that the



person named in it is allowed to stay indefinitely in the UK. If the employee provides a document or specified combination of documents from List A, there is no need to ask for any documents from List B.

List 2 - documents for individuals who are subject to immigration control and have a restriction on their length of stay:

- A passport or travel document endorsed to show that the holder is allowed to stay in the UK and is allowed to do the type of work in question, provided that it does not require the issue of a work permit.
- A Biometric Immigration Document issued by the UKBA to the holder which indicates that the person named in it can stay in the UK and is allowed to do the work in question.
- A residence card or document issued by the Home Office or the UKBA to a family member of a national of an EEA country or Switzerland.
- A work permit or other approval to take employment issued by the Home Office or the UKBA when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the UK and is allowed to do the work in question, or a letter issued by the Home Office or the UKBA to the holder or the employer or prospective employer confirming the same.
- A certificate of application issued by the Home Office or the UKBA to or for a family member of a national of an EEA country or Switzerland stating that the holder is permitted to take employment which is less than six months old when produced combination with evidence of verification by the UKBA Employer Checking Service.
- An Application Registration Card issued by the Home Office or the UKBA stating that the holder is permitted to take employment, when produced in combination with evidence of verification by the UKBA Employer Checking Service.
- An Immigration Status Document issued by the Home Office or the UKBA to the holder with an endorsement indicating that the person named in it can stay in the UK and is allowed to do the type of work in question, when produced in combination with an official document giving the person's permanent NI Number and their name issued by a Government agency or a previous employer.
- A letter issued by the Home Office or the UKBA to the holder or the employer or prospective employer, which indicates that the person named in it can stay in the UK and is allowed to do the work in question when produced in combination with an official document giving the person's permanent NI Number and their name issued by a Government agency or a previous employer.

Employment History:

When checking an application form it is important to note any gaps in employment or noticeable patterns when the candidate changed their employment. At the interview, any gaps will need to be discussed, and satisfactory explanations given, in writing, by the candidate.

Overseas Criminal Record Disclosure:



If the potential employee has lived abroad for a period of time or who comes from another country prior to working in the UK, then a UK DBS Disclosure will not give a full picture in respect of any criminal record they may have. In these cases, an overseas Criminal Record Disclosure will need to be applied for as well as a UK DBS Disclosure and details for each country's equivalent Bureau are available on the [DBS website](#).

These checks should be made clear to candidates at the interview. Any offer of employment should be a conditional offer subject to satisfactory clearances being received and checked. When a decision has been made and a successful candidate notified, they should be encouraged to contact the management team as soon as possible to start their pre-employment checks.

Only when all of these checks are completed and returned should an offer of employment be confirmed.

All successful candidates, and therefore company employees will be expected to sign consent for us to keep copies of the following documentation within each employee's personnel file:

- Evidence of a DBS check and evidence of subscription to the update service – this may be checked regularly.
- Evidence of identification, i.e., passport and driving license – if an employee has use of a company vehicle, then we will need to keep a copy of the employee's driving license and may have to check the status of this.

Staff personnel files will be stored securely, and only authorised persons will have access to these.

11. Disclosure and Barring Service (DBS) or Re-checks:

DBS Disclosures are only a record or a snapshot of the day they were issued. Since a Disclosure was issued staff may have new convictions or warnings that they may or may not have made the Company aware of.

It is our policy that every member of staff is signed up to the DBS Update Service. Staff members are responsible for ensuring their subscription remains 'live' and up to date.

The process of renewal or re-checking a person's DBS Disclosure is exactly the same as when applying for an original. There is no fast track. The company can track the status of a DBS Application with the DBS on-line. To log on to this service use the following [DBS website](#) / Tracking.

The requirement for a renewal for a DBS Disclosure also applies to all volunteers.

The process is the same for all staff.

For instances when a candidate's DBS Disclosure is returned with a Positive Disclosure, the Policy details the process for assessing information recorded on the Disclosure, producing



a risk assessment based on the candidate's post and then making an informed recruitment decision.

12. Agency Staff:

It is essential to carry out or have evidence of the same standard of recruitment checks for all staff even if they are not employed directly by the company, i.e., agency staff.

With this in mind, all outside providers should be requested to provide evidence of the same pre-employment checks that we would complete if they were directly employing the staff themselves. This should be given in writing and in advance of the provider starting work and should be agreed as part of any contract between us and a Provider of Services.

Recruitment agencies providing the company with 'agency' staff should provide the following documentation as a minimum:

- *Evidence of work history.*
- *Evidence of a DBS Certificate.*
- *Evidence of at least two references being obtained.*
- *Evidence of relevant qualifications / certificates relevant to the role.*

Home managers will be expected to ensure that the above is in place before an agency member of staff works in our homes and with our children.

Additionally, managers should always ensure that agency members of staff complete an induction, to ensure that their work practice will follow our own procedures, plans and assessments.

13. Contractors:

If there is any likelihood that contractors may have unsupervised contact with children a Criminal Records Check should be undertaken prior to the contractor starting work in an establishment with children. Ideally contractors should try and work outside of times when children are present i.e., school / education time, if this is not practicable then the following guidelines should be followed:

Building and Maintenance Contractors:

Children should not be allowed in areas where builders are working for Health and Safety reasons, so there should be little opportunity for workers to be unsupervised with children. It is difficult to definitively state that there will not be times when contact with a child occurs. The services staff should supervise children indefinitely when external contractors are present to ensure that no unsupervised contact takes place.

Emergency Call-Out Contractors (not previously checked):

Contractors that are called out in an emergency may not be a contractor that is checked and known to us prior to the 'call-out'. It is not necessary to obtain a DBS Disclosure for such



staff, as they will only have contact with children on an ad hoc or irregular basis and will not be allowed to be left unsupervised with children.

Any contractor, maintenance worker or agency staff coming on to our premises should verify their identity, providing documents such as a passport or driver's license along with company ID.

End.