HERD THYME

Safer Recruitment Policy

1. Introduction

The safe recruitment of staff and volunteers is the first step to safeguarding and promoting the welfare of children and young people in education settings. Herd Thyme is committed to safeguarding and promoting the welfare of all children and young people in its care. As an employer, Herd Thyme expects all staff and volunteers to share this commitment.

2. Aims and Objectives

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

The objectives of the Safer 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 Department for Education (DfE), Keeping Children Safe in Education - September 2018 (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
- to ensure that Herd Thyme 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 organisation will seek to recruit the best applicant for the job and the recruitment and selection process should ensure the identification of the person most suited to the job, based on the applicant's abilities, qualification, experience and merit.

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.

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

3. Roles and Responsibilities

It is the responsibility of the Proprietor to:

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

It is the responsibility of the Proprietor and any other designated staff member involved in recruitment to:

- Ensure that the organisation operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

4. Definition of Regulated Activity and Frequency

The definition of regulated activity in relation to children comprises:

- unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;
- work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. organisations, educational establishments.

Any position undertaken at, or on behalf of the organisation 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.

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 organisation is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The organisation is required to carry out an enhanced DBS check for all staff, volunteers and contractors who will be engaging in regulated activity.

However, the organisation 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.

5. Recruitment and Selection

Advertising

To ensure equality of opportunity, the organisation will advertise all vacant posts to encourage as wide a field of applicants as possible.

Any advertisement will make clear the organisation'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).

Applications

The organisation accepts CVs from applicants which must contain information about their academic and full employment history and their suitability for the role. All applicants are required to account for any gaps or discrepancies in their employment history.

Applicants will be required to include a declaration regarding convictions and working with children, and the organisation will make it clear that the position is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

It is unlawful for the organisation 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 with the organisation. 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.

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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 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 in an educational environment.

References

References for short-listed applicants will be requested immediately after short-listing. The only exception is where an applicant has indicated 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 the interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the organisation. 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. Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference.

No questions will be asked about health or medical fitness prior to any offer of employment being made.

Interviews

There will be a face-to-face interview for all short-listed applicants. 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 role described in the job description and meet the person specification. It will enable the interviewers to explore any anomalies or gaps which 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 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 been disclosed in the application.

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 and signed to confirm their authenticity. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme.

6. Offer of appointment and new employee process

In accordance with the recommendations set out in KCSIE, the organisation carries out several 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 organisation's standard terms and conditions of employment;
- verification of the applicant's identity (if not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the organisation considers to be satisfactory;
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the organisation 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 organisation deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not 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.

<u>The Rehabilitation of Offenders Act 1974</u>

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

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DBS (Disclosure and Barring Service) Check

The organisation 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 the organisation which amount to "regulated activity". 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 Organisation's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee. DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

It is the organisation's policy to re-check employees' DBS Certificates every three years.

Portability of DBS Certificates Checks

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a small annual fee, which is payable by the applicant.

This allows for portability of a Certificate across employers. The organisation will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

DBS Certificate

The DBS no longer issues Disclosure Certificates to employers; therefore, employees and/or applicants should bring their original Certificate to the organisation. For employees, within 7 days of issue or applicants before they commence work or any project involving regulated activity.

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Dealing with convictions

The organisation 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. 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 Proprietor 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 organisation 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 and Verification of Qualifications

All applicants invited to attend an interview 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 the UK, in accordance with the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. The organisation does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (eg 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.

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Induction Programme

All new employees will be given an induction programme which will clearly identify the organisation's policies and procedures, including the Child Protection and Safeguarding Policy, the Code of Conduct, and KCSIE, 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 staff records kept on individual personnel files, a single centralised record of recruitment and vetting checks is kept. This is kept up-to-date and retained by the Proprietor. The Single Centralised Register will contain details of the following: -

- All employees who are employed to work at the organisation;
- all others who have been chosen by the organisation to work in regular contact with children. This will cover volunteers, contractors and people brought in to provide additional teaching or instruction for students.

Record Retention/Data Protection

The organisation is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the organisation 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.

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

The same policy applies to any suitability information obtained about volunteers,

Herd Thyme will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR).

Ongoing Employment

Herd Thyme 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 organisation will therefore provide ongoing training and support for all staff as appropriate.

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Leaving Employment

Despite the best efforts to recruit safely, there may 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.

The organisation also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position despite being barred from working with children; or
- has been removed 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.

Contractors

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

The Organisation will independently verify the identity of staff supplied by contractors and will require the provision of the original DBS certificate before contractors can commence work.

Volunteers

The Organisation 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 Organisation (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will the Organisation permit an unchecked volunteer to have unsupervised contact with pupils. It is the Organisation'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 Organisation for three consecutive months or more.

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

In addition, the Organisation 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; and
- an informal safer recruitment interview.

Monitoring and Evaluation

The Proprietor will be responsible for ensuring that this policy is monitored and evaluated throughout the organisation.