

Safer Recruitment and Employment Procedure

Planning for the Recruitment Process

The recruitment process will be planned in advance to make sure we have a consistent approach every time a new staff member is recruited. This approach will:

- minimise the risk of appointing someone unsuitable
- ensure you select the right person for the role
- make sure the process is fair
- make sure there are records of the process for future reference.

The recruitment procedure will follow a written procedure to ensure that nothing is missed out and that we are adhering to legislation and guidance. The Manager and Committee should agree on a realistic timetable for recruitment, this should allow sufficient time for drawing up the specifications, for advertising the post, for the application process, for taking up references, for the interview, and for pre-employment checks.

Define the role

The Manager and Committee should discuss what the new staff member would be expected to do, and on what terms they would be employed.

A full job description and person specification should then be drawn up, specifying:

- the duties and responsibilities of the post (including management responsibilities)
- the person to whom the post-holder reports,
- the terms of employment (hours, pay, duration, length of probationary period, etc).

The person specification sought in successful applicants should specify:

- Qualification and training
- Relevant experience, general and specialist knowledge
- Skills and abilities
- Personal characteristics

The description must be approved or amended by the manager or committee. Under the terms of the Equality Act 2010, applicants may not be discriminated against on the basis of protected characteristics: age, disability, race, religion/belief, gender, gender reassignment, sexual orientation, marriage/civil partnership, or pregnancy/maternity. It is illegal to discriminate against candidates either directly or indirectly, on the basis of real or perceived characteristics, or even by association.

For any role working with children and young people, both the role description and the person specification should highlight the safeguarding requirements and responsibilities.

Advertising the role

- We implement an open recruitment procedure to gain a wide selection of applicants. In order to demonstrate to our trustees and donors that our charity money is being spent responsibly and in the public interest **all** vacancies must be advertised externally.
- All vacancies should be advertised as widely as the budget allows, ordinarily, this would include the preschool's own website, local free papers, preschool facebook page, direct email to preschool and school parents, posters in shop windows, Indeed Jobsite.
- The advert should give some indication of the character of the preschool, and should include the job title, number of hours, qualifications needed and pay rate. Contact details should be given for enquiries, as well as a closing date for applications and the interview date.
- All adverts will include the following statement about our commitment to keeping children safe, and will clearly state where a role requires a criminal records check.
"Chelford Village Preschool is committed to safeguarding the safety and wellbeing of all children and staff. A conditional offer of employment will be subject to identify, qualification and other checks including an Enhanced DBS Check and we also comply with Childcare Disqualification Regulations."

Applicant information pack

Any person enquiring about the post will be provided with an application pack to ensure that they have sufficient information about our organisation and the advertised role.

As a minimum the application pack will include:

- Job description and person specification (which will highlight the safeguarding responsibilities of the role)
- An application form
- An outline of our recruitment and selection process
- A copy of our recruitment and selection policy (this document)
- All applicants must complete, in full, an application form. CV's will only be accepted alongside a completed application form.

Self-disclosure form

All applicants for posts which require a DBS check, must declare information on any previous criminal record that they hold. Applicants are asked to complete a self-disclosure form as part of their job application, and give details of any unspent convictions, cautions, reprimands or warnings they have received (including any convictions in a court of law outside of Great Britain) and any prosecutions that may be pending.

Applicants should complete a self-disclosure form before the interview and bring it in a separate, sealed envelope marked 'Confidential'.

Only once a candidate has been selected for the role, should you open the self-disclosure forms of the candidate and review the information inside as part of your vetting checks, applying a risk assessment process if information has been disclosed. (See What to do if vetting checks raise concerns later in this document)

You must securely dispose of all unopened self-disclosure forms. The self-disclosure form does not replace the need for a criminal records check. Criminal records checks should always be carried out as appropriate to the role.

Selecting applicants for interview

- Shortlisting will be carried out by the recruiting panel. Candidates will be shortlisted against how well they meet the criteria set out in the person specification.
- We will ensure all applicants receive correspondence regardless of whether they are successful in reaching the interview stage or not.

Interview Stage

- Interviews will always be face to face.
- Candidates will be asked in advance whether they have any access requirements for the interview venue, or whether they will need any special arrangements.
- At the interview, each candidate will be required to prove their identity against photo ID (for example a passport, birth certificate or driving licence) and also produce documents to prove they are eligible to work in the UK. A right to work in UK form will be completed with the candidate. Candidates are required to bring the following to the interview stage:
 - Either current driving licence, passport or full birth certificate
 - A utility bill or statement, showing name and address within 3 months
 - Documentation showing their national insurance number (NI card, P45 or P60)
 - Documents confirming any educational or professional qualifications referred to in their application form.
 - Documentation to prove eligibility to work in the UK, and/or completed Right to Work in UK form.
 - Completed Self Disclosure form in a sealed envelope marked Confidential.
- A minimum of two people, the recruiting panel, usually the manager and a senior member of staff, will sit on the interview panel. Both will be involved in the overall decision making.
- At the interview, candidates will be questioned using the same set criteria and same questions so that all candidates are treated equally. The questions will be formulated from the essential criteria listed in the person specification and specific areas of childcare.
- Interview questions should explore the candidates' suitability to work with children, their attitude and their motivations for applying for the role. During the interview candidates should show that they are able to:

- establish and maintain professional boundaries and professional integrity
- establish and maintain relationships with children
- take action to protect a child.
- The panel will make notes during the interview, this will form the evidence for assessing each candidate after the interviews are complete. Candidates will be given a score for their answers, using a scoring system based on the person specification and follow the same criteria for each candidate.
- Candidates will always be required
 - to explain satisfactorily any gaps in employment
 - to explain satisfactorily any anomalies or discrepancies in the information available
 - to declare any information that is likely to appear on a CRB disclosure
 - to demonstrate their capacity to safeguard and protect the welfare of children and young people
- Shortlisted candidates **may** be asked to take part in a practical exercise which will involve spending time in a particular age group in the nursery interacting with the children, staff and where appropriate parents
- The manager and deputy will then select the most suitable person for this position based on these scores and their knowledge and understanding of the early year's framework as well as the needs of the nursery
- Each candidate will receive communication from the nursery stating whether they have been successful or not.

Making an offer

Once the panel have made a decision all candidates will be contacted, to let them know the outcome. An offer will be made to the successful candidate, it will be made clear that the offer is subject to satisfactory completion of all the required vetting processes.

Vetting, disclosure and barring checks

The following processes and checks will be carried out before the successful candidate is able to start in the position.

References

- The successful candidate will be asked to provide at least two references from previous employment or in the case of a newly qualified student, their tutor and a personal or professional reference. **The candidates last employer will always be asked for a reference.**
- These references must be received **BEFORE** employment commences. **Any offer of employment is subject to satisfactory completion of the vetting process.**

- A standard reference form will be used for all rolls to ensure that we are able to get all the required information. This will include specific questions in relation to:
 - the candidate's suitability for working with children and young people
 - any disciplinary warnings, including time expired warnings that relate to the safeguarding of children
 - the candidate's suitability for the post
- Candidates will be given an overview of the questions being asked of the referees so that they are able to consent to the information being provided
- References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted.
- We will make sure that the information provided in the reference is consistent with the information provided by the candidate in their application form and interview, and follow up any discrepancies, concerns, or vague statements.

Checking identity

Each candidate's identity will be checked during the face to face interview process.

Criminal Record/Enhanced DBS Check

- The successful candidate will be subject to an enhanced Disclosure and Barring Service (DBS) check whether they currently hold an enhanced CRB or DBS check or not. This will be initiated before the member of staff commences work and they will not have **unsupervised** access to any child or their records before this check comes back clear.
- In addition to the above, the taking of photographs of any child, looking at their learning and development log or changing the nappy of any child will not be undertaken by any new member of staff without an up-to-date enhanced DBS (whether supervised or not)
- We will not store Copies of DBS certificates, instead a confidential single central record will be kept for all employees which will include:
 - the date the check was completed
 - the level and type of check
 - the reference number of the certificate

Other checks

- Birth certificates - It's best practice to check the successful candidate's birth certificate, to find out whether they have changed their name since birth. You should carry out vetting and barring checks for all names the person has used.
- Transgender people who do not want to share gender and name information with an employer can follow a special process to apply for a criminal records check. More information on sensitive applications for transgender applicants is available from the criminal records agency:
- Health Declaration - A health declaration form must be completed by the candidate which must satisfy us that the candidate is suitable to care for children.
- Right to Work - The successful candidate will be subject to right to work check
- If a candidate has been resident overseas for three months or more over the past five years, they will require an overseas check to check the candidate's criminal record in that country.
- The successful candidate will be required to sign a disqualification declaration, confidentiality agreement, and code of conduct agreement.
- All qualifications will be checked against actual certificates. Original copies of the candidate's qualification certificates will be seen by the manager and copies taken for their personnel files.
- Qualifications and Skills Check - Original copies of qualification certificates must be seen and the qualification must be checked against the database list of accepted qualifications for early years.

If vetting checks raise concern

- Any formal offer of an appointment will be put on hold to allow time for consideration.
- Where a reference expresses any concerns, or is incomplete or vague, we will contact the referee directly to address these issues, and a written record will be kept of any telephone conversations. **If the issue is significant, we will ask the referee for further details in writing.**
- Criminal records checks - If criminal record checks reveal that someone is on the barred list, they will not be given a role that requires working or volunteering with children or young people in regulated activity.
- It is illegal to apply for a position working with children or young people if you are on the barred list. Where necessary we will notify the relevant authorities, such as the criminal records agency, professional bodies and the police.
- We will not use 'spent' or 'protected' convictions as a reason not to employ somebody, unless the conviction makes them unsuitable to work with children.
- If the applicant has not been barred from working with children but the checks have raised concerns (for example if they have a criminal record), we will carry out a risk assessment to ascertain whether the applicant is suitable to work with children and young people.

Recruitment procedure for volunteers (we class these as adults aged 18 and over):

- All candidates are required to attend an interview, however, completing an application form is not necessary

- Once interviews have been completed, two references will be sought
- Original copies of any qualification certificates will be seen, and copies made.
- An enhanced DBS check will be completed which the volunteer may be asked to pay for.
- The candidate will be required to sign a disqualification declaration, confidentiality agreement, and code of conduct agreement.

Recruitment procedure for students (We class these as up to the age of 18, and are usually still at school or college and wishing to complete work experience):

- All students are required to attend an interview
- All students 16 years and above require an Enhanced DBS check, which the student may be asked to pay for.
- All students under 16 years of age will require two references: one from their school or college and one personal reference.

Recruitment procedure for regular parent/carer helpers:

- All parents who regularly come into the setting (by which we mean at least once a week) and have contact with the children will be required to complete an enhanced DBS check. The cost of this check will be met by the setting.
- The parent/carer will be required to sign a disqualification declaration, confidentiality agreement, and code of conduct agreement.

Legal framework

- Safeguarding Vulnerable Groups Act 2006
- Childcare Act 2006

Statutory Guidance

- Working together to safeguard children (PDF) (Department for Education, 2018b).
- Keeping children safe in education: Statutory guidance for schools and colleges (Department for Education, 2021).

Further guidance

- The Disclosure and Barring Service provides detailed guidance for employers in **England** and **Wales** on the process of applying for DBS checks.
- Ofsted has published guidance for children's social care providers and managers in England, setting out the disclosure and barring checks that need to be in place and how this will be checked by inspectors (Ofsted, 2019).
- Information about how to apply to foreign countries for criminal records checks is available from the Home Office (2017).

- The Department for Education (DfE) has provided statutory guidance about disqualification under the Childcare Act 2006 for local authorities, maintained schools, academies and free schools (DfE, 2018a).
- If a candidate has been resident overseas for three months or more over the past five years, you should check the candidate's criminal record in that country. The Home Office provides guidance on applying for criminal records checks for overseas applicants (Home Office, 2021b).