



Yenaa Housing

Safer Recruitment Policy

February 2022



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Policy Checklist	
Date of Implementation	Feb 22
Date of Last Review	Feb 26
Date of Next Review	Feb 28

1. Introduction

Safe recruitment is central to the safeguarding of Residents and Yenaa Housing staff.. It is our duty to employing the right staff. This includes ensuring that the organisation adopts safe recruitment and selection procedures which prevent unsuitable persons from gaining access to Residents. The following guidance is based on current legislation, guidance and best practice and aims to promote consistent practice across the organisation. It is the responsibility of individuals within the organisation, including within the voluntary and community sector, to consider how these principles can be embedded in and applied. Where appropriate, this will be in consultation with their personnel or human resources adviser or other advisory bodies.

2. Aims and Objectives

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

The aims 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 Ofsted and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that Yenaa Housing meets its commitment to safeguarding and promoting the welfare of Residents and Yenaa Housing staff. 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.
- Yenaa Housing 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 within the organisation based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

- 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 at Yenaa Housing .

3. Policy Statement

Yenaa Housing believes that safeguarding is everyone's responsibility. The task of supporting our Resident. needs very special adults who have the capacity to be kind, reflective, resilient, imaginative, conscientious, robust, professional and knowledgeable in the approach to daily work. While equality and safety are the heart of this policy, we also seek to offer a description of how we choose and develop those who will offer the best opportunities for our Residents and Yenaa Housing staff. to thrive

4. Elements of Safe Practice for all Partner Agencies, including those who work with Residents

Safer practice in recruitment means considering safeguarding arrangements at every step of the process.

4.1 Planning and Advertising

It is important to be clear about the mix of qualities, qualifications and experience a successful candidate will need to demonstrate, and whether there are any particular matters that need to be stated in the advertisement for the post, in order to prevent unwanted applications. The recruitment process needs to be planned, including who will be involved, responsibilities and timescales.

The advertisement should include a statement about the employer's commitment to safeguarding and promoting the welfare of Residents, at risk and reference to the need for the successful applicant to undertake an enhanced criminal record check where appropriate.

4.1. Job Description

Once a post becomes vacant or a new post is created the job description and person specification need to be reviewed/agreed to ensure compliance with safe recruitment guidance.

This should clearly state:

- The main duties of the post.
- The extent of contact/responsibility for Residents and Yenaa Housing staff..
- The individual's responsibility for promoting and safeguarding the welfare of the Residents
- Person Specification

This should include:

- The qualifications and experience needed to carry out the role.
- Other requirements needed to perform the role in relation to working with Residents and Yenaa Housing staff..
- The competencies and qualities that the successful candidate should be able to demonstrate.

4.2. Application Form

Candidates are required to complete an application form. It is not good practice to accept curriculum vitae in place of an application form because this will only contain the information the applicant wishes to present and may omit relevant details. The applicant form/information pack should refer to the organisation's commitment to safeguarding Residents.

It should obtain:

- Identifying details of the applicant including current and former names, current address and National Insurance Number.
- A statement of any academic and/ or vocational qualifications with details of awarding body and date of award.
- A full history in chronological order since leaving secondary education, including periods of any post-secondary education/training and part-time and voluntary work as well as full time employment, with start dates, explanations for periods not in employment or education/training and reasons for leaving employment.
- Details of referees. One referee should be the applicant's current or most recent employer/line manager, not a colleague. Normally two referees should be sufficient.
- Where an applicant is not currently working with Residents, but has done so in the past, it is important that a reference is also obtained from the employer by whom the person was most recently employed in work with

- Residents in addition to the current or most recent employer;
- A statement of the skills and abilities, and competencies/experience that the applicant believes are relevant to his/her suitability for the post and how s/he meets the person specification.
 - There should be an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974.
 - Information should be requested about any previous - including spent - convictions, cautions, reprimands, warnings or bind-overs.

4.3. Scrutinising and Short-listing

All application forms should be scrutinised to ensure:

- They are fully and properly completed.
- The information is consistent and does not contain any discrepancies.
- Gaps in employment/training or a history of repeated changes of employment are identified.
- Incomplete applications should not be accepted.
- Any anomalies, discrepancies or gaps in employment and the reasons for this should be noted, so that they repeated changes of employment without any clear career or salary progression or a mid-career move from a permanent to temporary post.
- All candidates should be assessed equally against the criteria required to undertake the role.

4.4. References

- The purpose of seeking references is to obtain objective and factual information to support appointment decisions.
- One reference should be from the current or most recent employer/line manager or HR (not from a colleague within the organisation).
- They should always be sought and obtained directly from the referee.
- A copy of the job description and person specification should be included with all requests.
- References or testimonials provided by the candidate, or open references, i.e. To Whom It May Concern should not be accepted. Open references/testimonials may be forged or the result of a 'compromise agreement'.
- All candidates should be assessed equally against the criteria required to undertake the role.
- No firm offer of employment can be given without the references being received and accepted as fact.

On receipt of references:

- They should be checked to ensure all questions have been answered satisfactorily.
- Prior to the confirmation of an appointment, referees should be telephoned to confirm their views on the candidate and to ensure information provided by the candidate is accurate.

Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago or an allegation determined to be unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised, are less likely to cause concern than more serious or recent concerns, or issues that were not resolved satisfactorily. A history of repeated concerns or allegations over time should give cause for concern.

4.5.Interviews

- The interview should assess the merits of each candidate against the job description and person specification and explore their suitability to work with Residents/young people.
- The interview should stress that the identity of the successful candidate will be checked thoroughly and, that where a Disclosure and Barring Service check is appropriate, prior to appointment there will be a requirement to complete an application for a Disclosure and Barring Service disclosure.
- All candidates should bring with them documentary evidence of their right to work in the UK and their identity. Evidence should be as prescribed by UK Visas and Immigration and the Disclosure and Barring Service, and can include a current driving licence or passport including a photograph, or a full birth certificate, and a document such as a utility bill or financial statement that shows the candidate's current name and address (please note that these latter two are time-limited and must be no more than 3 months old), and where appropriate change of name documentation. Some form of photographic ID must be seen.
- Candidates should bring documents confirming any educational and professional qualification(s). If this is not possible, written confirmation must be obtained from the awarding body. Also documentation of registration with appropriate professional body.
- A copy of the documents used to verify the successful candidate's identity and qualifications must be kept for the personnel file.

4.6.Interview Panel

A panel of at least two people are recommended, allowing one member to observe and assess the candidate and make notes, while the candidate is talking to the

other. One member of the panel should be trained in safe recruitment practice.

The members of the panel should:

- Have the necessary authority to make decisions about the appointment.
- Meet before the interview to agree their assessment criteria in accordance with the person specification and to prepare a list of questions they will ask all candidates relating to the requirements of the post.
- Identify any issues they wish to explore with each candidate based on the information provided in their application form and in the references.

4.7. Scope of the Interview

In addition to assessing and evaluating the applicant's suitability for the post, the panel should explore:

- The candidate's attitude towards Residents.
- His/her ability to support the organisation's agenda for safeguarding and promoting welfare.
- Any gaps in the candidate's employment history.
- Concerns or discrepancies arising from the information provided by the candidate and/or referee.
- Whether the candidate wishes to declare anything relating to the requirement for a Disclosure and Barring Service check.

The interview should also explore issues relating to safeguarding, including:

- Motivation to work with Residents.
- Ability to form and maintain appropriate relationships and personal boundaries.
- Emotional resilience in working with challenging behaviours.
- Attitudes to use of authority.
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4.8. Participation of Residents

Residents. can make a valuable contribution to the recruitment process and their participation should be considered for key strategic and managerial posts as well as posts where staff will have a high level of responsibility for Residents's day to day care e.g. residential staff.

The following considerations should be taken into account in planning Residents' involvement:

- Clarification of the role Residents will take in the process, how their views will be taken into account in selection and what weighting these will be given.
- Process for debriefing/feedback.

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4.12 Conditional Offer of Appointment

Pre-Appointment Checks and References

- An offer of appointment to the successful candidate should be conditional upon:
- Receipt of at least two satisfactory written references, where possible confirmed by telephone.
- Verification of the candidate's identity.
- A satisfactory or enhanced Disclosure and Barring Service Disclosure, which includes a check of the Barred Lists, including an overseas 'Certificate of Good Conduct' or equivalent Service applies.
- Evidence of permission to work for those who are not nationals of a European Economic Area country.

4.13 Disclosure and Barring Service Checks

The level of disclosure requested, i.e. Standard or Enhanced, should reflect the nature of the duties of the post and degree of contact with Residents or young people or with sensitive, confidential information. A record should be kept of the date when the disclosure was obtained, by whom, level of disclosure and unique reference number.

Disclosure and Barring Service checks should be:

- Treated as confidential
- Kept secure
- Destroyed as soon as no longer required (not normally longer than 6 months after decision to appoint; however, note that it may be necessary to retain them for longer for inspection regimes).

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CRIMINAL RECORD

A judgement about suitability will take into account only those offences which may be relevant to the post in question. In deciding the relevance, the following should be considered:

- The nature of the appointment
- The nature of the offence
- The age at which the offence took place
- The frequency of the offence
- A written explanation from the applicant relating to the offence
- The completion of a candidate risk assessment

Anyone who is barred from working with Residents is committing an offence if they apply for, offer to do, accept or do any work constituting Regulated Activity. It is also an offence for an employer knowingly to offer work in a regulated position, or to procure work in a regulated position for an individual who is disqualified from working with Residents or fail to remove such an individual from such work.

Having a criminal record would not necessarily prevent a person from being appointed to any post, unless the offence bars the person.

Where it is felt, however, that a recent or serious offence might mean that a person presents a risk to Residents then that person would not be appointed. Discrimination either in favour or against those persons currently in employment who have disclosed their criminal record is not permissible (unless the offence debars them), and such information is strictly confidential.

In cases where the applicant has made a disclosure of a criminal offence, checks are made to ensure that the applicant has disclosed offences in full giving details as requested. If the details given are incomplete it may be necessary to return the application form for completion.

When selecting applicants with criminal convictions for interview the following areas should be considered:

- The date of the convictions;
- The number of convictions;
- The type of conviction;
- The detail of information given.
- An understanding of the applicant's rationale and feelings regarding the offence

For example: If an employee has an offence for criminal damage but it is the only offence and it happened 20 years ago when they were 18 years old, then this would not be as serious as someone that has been convicted of Actual Bodily Harm 3 times in the last 3 years. Driving convictions and disqualifications normally appear on police checks but speeding convictions, etc. are common and would not normally be considered serious enough alone to not consider an applicant for a post.

Pre-Interview Personal Disclosure Relating to an Offence

If an applicant is selected for interview and after careful consideration of the above the details surrounding the circumstances of the offence should be obtained:

- Why;
- When;
- How;
- Outcome of offence;
- Applicant's reflections (thoughts and feelings) upon the former questions, etc.

The above questions and responses must be recorded by the applicant.

If explanations and details given are acceptable then this should be noted on the application form notes section. If it is likely that the applicant will be offered a position it should be explained to the applicant in the letter of appointment that the offer is pending a return of satisfactory Enhanced Disclosure.

4.14 Disclosure and Barring Service Update Service

With effect from 17 June 2013, an optional online Update Service is operated by the Disclosure and Barring Service, designed to reduce the number of DBS checks requested.

Instead of a new criminal records/Barred Lists check being necessary whenever an individual applies for a new paid or voluntary role working with Residents individuals can opt to subscribe to the online Update Service. This will allow them to keep their criminal record certificate up to date, so that they can take it with them from role to role, within the same workforce.

Employers do not need to register, but can carry out free, instant, online status checks of a registered individual's status. A new DBS check will only be necessary if the status check indicates a change in the individual's status (because new information has been added).

4.15 Checks on Overseas Staff

The same checks should be made on overseas staff as for all other staff, (although it is not possible to conduct overseas Disclosure and Barring Service checks). A 'Certificate of Good Conduct' or equivalent should be obtained.

Where an applicant has worked or been resident overseas in the previous 5 years, the employer should obtain a check of the applicant's criminal record from the relevant authority in that country and seek additional information about an applicant's conduct. Not all countries provide this service and advice can be sought from the Disclosure and Barring Service.

Applicants from non-EEA countries must have a Sponsorship Licence under the UK Visas and Immigration points-based system, and the employer must be

registered UK Visas and Immigration to be able to issue such a Licence. For further information, see the UK Visas and Immigration website.

4.16 Employment Agency Staff

Where staff are recruited through an agency, written confirmation should be obtained that the appropriate checks have been undertaken. Similarly, safe recruitment practices need to be observed with sessional staff.

4.17 Staff Records

In relation to each member of staff appointed a record should be kept to show:

- Written references obtained and confirmed by telephone.
- Gaps in employment history checked.
- A satisfactory Disclosure and Barring Service /Enhanced Disclosure and Barring Service certificate obtained, with unique reference number and date.
- Reasons/decision to appoint despite criminal convictions (i.e. a Risk Assessment).
- Evidence of proof of identity (this will have been provided for the Disclosure and Barring Service check).
- Evidence of qualifications.
- Details of registration with appropriate professional body.
- Confirmation of right to work in UK.
- Record of interview questions and answers.
- Records should be signed and dated by appointing manager/chair of the interview panel.

5. Post Appointment Induction

There should be an induction programme for **all** staff. The purpose of the induction is to:

- Provide training and information about the organisation's safeguarding and child protection policies and procedures. This training should be at a level appropriate to the member of staff role and responsibilities with regard to Residents.
- Support individuals in a way that is appropriate for their role.
- Confirm the conduct expected of staff.
- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities.
- Enable the line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately.
- Ensure that the person receives written statements of:

- Policies and procedures in relation to safeguarding.
- The identity and responsibilities of staff with designated safeguarding responsibilities.
- Safe practice and the standards of conduct and behaviour expected.
- Other relevant personnel procedures e.g. whistle blowing, Disciplinary Procedures.

6. Maintaining a Safer Culture

6.1 Maintaining an ethos of safeguarding and promoting the welfare of Residents/young people can be achieved by:

- A clear written statement of the standards of behaviour and the boundaries of appropriate behaviour expected of staff and volunteers.
- Appropriate induction and safeguarding training
- Regular briefing and discussion of relevant issues
- Effective supervision and staff appraisal processes
- Clear reporting system is a user, member of staff and other person has concerns about the safety of Residents/young people

6.2 Monitoring

Monitoring of both the recruitment process and induction arrangements will allow for future recruitment practices to be better informed.

It should cover:

- Staff turnover and reasons for leaving
- Exit interviews
- Attendance of new personnel at safeguarding training.

6.3 Supervision and Staff Review and Development

Annual staff reviews are important

elements in ensuring safe practice.

They should:

- Ensure staff are up to date with current safe practices;
- Identify areas for development;
- Openly address any concerns about behaviour and attitudes;
- Put in place action plan and arrangements for review.

6.4 Disclosure and Barring Service Re-checking

See also Section 4.15, Disclosure and Barring Service Update Service

Further Disclosure and Barring Service checks on staff should always be considered when:

- There has been a break from employment of 3 months or more
- There are grounds for concern about the person's suitability to work with Residents (note that the employee can decline).

And in addition, when:

- A staff member, who has not previously had a Disclosure and Barring Service check, applies for and is successful in obtaining a post which requires a Disclosure and Barring Service check within the same organisation.

7. Providing references for employees.

All reference requests must be directed to the Human Resource Manager. They will identify the appropriate line manager to complete a reference request.

It is the responsibility of the person completing the reference to include any information relating to disciplinary matters or any matter that has been referred to LADO (Local Authority Designated Officer). Whilst there maybe no legal requirement to provide this information the safeguarding threshold of protection of vulnerable individuals out weights the right to withhold information. Information that can be shared includes:

- Date of any disciplinary Matter and outcome
- Date of any LADO referral and the officer who dealt with the referral and their contact details

This information is not included to exclude applicants from being considered for a job opportunity. It does however provide and potential employer with the information required to make a safe and informed decision.