



# Safer Recruitment Policy

Adopted: 24<sup>th</sup> March 2017

Reviewed: 24<sup>th</sup> December 2019

To be Reviewed: September 2021

Mission Statement

Why:

We believe in the right of every young adult at Chatsworth Futures to access high quality learning opportunities which will empower and enable them to live happy, safe, healthy, valued and fulfilling adult lives.

How:

We achieve this by providing a safe, caring, challenging and positive learning environment in which the dignity, individual choices and aspirations of each learner are respected and celebrated.

We strive to work collaboratively with learners, their families and colleagues to develop an inclusive, equitable and friendly organisation in which healthy risk taking is encouraged, enjoyable experiences are offered and strong relationships are at the heart of all we do.

What:

We endeavour to nurture independent, empowered and fulfilled individuals who are able to live purposeful, productive and happy lives as they move on from Chatsworth Futures.

## **Introduction**

Statutory guidance in safer recruitment practices was introduced with effect from January 2007. This policy summarises the necessary steps that must be followed in terms of recruitment and selection. This policy will help Chatsworth Futures ensure that we have effective safeguarding systems in place in line with legislative requirements and sets out recruitment best practice, some of which is underpinned by legislation,

Safeguarding learners is everybody's responsibility. Good safeguarding practice therefore has to be built into routine procedures and practice. Nowhere is this more important than in the recruitment and vetting of people who have contact with our learners.

## **Elements of Safer Practice**

Safer practice in recruitment means thinking about and including issues to do with child protection and safeguarding vulnerable adults and promoting the welfare of children and vulnerable adults at every stage of the process. It starts with the process of planning the recruitment exercise, where the post is advertised, ensuring that the advert makes clear the organisation's commitment to safeguarding and promoting the welfare of children and vulnerable adults. It also requires a consistent and thorough process of obtaining, collating, analysing, and evaluating information from and about applicants. The main elements of the process include:

- Ensuring the job description makes reference to the responsibility for safeguarding and promoting the welfare of children and vulnerable adults
- Ensuring that the person specification includes specific reference to suitability to work with children and vulnerable adults
- Obtaining and scrutinising comprehensive information from applicants, and taking up and satisfactorily resolving any discrepancies or anomalies
- Obtaining independent professional and character references that answer specific questions to help assess an applicant's suitability to work with children and vulnerable adults and follow up any concerns
- A face-to-face interview that explores the candidate's suitability to work with children and vulnerable adults as well as his/her suitability for the post
- Verifying the successful applicant's identity
- Verifying that the successful applicant has all of the academic or vocational qualifications claimed
- Checking his/her previous employment history and experience
- Verifying that he/she has the health and physical capacity for the job
- The mandatory check of list 99 and/or the Protection of Children Act (PoCA) list, POVA list and where appropriate an enhanced disclosure via the CRB.

It is important to note that we should not rely solely on criminal record, list 99, POVA list or PoCA list checks to screen out unsuitable applicants. Those checks are an essential safeguard, but they will only pick up those abusers who have been convicted, those who have come to the attention of the police, or who have been listed. Many individuals who are unsuited to working with children and vulnerable adults will not have any previous convictions and will not appear on any official lists.

## **Recruitment and Selection Policy Statement**

Chatsworth Futures should have an explicit written recruitment and selection policy statement and procedures that comply with National and Local Guidance. The statement should detail all aspects of the process and should link to the Safeguarding Policy and procedures. The policy statement should incorporate an explicit statement about our commitment to safeguarding and promoting the welfare of children and vulnerable adults. An example is:

*“Chatsworth Futures is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share this commitment.”*

This statement should be included in:

- Publicity material
- Recruitment websites
- Advertisements
- Candidate information packs
- Person Specifications
- Job Descriptions
- Competency frameworks
- Induction training.

## **Planning and Advertising**

Planning is the key to successful recruitment. The College should be clear on what mix of qualities, qualifications and experience a successful candidate will need to demonstrate to prevent unsuitable applications, setting adequate time aside at each stage to ensure that safeguards are not overlooked. For example, allowing time for references to be obtained on short listed candidates before interview.

The checklist at **Appendix A** provides a convenient way of signing off each stage of the Recruitment and Selection process and can be filed as a permanent record following appointment.

## The Checks

In accordance with the legislation the following recruitment and vetting checks must be conducted on intended new employees:

- Identity Checks
- List 99 Checks
- CRB Disclosures
- POVA list
- Checks to confirm the right to work in the United Kingdom.
- Where the appointee has lived outside the United Kingdom, further checks as are considered appropriate where obtaining a CRB Disclosure is not sufficient to establish suitability to work with children.

The above checks **MUST** be completed **BEFORE** a person's appointment

### Identity Checks

Proof of identity must be provided such as a birth certificate, driving licence or passport, combined with evidence of address, before an appointment is made. Some form of photographic identity should be seen except where for exceptional reasons none is available.

In summary, the proof should include name, date of birth, address and photographic identity.

If a member of staff is provided by an agency or other third party then the College **MUST** check that the person who comes to them is the same person by carrying out the above checks.

### List 99

List 99 checks **MUST** be undertaken for all staff. List 99 checks are completed as part of the CRB enhanced Disclosure request.

### POVA

POVA checks **MUST** be undertaken for all staff. POVA list checks are completed as part of the CRB enhanced Disclosure request.

### CRB Checks

There is an existing guidance document that has been produced to update and advise about the arrangements for criminal background checks on persons appointed to work with children. The guidance incorporates arrangements introduced as a result of the Protection of Children Act 1999, The Police Act 1997 (part v) and DfES Circular 9/93 Protection of young children.

The main areas covered in the guidance are:

- The introduction of the Criminal Records Bureau (CRB)
- Different levels of checks / disclosure and which posts require checks
- Changes to the actual process.

### **Single Central Record of Recruitment and Vetting Checks**

By 1st April 2007, in addition to the various staff records which are kept as part of normal arrangements, organisations **MUST** also maintain a **single central record** of recruitment and vetting checks to include: -

- All staff who are employed to work at the school or college
- All staff who are engaged as supply staff to the school or college whether employed by the school or college or through an agency.
- Others who have been chosen by the school or college to work in regular contact (**'Regular'** is defined as meaning 3 or more times in a 30 day period or once a month or more) or overnight with children and vulnerable adults including:
  - Volunteers
  - Governors who also work as volunteers within the school
  - People brought in to provide additional teaching or instruction for pupils or learners who are not staff members e.g. a specialist sports coach or artist.

The following people are **NOT** to be included in the school's new single central record, because they are not covered by the current policy on checks:

- Those employed by contractors to the school, for example as cleaners, or undertaking maintenance work;
- Those employed by service providers under Private Finance Initiative contracts
- Volunteers whose work does not involve contact with children;
- School governors whose work does not involve contact with children

A CRB disclosure is required for all newly appointed staff.

### **Supply Staff**

Checks must be conducted with the relevant supply agency and written confirmation that all the appropriate checks have been undertaken must be obtained. When a disclosure contains information, a copy of the CRB Disclosure must be seen by the Principal.

## **Right to work in the UK**

The College needs to ensure that any foreign nationals they are seeking to employ have permission to work in the UK. Nationals of Gibraltar and countries within the European Economic Area (EEA) do not need permission to take employment here and can be employed on the same basis as UK nationals.

A list of EEA countries is given below:

EEA Countries including 2004 Accession countries (\*):Austria, Belgium, Cyprus, France, Germany, Italy, Luxembourg, Netherlands, Denmark, Iceland, Ireland, Liechtenstein, Norway, UK, Greece, Portugal, Spain, Austria, Finland, Sweden, Cyprus\*, Czech Republic\*, Estonia\*, Hungary\*, Latvia\*, Lithuania\*, Malta\*, Poland\*, Slovakia\*, Slovenia\*.

Nationals of countries marked\* (other than Cyprus and Malta) who wish to work for more than one month for an employer in the UK need to register under the Worker registration scheme. Once they have worked legally in the UK for more than 12 months without a break there is no need to register on the worker registration scheme.

Most other foreign nationals will need permission to work in the UK. If there is uncertainty about whether an individual needs permission then organisations should contact:

Work Permits UK Visa Enquiries  
Immigration & Nationality Directorate  
Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY

Tel: (employers helpline) 0845 010 6677

If the prospective staff member has come from outside the EEA, it is likely that the organisation already holds the work permit if one is required, since it is the employer who has to make the application for the permit.

Individuals who are nationals of a non European Economic Area (EEA) country may need permission to work in the UK, depending upon the entry conditions in their passports. The home office operates a Visa Entry service which provides advice on entry visas and whether a visa entitles a person to work in the UK.

Telephone 0870 606 7766

## Staff who have lived outside the UK

Newly appointed staff that have lived outside the United Kingdom must undergo the same checks as for all other staff. This includes a CRB Disclosure, POVA list and List 99 check. In addition, the College will make such further checks as considered appropriate. These further checks must be completed prior to an individual commencing employment.

In addition, all staff that have lived outside the United Kingdom and were recruited since March 2002 should have CRB Disclosures.

POVA list, List 99 and CRB Disclosures and where appropriate PoCA List checks must be completed on overseas staff. In addition, criminal records information should be sought from countries where individuals have worked or lived.

CRB Disclosures will not generally show offences committed by individuals whilst living abroad (except in the case of service personnel and their families). Therefore in addition to an enhanced CRB Disclosure, additional checks such as obtaining certificates in good conduct from relevant embassies or police forces are necessary.

## References

Two references should always be sought and obtained directly from the referee. One reference should be from the last employer or an organisation that has knowledge of the applicant's work or volunteering with children and young people or vulnerable adults. The College should not accept references or testimonials provided by the candidate, or open references and testimonials i.e. 'To whom it may concern'.

If references are not taken up prior to interview the College should ensure they are received and scrutinised and any concerns are resolved satisfactorily, **before** the person's appointment is confirmed.

References should ask:

- About the referee's relationship with the candidate i.e. in what capacity they have known them, how long etc.
- Whether the referee is satisfied as to their suitability to undertake the job and how they have demonstrated they have met the person specification.
- Whether the referee is completely satisfied that the candidate is suitable to work with children and young people or vulnerable adults and if not the reasons why the candidate believes the person may be unsuitable.
- Current post, salary and sickness record confirmation.
- Verifiable comments regarding the applicant's performance history and conduct.



- Details of any disciplinary procedures the applicant has been subject to in which the sanction is current.
- Disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children and young people or vulnerable adults or behaviour towards children and young people or vulnerable adults, the outcomes and how the matters were resolved.

The references should be checked when returned to ensure all specific questions have been answered satisfactorily. If not referees should be contacted and asked to provide written answers or amplification as appropriate. Any information provided about previous disciplinary issues or allegations should be considered in the context and circumstances of the individual case.

**Appendix A**

**RECRUITMENT AND SELECTION CHECKLIST**

	<b>Initials</b>	<b>Date</b>
<p>Planning</p> <p>Timetable decided: person specification, job description and other documents to be provided to applicants reviewed and updated as necessary to include specific reference to the responsibility for safeguarding and promoting the welfare of children, young people and vulnerable adults.</p> <p>Application form seeks all relevant information and includes relevant statements about references etc.</p>		
<p>VACANCY ADVERTISED (where appropriate)</p> <p>Advertisement includes reference to safeguarding policy, i.e. statement of commitment to safeguarding and promoting welfare of children, young people and vulnerable adults and need for successful applicant to be CRB checked.</p>		
<p>APPLICATIONS on receipt</p> <p>Scrutinised – any discrepancies/anomalies/gaps in employment noted to explore if candidate considered for shortlist.</p>		
<p>SHORTLIST PREPARED</p> <p>Application forms matched against the person specification.</p>		
<p>REFERENCES</p> <p>Sought directly from referee on short listed candidates: ask recommended specific questions: include statement about liability for accuracy.</p>		
<p>REFERENCES – On receipt</p> <p>Checked against information on applications; scrutinised; any discrepancy/issue of concern noted to take up with applicant (at interview if possible).</p>		
<p>INTERVIEW ARRANGEMENTS</p>		

At least 2 interviewers: panel members have authority to appoint: have met and agreed issues and questions/assessment criteria/ standards.		
INTERVIEW Explores applicants' suitability for work with children, young people and vulnerable adults as well as for the post.		
IDENTITY Identity and qualifications of successful applicant verified on day of interview by scrutiny of appropriate <b>original</b> documents: copies of documents taken and placed on file; where appropriate applicant completed application for CRB Disclosure.		
CONDITIONAL OFFER OF APPOINTMENT: PRE APPOINTMENT CHECKS Offer of appointment is made conditional on satisfactory completion of the following pre-appointment checks and for non-teaching posts a probationary period.		
REFERENCES (if not obtained and scrutinised previously)		
IDENTITY (if that could not be verified straight after the interview)		
QUALIFICATIONS (if not verified on the day of interview)		
PERMISSION TO WORK (Permission to work in UK, if required)		
CRB – Where appropriate satisfactory CRB Disclosures received.		
LIST 99 – person is not prohibited from taking up the post.		
POVA LIST – person is not prohibited from taking up the post.		
HEALTH – the candidate is medically fit.		
GTC England – (for teaching posts in maintained schools and non-maintained special schools) the teacher is registered with the GTC or exempt from registration.		
QTS/QTLS – (for teaching posts in maintained schools the		

<p>teacher has obtained QTS or is exempt from the requirement to hold QTS (for teaching posts in FE colleges the teacher has obtained a Post Graduate Certificate (Cert. Ed) awarded by a Higher Education Institute (HEI), or the FE Teaching Certificate conferred by an Awarding Body.</p>		
<p>STATUTORY INDUCTION (For teachers who obtained QTS after 7 May 1999) Included as part of the induction the safe working practices document should be issued to new staff that should sign and date that they have received and understood its contents.</p>		