



# **Safeguarding and Safer Recruitment Policy**

## **Learning Programmes**

## Introduction

Safeguarding Statement Protecting children and vulnerable adults and vulnerable adults from harm.

We ensure that our Directors, employees, associates and contractors are aware of their responsibilities to safeguarding children and vulnerable adults and vulnerable adults in accordance with the Safeguarding Vulnerable Groups Act 2006.

This is done through:

- Adhering to Safeguarding Children and vulnerable adults and Safer Recruitment in Education - including the training of those who recruit staff to work with children and vulnerable adults or vulnerable adults
- Clear expectations of staff with regard to personal conduct and promoting the well-being of children and vulnerable adults and vulnerable adults through company policy and procedure and individual job role descriptions
- Promotion of ethical guidelines
- All employees being thoroughly vetted to ensure qualifications, previous employment references and personal references are accurate and bona-fide
- Ensuring all employees have a “right to work” check carried out and a DBS disclosure is completed for all staff
- Good induction systems and ongoing training/updates for all employees and associates to the required standards in child protection and safeguarding children and vulnerable adults and vulnerable adults
- Embedding safeguarding into the company competency framework and this is discussed at competency reviews to ensure full understanding of the relevant points
- Clear access to guidance/procedures for child protection and protection of vulnerable adults and awareness of local protocols and systems for information sharing and referral
- Ensuring staff are aware of and adhere to the policies and procedures of any external contractor/partner they are working with
- Obtaining written permission for any photographs, video recording etc containing personal images of any kind for promotional or company use
- Listening to the concerns of children and vulnerable adults and vulnerable adults with an open mind and promotion of a policy/culture of safeguarding children and vulnerable adults and the vulnerable as paramount

- Thorough supervision of all employees, associates and contractors
- Adherence to agreed procedures for investigating allegations of harm to children and vulnerable adults or vulnerable adults by persons in positions of trust - including independent advice and referral to the police as necessary
- Regular audits of the above to ensure compliance
- Leadership/accountability in a named senior manager and clear access to specialist advice about child protection or the protection of vulnerable adults

### **Process of Safer Recruitment**

The aims of the Safer Recruitment policy is to help deter, reject or identify people who might abuse learners or are otherwise unsuited to working with them by having appropriate procedures for appointing staff. The aims of RHG's recruitment policy are as follows:

- 1) To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position.
- 2) To ensure that all job applicants are considered equally and consistently.
- 3) 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.
- 4) To ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children and vulnerable adults Safe in Education - July 2015 (KCSIE), 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
- 5) To ensure that RHG meets its commitment to safeguarding and promoting the welfare of children and vulnerable adults 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.

RHG 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 at RHG 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 (including KCSIE 2016 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

RHG aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at RHG.

### **Roles and Responsibilities**

It is the responsibility of RHG Directors to:

- Ensure RHG has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements
- Monitor RHG's compliance with them

It is the responsibility of the Directors and Managers to:

- Ensure that RHG operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at RHG
- Monitor contractors' and agencies' compliance with this document
- Promote welfare of children and vulnerable adults at every stage of the procedure

### **Definition of Regulated Activity and Frequency**

Any position undertaken at, or on behalf of RHG will amount to "regulated activity" if it is carried out:

- Frequently, meaning once a week or more; or
- Overnight, meaning between 2.00 am and 6.00 am; or
- Satisfies the "period condition", meaning four times or more in a 30 day period; and
- Provides the opportunity for contact with children and vulnerable adults.

Roles which are carried out on an unpaid / voluntary basis will only amount to regulate activity if, in addition to the above, they are carried out on an unsupervised basis. RHG is not permitted to check the Children and vulnerable adult's Barred List unless an individual will be engaging in "regulated activity".

RHG is required to carry out an enhanced DBS check for all staff, associates and subcontractors who will be engaging in regulated activity. However, RHG can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles, which would amount to regulated activity if carried out more frequently.

## **Recruitment and selection procedure**

### **Advertising**

To ensure equality of opportunity, RHG will advertise all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement. Any advertisement will make clear RHG's commitment to safeguarding and promoting the welfare of children and vulnerable adults. All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

### **Application Forms**

RHG uses its own application form and all applicants for employment will be required to complete an application form containing questions about their qualifications and full employment history, and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). Incomplete application forms will not be shortlisted.

The application form will include the applicant's declaration regarding convictions and working with children and vulnerable adults, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs are required to be attached with the application form.

It is unlawful for RHG to employ anyone who is barred from working with children and vulnerable adults. It is a criminal offence for any person who is barred from working with children and vulnerable adults to apply for a position at RHG. 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.

### **Job Descriptions and Person Specifications**

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children and vulnerable adults.

## **References**

References for short listed applicants will be sent for immediately after short listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after interview.

All offers of employment will be subject to the receipt of a minimum of two references, which are considered satisfactory by RHG. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children and vulnerable adults, then the second reference should be from the employer with whom the applicant most recently worked with children and vulnerable adults. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children and vulnerable adults. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism".

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference.

RHG does not accept open references, testimonials or references from relatives.

## **Interviews**

There will be a face-to-face interview with a minimum of two interviewers. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has not been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed six months after the recruitment programme.

### **Offer of appointment and new employee process**

RHG 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 RHG'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 RHG considers to be satisfactory
- For positions which involve "teaching and/or training work" i. RHG being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the National College for Teaching and Leadership, or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at RHG or which, in RHG's opinion, renders the applicant unsuitable to work at RHG; and ii. RHG 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 RHG or which, in RHG's opinion, renders the applicant unsuitable to work at RHG
- Where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS, which RHG considers to be satisfactory;
- Where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children and vulnerable adult's Barred List\*;
- Confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from delivering training on behalf of RHG, or working in a position which involves regular contact with children and vulnerable adults;
- 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 RHG deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

\*RHG is not permitted to check the Children and vulnerable adults' Barred List unless an individual will be engaging in "regulated activity". RHG is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, RHG can also carry out an enhanced DBS check on a person who would be carrying out "regulated activity" but for the fact that they do not carry out their duties frequently enough i.e. roles, which would amount to "regulated activity" if carried out more frequently.

Whether a position amounts to "regulated activity" must therefore be considered by RHG in order to decide which checks are appropriate. It is however likely that in nearly all cases RHG will be able to carry out an enhanced DBS check and a Children and vulnerable adults's Barred List check. 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 learners. Therefore, any convictions and cautions that would normally be considered 'SPENT' **must be** declared when applying for any position at Shrewsbury RHG.

### **DBS (Disclosure and Barring Service) Certificate** (formerly known as CRB Disclosure)

RHG applies for an enhanced disclosure from the DBS and a check of the Children and vulnerable adult's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at RHG 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 and vulnerable adults by inclusion on the Children and vulnerable adult's Barred List and to obtain other relevant suitability information. It is RHGs policy that the DBS disclosure **must be** obtained before the commencement of employment of **any** new employee.

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