**SAFER RECRUITMENT**

**POLICY & PROCEDURES**

**POLICY STATEMENT**

The safety and wellbeing of the children and young people we work with is our top priority, and we take all reasonable and sensible measures to ensure they are kept safe from harm. We operate a Safer Recruitment policy which ensures that all our staff are committed to safeguarding and promoting the welfare of children and young people. This helps ensure the safety of the children and young people we work with and the staff who provide for their supervision and care.

**INTRODUCTION**

The safe recruitment of staff in Apply Yourself (AY) is the first step to safeguarding and promoting the welfare of children and young people in our care. AY is committed to safeguarding and promoting the welfare of all children and young people in its care. As an employer, AY expects all staff to share this commitment.

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

**AIMS AND OBJECTIVES**

The aims of the Safer Recruitment Policy is to help deter, reject or identify people who might abuse children/young people and who are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of the AY’s recruitment policy are as follows:

* to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
* to ensure that all job applicants are considered equally and consistently;
* to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
* to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance such as the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
* to ensure that the AY meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

AY has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job based on the applicant’s abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance.

**ROLES AND RESPONSIBILITIES**

It is the responsibility of the Directors of AY to:

* Ensure that AY has effective policies and procedures in place for recruitment of all staff in accordance with legal requirements.
* Monitor AY’s compliance with legal requirements.
* Ensure that the AY operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff.
* To monitor contractors’ and agencies’ compliance with this document.
* Promote the welfare of children and young people at every stage of the procedure.

**SAFER RECRUITMENT AND SELECTION PROCEDURE**

Safer Recruitment practice will be applied at all stages of the recruitment process by AY:

* Advertising and information for applicants
* References, including both written and verbal references.
* Other checks before interview
* Selection of candidates
* Interviewing short-listed candidates
* Offer of appointment to successful candidate
* Induction and supervision of newly appointed staff

***Advertisements and Information for Applicants***

AY will demonstrate commitment to safeguarding and protecting children 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 will 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.

The job description will clearly set out the extent of the relationship with, and the degree of responsibility for, children with whom the person will have contact.  The 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 will 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, or bind-overs, including those regarded as spent. 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 or vulnerable adults.

Curriculum vitaes, drawn up by applicants in place of an application form are not acceptable because these will only contain the information the applicant wishes to present and may omit relevant details. Furthermore incomplete application forms will not be shortlisted for the same reason as above.

It is unlawful for the AY to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the AY. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

***References***

The application form will 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, 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.

1. Wherever possible references will be obtained prior to the interview so that any issues of concern raised by the reference can be explored further with the referee and taken up with the candidate during interview.
2. 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 young people will 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 young people;
* 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 young people and the outcome of these (including where  any sanction has expired);
* details of any criminal convictions, cautions or bind-overs;
* sickness record;
* if the referee would re-employ the applicant and if not, details of why; and
* verification of the identity of the referee.

The referee will be 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 young people or about the applicant’s behaviour towards children or young people. Details about the outcome of any concerns or allegations will be sought by AY.

Open references or testimonials will not be accepted.

***Selection of Candidates***

There are 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 person specification without exception or variation.

Safer Recruitment means that all applications will additionally 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 history of gaps, or repeated changes in employment, or moves to supply work, without clear and verifiable reasons.

All candidates will 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 that verifies the candidate’s name and address. Where appropriate, change of name documentation must also be brought to the interview.

Candidates will 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.

***Interviewing Short-listed Candidates***

Questions will be set which test the candidate’s specific skills and abilities to carry out the job applied for.

The candidate’s attitude toward children and young people in general will be tested and also their commitment to safeguarding and promoting the welfare of children in particular. At least one member of the interview panel should be trained in how best this can be done. All interviewees will be asked at interview to confirm if they have any previous criminal convictions, and this information will be cross-referenced with their application form as well as DBS and Children's Barres List Check results.

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

All candidates should bring to interview documentary evidence as detailed in the Asylum and Immigration Act 2006 and in line with DBS requirements.

* [www.ukimmigration.com./employer/uk\_work\_permit14.htm](http://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.

***Offer of Appointment to Successful Candidate***

AY carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

* the agreement of a mutually acceptable start date and the signing of a contract incorporating the AY’s standard terms and conditions of employment;
* verification of the applicant's identity (where that has not previously been verified); the receipt of two references (one of which must be from the applicant's most recent employer) which the AY considers being satisfactory;
* for positions which involve "respite break work":
  1. AY being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the AY
  2. alternatively, information which, in the AY's opinion, renders the applicant unsuitable to work at the AY;
* where the position amounts to "regulated activity the receipt of an enhanced disclosure from the DBS which the AY considers to be satisfactory;
* where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List\*;
* verification of the applicant's medical fitness for the role; verification of the applicant's right to work in the UK;
* any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
* verification of professional qualifications which the AY deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

*The Rehabilitation of Offenders Act 1974*

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to children. Therefore, any convictions and cautions that would normally be considered ‘SPENT’ must be declared when applying for any position at AY.

DBS (Disclosure and Barring Service) Check (formerly known as CRB Disclosure)

AY applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at AY which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is the AY’s policy that the DBS disclosure must be obtained before the commencement of employment of any new employee. It is the AY’s policy to re-check employee’s DBS Certificates every two years.

*DBS Certificate*

The DBS no longer issue Disclosure Certificates to employers, therefore employees/applicants should bring their original Certificate to AY within seven days of issue or applicants before they commence work or any project involving regulated activity.

Under DBS regulations, DBS disclosures can usually only be kept for 6 months, but 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.

*Dealing with convictions*

AY operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

* the nature, seriousness and relevance of the offence; how long ago the offence occurred;
* one-off or history of offences; changes in circumstances,
* decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with AY Directors. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Directors will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, AY may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

All checks should be confirmed in writing and retained on the candidate’s personnel file, together with photocopies of documents used to verify his/her identity and qualifications.

*Record Keeping*

AY is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, AY will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.

This documentation will be retained by the AY for the duration of the successful applicant's time with AY.

AY will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (i.e., shredded). The six-month retention period is in accordance with the Data Protection Act 1998.

***Induction and Supervision of Staff & Volunteers***

The induction of all newly appointed staff to AY includes an introduction to the organisation’s child protection policies and procedures. This includes 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 practice and given a full explanation of their role and responsibilities and the standard of conduct and behaviour expected. They are also made aware of the organisation’s personnel procedures relating to disciplinary issues and the relevant whistle blowing policy.

The programme of induction includes child protection training at a level appropriate to the member of staff’s work with children (see AY Safeguarding Policy). Senior AY staff will ensure that their staff are adequately and appropriately supervised and that they have ready access to advice, expertise and management support in all matters relating to safeguarding and child protection.

**CONTRACTORS & AGENCY STAFF**

Contractors engaged by AY must complete the same checks for their employees that the AY is required to complete for its staff. AY requires confirmation that these checks have been completed before employees of the Contractor can commence work at the AY.

Agencies who supply staff to the AY must also complete the pre-employment checks which the AY would otherwise complete for its staff. Again, AY requires confirmation that these checks have been completed before an individual can commence work at the AY.

AY will independently verify the identity of staff supplied by contractors or an agency in and will require the provision of the original DBS certificate before contractors or agency staff can commence work at AY

**VOLUNTEERS**

AY will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with children at or on behalf of the AY (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will the AY permit an unchecked volunteer to have unsupervised contact with children.

It is the AY’s policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the AY for one year or more. Volunteers on break as asked to declare any new convictions since their last DBS check within the one year period.

Those volunteers who are likely to be involved in activities with the AY on a regular basis may be required to sign up to the DBS update service as this permits AY to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition, AY will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

* formal or informal information provided by staff and other volunteers;
* character references from the volunteer's place of work or any other relevant source;
* and an informal Safer Recruitment interview;
* online background checks.

**SAFEGUARDING**

At AY safeguarding is paramount and we are fully committed to ensuring the welfare and safety of all our children.

We believe that children have a right to stay in a supportive, caring and safe environment which includes the right to protection from all types of abuse; where staff are vigilant for signs of any child in distress and are confident about applying the processes to avert and alleviate any such problems.

If any behaviour is a concern in relation to safeguarding AY’s procedures and processes will be followed at all times in accordance with the Safeguarding Policy.

**REVIEW**

This Policy will be regularly monitored and reviewed by AY’s Directors. This policy is due to be reviewed in April 2020.