



Safer Recruitment Policy

Introduction

The safe recruitment of staff in Schools, education and childcare settings is the first step to safeguarding and promoting the welfare of children in the early years. Dringhouses Out of School Club is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, Dringhouses Out of School Club expects all staff and volunteers to share this commitment.

Aims and Objectives

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

The aims of Dringhouses Out of School Club's recruitment policy are as follows:

- to ensure that the best possible staff are recruited based on 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 published by the HM Government - Working Together to Safeguard Children 2018, 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)
- to ensure that the setting 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.

The setting 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 the setting 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 Working Together to Safeguard Children 2018 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.

The setting aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Dringhouses Out of School Club.

Roles and Responsibilities

It is the responsibility of the setting Trustees to:

- ensure the setting has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with HM Government guidance, Ofsted guidance and legal requirements
- monitor the settings compliance with them
- It is the responsibility of the Manager, and Deputy Manager and those involved in recruitment to:



- ensure that the setting operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the setting
- monitor contractors' and agencies' compliance with this document
- promote welfare of children and young people at every stage of the procedure

The setting Trustees have delegated responsibility to the OOSCS Manager, Manager and Deputy to lead in all appointments. The Trustees may be involved in staff appointments.

Definition of Regulated Activity and Frequency

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

- frequently, meaning once a week or more
- overnight, meaning between 2.00 am and 6.00 am
- satisfies the "period condition", meaning four times or more in a 30-day period
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

The setting is required to carry out an enhanced DBS check for all staff, supply staff and trustees.

Recruitment and Selection Procedure

Advertising

To ensure equality of opportunity, the Setting 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 the Setting's commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

Application Forms

The Setting uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic 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 will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not be accepted.

It is unlawful for the Setting 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 Setting. 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.



References

References for shortlisted applicants will be sent for immediately after shortlisting. 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 the Setting. 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, then the second reference should be from the employer with whom the applicant most recently worked with children. 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. 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.

The Setting does not accept open references, testimonials or references from relatives.

Interviews

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. 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 to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information regarding 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.

Offer of Appointment and New Employee Protocols

The Setting 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 Setting'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 Setting considers to be satisfactory
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the Setting considers to be satisfactory
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List*
- confirmation that the applicant is not subject to a direction within the Disqualification under the Childcare Act 2006 along with the July 2018 updates
- confirmation that the applicant is not subject to a direction Disqualification under the Childcare Act 2006 along with the July 2018 updates which prohibits, disqualifies or restricts them from being involved in the management of an independent childcare setting



- verification of the applicant's right to work in the UK
- any further checks which are necessary because of the applicant having lived or worked outside of the UK
- verification of professional qualifications which the Setting deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified)

The Setting is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity.

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

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

The employee **must** apply 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 the Setting 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 Setting's policy that the DBS disclosure, where possible, **should be** obtained before the commencement of employment of **any** new employee. Employees awaiting a DBS will be supervised at all times and will not be left in sole charge of any children at the setting.

It is the Setting's policy to re-check employee's DBS Certificates every three years and in addition any employee that takes leave for more than three months (i.e. maternity leave, career break etc) must be re-checked before they return to work.

Members of staff at the Setting are aware of their obligation to inform the Manager of any cautions or convictions that arise between these checks taking place. The Manager will check during supervision that the employee is still suitable to work with children. A Suitability Declaration will be completed every 6 months.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

Portability of DBS Certificates Checks

Staff **must** join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service if their check was issued after 17 June 2013, for a fee of £13 per annum, which is payable by the applicant – and reimbursed by the club.

Copies of DBS Checks

The DBS no longer issue Disclosure Certificates to employers; therefore employees/applicants should bring their Certificate to manager as soon as possible.



Dealing with convictions

The Setting 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:

- 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 a member of the Board of Trustees, the OOSCS Manager and the Manager. A decision will be made following this meeting. If 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 Board of Trustees, the OOSCS Manager and the Manager 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, the Setting 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.

Proof of identity, Right to Work in the UK & Verification of Qualifications/Professional Status

All applicants invited to attend an interview at the Setting will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. The Setting does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have obtained any academic or vocational qualification legally required for the position and claimed in their application form.

Medical Fitness

The Setting is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

Overseas checks

The Setting, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals (see Certificate of Sponsorship section).

In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal record check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the Setting.

Induction Programme

All new employees will be given an induction programme which will clearly identify the Setting policies and procedures, including the Safeguarding Children Policy, the Code of Conduct, and make clear the expectations which will govern how staff carry out their roles and responsibilities.



Single Centralised Register of Members of Staff

In addition to the various staff records kept in Setting and on individual personnel files, a single centralised record of recruitment and vetting checks is kept securely in the Recruitment and Retention drawer in the filing cabinet. The Single Centralised Register will contain details of the following:

- all employees who are employed to work at the Setting
- all employees who are employed as supply staff to the Setting whether employed directly or through an agency

Record Retention / Data Protection

The Setting is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the Setting 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 and qualifications. Medical information may be used to help the Setting to discharge its obligations as an employer e.g. so that the Setting may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the Setting for the duration of the successful applicant's employment with the Setting. All information retained on employees is kept centrally in a locked and secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved with Setting activities.

The Setting 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 6-month retention period is in accordance with the Data Protection Act 1998.

Ongoing Employment

Dringhouses Out of School Club recognises that safer recruitment and selection is not just about the start of employment but should be part of a larger policy framework for all staff. The setting will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

Leaving Employment at the Setting

Despite the best efforts to recruit safely there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the Setting also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the Setting despite being barred from working with children
- has been removed by the Setting from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child

Agency staff

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

The Setting will independently verify the identity of staff supplied by an agency and will require the provision of the original DBS certificate before agency staff can commence work at the Setting.



Volunteers

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

Under no circumstances will the Setting permit an unchecked volunteer to have unsupervised contact with pupils.

It is the Setting'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 Setting for three consecutive months or more. Those volunteers who are likely to be involved in activities with the Setting on a regular basis may be required to sign up to the DBS update service as this permits the Setting to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition, the Setting 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, parents and other volunteers
- character references from the volunteer's place of work or any other relevant source
- an informal safer recruitment interview

This policy was adopted at a meeting of	Dringhouses Out of School Club
Held in:	April 2023
To be reviewed in:	April 2024
Signed on behalf of the setting:	
Name of Signatory:	
Role of Signatory:	Manager Deputy Manager