

## **Safer Recruitment and Selection Policy**

### **1. Introduction**

- 1.1 Definition – ‘Divisional recruitment lead’ refers to the person who administers and manages the recruitment process, on behalf of the recruiting manager and the accountable individual, for the vacancy being recruited.
- 1.2 The recruitment and selection of National Fostering Agency Group (NFA Group) employees and workers is central to achieving a high quality of service, care and education.
- 1.3 This policy covers all companies in the NFA Group, including but not limited to, Acorn Care and Education and Pathway Care.
- 1.4 The NFA Group is committed to safeguarding and promoting the welfare of children and vulnerable people and expects all employees, workers and volunteers to share this commitment. The NFA Group recognises the vulnerability of the children and vulnerable people in its care, and in the care of those who we train and support, and is committed to operating to the highest standards when recruiting employees. The Group is wholly committed to recruitment and selection procedures that help to deter, reject or identify people who might abuse or cause harm to children or are otherwise unsuited to work with them.
- 1.5 The NFA Group operates a non-discriminatory, fair and objective recruitment and selection process. In line with the Equal Opportunities Policy, all applicants will receive equal treatment and access to opportunities, irrespective of sex, age, sexual orientation, race, ethnic origin, religion or belief, disability, membership or non-membership of a Trade Union.

### **2. Scope**

- 2.1 This policy applies to everyone who works for NFA Group as an employee or a worker, whether they are employed, self-employed, or a contractor. This includes, but is not limited to, bank workers, panel members, freelance assessors, sessional support workers. The policy also applies to the recruitment of agency workers and contractors, working on our sites and employed by a third party.

### **3. Safer Recruitment**

- 3.1 The NFA Group is dedicated to safeguarding children, young people and vulnerable people and therefore safer recruitment processes are at the heart of this policy in order to identify, deter and reject unsuitable candidates. It is the responsibility of every recruiting employee to conduct themselves in a manner that champions the spirit of the Bichard Enquiry Report 2004: ‘For those agencies whose job it is to protect children and vulnerable people, the harsh reality is that if a sufficiently devious person is determined

to seek out opportunities to work their evil, no one can guarantee that they will be stopped. Our task is to make it as difficult as possible for them to succeed...' [p.12, para 79 - <http://dera.ioe.ac.uk/6394/1/report.pdf>]

3.2 This procedure and related guidelines have been produced with reference to the DfE publication 'Keeping Children Safe in Education' (KCSIE September 2016) the statutory guidance issued by DfE in September 2016 on the application of the 'Childcare (Disqualification) Regulations 2009, related obligations under the Childcare Act 2006, Fostering Services: National Minimum Standards, the Guide to Children's Homes Regulations, CQC, Independent School Standards, Residential Special Schools National Minimum Standards 2015, the Scottish Social Services Council (SSSC) 'Safer Recruitment Through Better Recruitment' report (November 2016) and current employment legislation. Where possible, taking into account the above, this procedure complies with the Equality Act 2010.

#### **4. Approval to Recruit**

4.1 All vacancies must be submitted for approval through the designated applicant tracking system. The approval chain includes the Division head, a designated finance lead, and the HR Director or Group CEO depending on the seniority of the role.

4.2 No recruitment activity should take place prior to vacancy approval.

#### **5. The Recruitment Process**

5.1 The hiring manager will consider carefully the skills, knowledge and experience the successful candidate will need to demonstrate, and whether there are any particular matters that need to be included in the job description and job advertisement for the post in order to attract suitable candidates. The information for candidates will set out clearly the extent of the relationships/contact with children and young people, and the degree of responsibility for children and vulnerable people that the appointed person will have.

5.2 The Job Description will be revised where appropriate in consultation with HR to include the required skills, knowledge and experience, as well as the essential and desirable criteria. The Job Description will make reference to the responsibility for safeguarding and promoting the welfare of children/young people and will include a person specification making specific reference to suitability to work with children and young people.

5.3 The NFA Group's safeguarding statement, as outlined below, must be added to the bottom of both the advert copy and the job description: 'The NFA Group / Acorn Care and Education is committed to safeguarding and promoting the welfare of the children and vulnerable people in our care. Successful applicants to appropriate roles will be subject to a Disclosure and Barring Service check.'

- 5.4 All jobs will be advertised internally using either the internal jobs portal and employees will be notified via email on a weekly basis.
- 5.5 When it is necessary to attract external applicants, jobs will be advertised externally, using the designated applicant tracking system on the relevant careers website and using appropriate external media channels when necessary, dependent on guidance and approval from central HR.
- 5.6 Recruitment agencies will only be used with agreement from HR. An agency will be appointed by HR to source candidates if advertising has failed to source the quantity and quality of candidates required. HR may agree to go direct to agency before advertising a vacancy if the type of role being recruited is known to be a hard to fill job.
- 5.7 An **application form must always be used** in order to obtain a common set of core data from all applicants. Candidates will only be considered for a vacancy where an online application form has been submitted. Candidates can be considered for interview where an initial shortened application form has been submitted. An offer can only be made to a candidate where a full application form has been completed. A full application form includes all information essential to best practice Safer Recruitment including referee details and employment history. CV's will not be accepted in place of a completed application form but may be submitted alongside.
- 5.8 **Incomplete applications should not be accepted** and should be returned for completion. Any anomalies, discrepancies or gaps in employment identified should be noted so that they can be taken up as part of the consideration of whether to short-list the applicant.
- 5.9 Every candidate will be asked to complete a voluntary Equal Opportunities Form. This form includes personal demographic data and is collected for monitoring the objectivity of NFA Group recruitment processes. This information is not visible to the hiring manager and other employees responsible for making recruitment decisions.
- 5.10 Reasonable adjustments will be made to accommodate any candidate who makes a request at any stage in the recruitment process.
- 5.11 **Shortlisting** for interview will be carried out using the Job Description and Application Form. Shortlisting can be conducted using a shortened application form as long as the same form is used for all applicants applying to a vacancy. The shortlisting decision should be recorded on the applicant tracking system.
- 5.12 **The full application form should be completed prior to interview, including any gaps in employment history; any gaps or inconsistencies must be explored further during the interview.**
- 5.13 **For education appointments references should be sought on all short-listed candidates, including internal ones, before interview, so that any issues of concern**

**they raise can be explored further with the referee and taken up with the candidate at interview.**

- 5.14 All candidates must be **interviewed** in person at least once. The interview assesses the candidate's suitability to work with children and young people. The interview panel should consist of at least two people, one of whom must have been trained in Safer Recruitment.
- 5.15 To ensure fairness and objectivity, all candidates will be assessed at interview against the required skills, attributes, behaviours and experience set out in the job description.
- 5.16 Interview questions should be prepared in advance of the interview, should be well structured and the same questions applied for each candidate throughout the interviewing process. A record of the interviewer's assessment of the candidate's response will be recorded on the appropriate applicant tracking system.
- 5.17 Interview questions should test a candidate's attitudes, motives and suitability for this role with at least one question in the interview must be relevant to safeguarding children and young people.
- 5.18 Where practicably possible the NFA Group expects a young person's panel should form part of the assessment for positions with regular contact with children and young people. Interview dates should be scheduled as early as possible in the recruitment process in order to include the young person's panel.
- 5.19 Some roles will require additional testing and assessment. Hiring managers should consult HR for any guidance and assistance designing the assessment and selection process and stages.
- 5.20 The main interview panel must agree on scores and outcomes for all candidates interviewed. All candidates should be informed of the result of the interview and candidate feedback will be provided by a member of the interview panel upon request. Interview forms for all assessed candidates must be kept for 6 months.
- 5.21 All candidates invited to interview will be asked to bring original documents to confirm the educational and professional qualifications they have specified on the application form. The candidates will also be asked to bring original right to work documents including their passport or photo driving licence, birth certificate and a utility bill/bank statement, or another document displaying their name and current address on. Any candidates able to will bring evidence of a current DBS / Disclosure Scotland check / Access NI. The interview panel is responsible for collecting, inspecting, copying the originals at interview. Safer Recruitment requires that each copy obtained is signed to verify the original has been seen using the following format: 'Original seen by [printed panel member name], [panel member signature], [Date].

5.22 The hiring manager is able to make a verbal offer of employment to the successful candidate conditional of successful pre-employment checks. The conditional offer can include a salary within the approved range and the contractual terms signed off at vacancy approval change and templated to the role (including location, hours and benefits).

5.23 All completed and signed interview forms, as well as verified copies of qualifications and identification documents should be sent to HR to allow for references to be collected and pre-employment checks to be completed prior to commencing the formal offer process.

## 6. Pre-employment checks

6.1 Any offer of appointment made to a successful candidate must be conditional on satisfactory completion of the necessary pre-employment checks (see following paragraphs for further detail and clarification):

- Verify the candidate's identity (see 5.20).
- Verify the individual's right to work in the UK.
- Obtain (via the applicant) an enhanced DBS/Disclosure Scotland/Access NI certificate (including barred list information, for those who will be engaging in regulated activity)
- Check for a teacher prohibition order (for all school and care home roles)
- Check all school management candidates are not subject to a section 128 direction.
- A satisfactory overseas check for individuals who have lived or worked outside the UK.
- Verify relevant professional qualifications and professional status where required (see 5.20).
- The receipt of at least two satisfactory references, one of which must be the most recent employer. All references must be verified by phone to the referee on a landline phone number confirming the name of person who it was verified with, name of verifier, date and time of verification. This check must always be recorded.

6.2 The Group will adhere to its mandatory responsibility to secure a security certificate from DBS (England & Wales), Disclosure Scotland, or Access NI (Northern Ireland) for all new employees and contractors before their appointment. DBS checks will be renewed every three years.

6.3 All employees based in England will be encouraged to register for the DBS update service. See <https://www.gov.uk/government/collections/dbs-update-service-promotional-material> for further information. The cost of this can be reclaimed from the company.

6.4 The level of check required will depend on the role and duties of the role. A base level security check is required for every employee and agency worker/contractor.

6.5 An enhanced check certificate is required for all employees and agency workers/contractors who have an opportunity for regular contact with children and vulnerable adults but are not engaging in regulated activity.

- 6.6 An enhanced check certificate, which includes barred list information, will be required for staff engaging in regulated activity. The barred list check must be carried out using the correct category (children and/or adult) dependent on the role and level of contact with children and vulnerable adults. This covers the majority of the NFA Group, as outlined in the following definition of regulated activity.
- 6.7 An employee will be considered to be engaging in regulated activity if, as a result of their work, they:
- will be responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
  - will carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
  - engage in intimate or personal care or overnight activity, even if this happens only once.  
(see 'Keeping children safe in education (2016)' for more detail on regulated activity in schools in England)
- 6.8 All social work positions are subject to a registration check with the relevant council: England (Health & Care Professions Council), Wales (Care Council Wales), Scotland (Scottish Social Services Council), and Northern Ireland (Northern Ireland Social Care Council).
- 6.9 Individuals who have lived or worked outside of the UK must undergo the same checks as all other applicants.
- 6.10 For all Education applications further checks must be conducted on individuals who have lived or worked outside of the UK. These further checks should include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the 'NCTL Teacher Services' system'. Although restrictions imposed by another EEA regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.
- 6.11 For all appointments in the Education Division it is also necessary to check the individual is not prohibited from teaching. This check required for all non-teaching roles, as well as teaching roles, because of the high level of access to children in the non-teaching roles and the potential for future internal progression into a teaching role.
- 6.12 Teaching prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A check of any prohibition can be carried out using the 'Teacher Services' system'. Prohibition orders are described in the National College for Teaching and Leadership's (NCTL) publication 'Teacher misconduct: the prohibition of teachers'.
- 6.13 For all management appointments in our schools an additional check is required to ensure the individual is not prohibited under section 128 provisions. Where the individual will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction. So, a separate check for a section 128 direction is only required for management positions in our schools where the individual is not engaging in regulated activity and is not subject to a barred list check.

- 6.14 A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as: a management position in an independent school, academy or free school as an employee; a trustee of an academy or a free school trust; a governor or member of a proprietor body for an independent school; or a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities. A check for a section 128 direction can be carried out using the 'Teacher Services' system' (see 'Keeping children safe in education (2016)' and 'The Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014').
- 6.15 On receipt of a candidate's DBS (and other statutory checks) the recruiting manager will review any information that is raised. The recruiting manager and the operational 'accountable individual' for recruitment on site (as defined in the header of this policy) will undertake a risk assessment to determine whether to appoint or withdraw the offer. HR should be consulted before a decision is made. The risk assessment proforma is held by the operational 'accountable individual' and HR are able to provide advice and guidance. This will be kept on the individual's file.
- 6.16 In respect of contractors/agency staff supplied by a third party, the recruiting manager must obtain written notification from the third-party confirming they have carried out all the pre-employment checks that would normally be conducted internally (as set out in this policy). On the temporary worker's start date the manager must check that the person presenting themselves for work is the same person on whom the checks have been made. See section 8 for full guidance on the recruitment of agency staff and contractors.

## **7. Employment of Persons with Criminal Convictions**

- 7.1 The NFA Group is committed to the fair and transparent treatment of all of its employees and job applicants. The importance of equality of opportunity for all is recognised, as are the benefits of having diversity of talent, skills and potential. As such NFA Group welcomes applications from as wide a range of applicants as possible, including those with criminal records.
- 7.2 The existence of a criminal record does not lead to the automatic withdrawal of a conditional offer. A considered and objective decision will be made by the operational lead (i.e. Headteacher, Registered Manager, Head of Department) taking into account the nature of the job vacancy and the background of the offences.
- 7.3 Applicants are asked to declare all 'unspent' convictions unless the nature of the position being applied for is exempt as defined in the Rehabilitation of Offenders Act 1974 (Exclusions) (Amendment) Order 2001 and Rehabilitation of Offenders Act (Exclusions and Exceptions) (Scotland) Order 2003 (as amended) and it is a requirement that an entire criminal record (including spent convictions) is declared. This is made clear in the recruitment literature.
- 7.4 A candidate's failure to disclose any convictions as part of their application could lead to withdrawal of an offer of employment.
- 7.5 At interview an open discussion will take place about the declared convictions to aid the decision-making process.

7.6 On receipt of a candidate's DBS (and other statutory checks) the recruiting manager will review any information that is raised. The recruiting manager and the operational 'accountable individual' for recruitment on site (as defined in the header of this policy) will undertake a risk assessment to determine whether to appoint or withdraw the offer. HR should be consulted before a decision is made. The risk assessment proforma is held by the operational 'accountable individual' and HR are able to provide advice and guidance. This will be kept on the individual's file.

## **8. Employment History and References**

8.1 All offers of employment will be subject to at least two satisfactory references, one of which must be from their current/most recent employer. The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They should always be sought and obtained directly from the referee. References should always be verified over the phone with the referee and a written record maintained.

8.2 For Education appointments references should be sought on all short-listed candidates, including internal ones, before interview, so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview.

8.3 If a candidate for a teaching post is not currently employed as a teacher a reference should be sought from the school, college or local authority the candidate was most recently employed by.

8.4 For positions within Fostering & Residential with regular access to children and vulnerable adults, references will be requested from all previous roles in a childcare setting.

8.5 A standard proforma will be used to seek references; in cases where referees prefer to write a letter instead of using the standard proforma, these employment references will be acceptable as long as they are addressed directly. Open references in the form of 'to whom it may concern' testimonials are not acceptable.

8.6 References should include details of all disciplinary offences and whether the candidate has been the subject of any child protection allegations or concerns, including the outcome of any enquiry or disciplinary procedure. Details of allegations that have not been substantiated, are false or malicious will not be sought. When neither the candidate's current nor previous employment has involved working with children or young people, their referees will still be asked about their suitability to work with children and young people.

8.7 On receipt, references should be checked to ensure that all specific questions have been answered satisfactorily. The referee should be contacted to provide further clarification as appropriate, for example if the answers are vague. They should also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.

8.8 References should always be obtained and scrutinised with any concerns resolved satisfactorily, before the appointment is confirmed.

8.9 The Divisional recruitment lead will keep a record of all detailed checks of staff including identify, qualification requirements, and security checks.

8.10 In respect of contractors/agency staff supplied by a third party, the Divisional recruitment lead should keep a dated record of whether written confirmation has been received from the supplier that the relevant checks have been carried out, the relevant

certificates obtained, and whether an enhanced security check certificate has been provided. This record should include the date confirmation was received. See section 8 for full guidance on the recruitment of agency staff and contractors.

8.11 Schools and colleges must keep a single central record, referred to in the regulations (described in the following paragraph) as the register. The single central record must cover the following people:

- all staff (including supply staff, and teacher trainees on salaried routes) who work at school. In colleges, this means those providing education to children; and
- for independent schools, including academies and free schools, all members of the proprietor body.

8.12 The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained (see above for required checks):

- an identity check;
- a barred list check;
- an enhanced DBS/Disclosure Scotland/Access NI check/certificate;
- a prohibition from teaching check;
- a section 128 check
- further checks for those individuals who have lived or worked outside of the UK
- a check of professional qualifications; and
- a check to establish the person's right to work in the UK.

8.13 Withdrawals of job offers shall be made in writing and shall be made if a candidate does not provide satisfactory references, statutory checks or provide evidence of relevant qualifications or if it comes to light that false information was included on the application form or during the selection process, or if information was deliberately withheld during the recruitment process.

8.14 All employees will receive a contract of employment, ideally before their start date, but in any event no later than 8 weeks after joining the organisation, in line with the statutory requirement.

8.15 All roles are offered subject to a six-month probation period, with employees being confirmed in post following successful completion of this period, (also see Induction and Probation Policy). The organisation will review an individual's progress during the probationary period and failure to achieve the required standard during this time will lead to the termination of employment.

## **9 Agency staff and contractors**

9.1 In respect of contractors/agency staff supplied by a third party, the Divisional recruitment lead must obtain written notification from the third-party confirming they have carried out all the pre-employment checks that would normally be conducted internally. The written notification must be obtained in advance of the agency worker starting in the role.

9.2 There must be written confirmation that each required element of the pre-employment checks have been completed and all required references have been received and verified.

9.3 All qualifications and training required for the role must be confirmed with dates of attainment and renewal recorded where necessary.

9.4 On the temporary worker's start date the manager must check that the person presenting themselves for work is the same person on whom the checks have been made.

9.5 In education settings the written confirmation from the supplier must be held on the single central record.

## 10. Induction

10.1 An induction programme will be undertaken by all new colleagues and the hiring manager is responsible for arranging this. Certain elements of the induction will also be applicable to those who are changing roles within the NFA Group.

10.2 The content and nature of the induction process will vary according to the role and previous experience of the new colleagues, but as far as safeguarding the individual and promoting the welfare of children is concerned, the induction programme **must** include information about, and written statements concerning:

- The structure and role of relevant departments and/or services.
- Policies and procedures in relation to safeguarding and promoting the welfare of children e.g. child protection, anti-bullying, anti-racism, physical intervention/restraint, intimate care, CSC, Radicalisation, FGM, internet safety and any local child protection/safeguarding procedures.
- Safe practice and the standards of conduct and behaviour expected of staff and pupils/residents in the establishment.
- Health, Safety and Welfare.
- How and with whom any concerns about issues should be raised.
- Other relevant personnel and school/residential home policies and procedures e.g. grievance, disciplinary, capability, absence management, computer usage, dealing with allegations of abuse against staff, and whistle-blowing.

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<b>Executive Officer Responsible:</b>	Group HR Director & Group Quality & Compliance Director
<b>Accountable Individuals:</b>	Responsible individuals and registered managers for children's homes Nominated individuals for adult homes Registered Manager for fostering offices

	Headteacher or Principal for education settings Head of Division for HQ
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