SAFER RECRUITMENT PROCEDURE

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Applicable To:	**All Caerphilly employees including school based employees where the School Governing Body has adopted the Procedure.**
Equalities Issues:	**All Equalities considerations have been taken into account when drafting this Policy.** **Mae'r ddogfen hon ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.** **This document is available in Welsh, and in other languages and formats on request.**



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INTRODUCTION

1. The purpose of this Safer Recruitment Procedure is to provide a set of guidelines which ensure a fair and objective process is followed which takes account of employment and equalities legislation together with Safeguarding best practice when recruiting to a post and/or engaging agency staff/ volunteers to work across the Council.

EQUAL OPPORTUNITIES

2. In the application of this procedure no employee or applicant will be unlawfully disadvantaged on the grounds of race, colour, nationality, ethnic or national origins, language, disability, religion, age, gender reassignment, sexual orientation, parental, marital or civil status. The Council's Safer Recruitment Procedure aims to ensure that appointments to posts at all levels in the organisation are made in accordance with sound principles of equality of opportunity and safer recruitment. This will enable the Council to attract applicants from a wide range of diverse backgrounds who have the skills, experience and attributes to complement our workforce, enhance our performance and provide safe, quality services to the community of Caerphilly County Borough.

3. The recruiter must always be prepared to make 'reasonable adjustments' to ensure that workplace requirements or practices do not disadvantage employees or potential employees with a disability. All applicants who are registered disabled and who meet the essential criteria of the person specification must be offered an interview.

4. In support of the Council's voluntary pledge to support the Armed Forces, the recruiter must always be prepared to ensure that applicants who have identified themselves as members of the Armed Forces, and who meet the essential criteria of the person specification, are guaranteed an interview. Members of the Armed Forces include:

    - Service Leavers
    - Veterans,
    - Reservists
    - Spouse

5. The recruiter may offer training and encouragement to any underrepresented groups. Examples include pre-application assistance for those who do not have English as their first language, or management development training for women where they are under-represented in management grades.

6. Job advertisements may also state that the employer encourages applications from those groups that are under- represented in the Council.

ASSESSING WELSH LANGUAGE REQUIREMENTS

7. The Welsh Language Standards are a set of legally binding requirements that aim to allow people in Wales the ability to receive services in the Welsh language. The Standards clearly set out what our responsibilities are in terms of providing bilingual services, ensuring the Welsh language is not treated less favourably than the English language. One of the requirements of the Welsh Language Standards is the need to

assess each post for linguistic requirements. The assessment must be written and available for audit by the Welsh Commissioner. No post will progress to advertisement without this assessment.

8. Further guidance is available on the HR Support Portal.

ENGLISH LANGUAGE REQUIREMENTS FOR PUBLIC SECTOR WORKERS

9. The UK Government has introduced, under Part 7 of the Asylum and Immigration Act, a requirement for all public facing public sector employees to be able to communicate fluently in English (or Welsh in Wales where the role is identified as requiring a Welsh speaker) to ensure the safe and high quality delivery of public services. All posts must be assessed to identify whether they are public facing so that the fluency duty can be met.

10. Further advice on undertaking this assessment, together with examples of posts that are not covered by the legislation, is available on the HR Support Portal.

SAFER RECRUITMENT PRACTICE

11. It is vital that all of the Council's establishments and Schools adopt recruitment and selection procedures, and other HR management processes that help to prevent, identify and reject people who might abuse children, young people and/or vulnerable adults, or, are otherwise unsuited to work with them.

12. The Council is committed to ensuring that everyone living within the Borough is safe and protected and that our statutory responsibilities to safeguard and protect children, young people and vulnerable adults are effectively met. The Council expects all staff/ agency staff and volunteers to share this commitment.

13. The Council's commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults must be clearly communicated at every stage of the recruitment process, i.e. in the advertisement, the job description and recruitment literature.

14. Where the post is to work with children/young people and/or vulnerable adults, the Council's commitment to safeguarding these vulnerable groups must be tested in the recruitment exercise and in reference requests.

15. Safeguarding is everyone's responsibility and CCBC in its Corporate Safeguarding policy reminds all Council employees, Agency workers, volunteers, Elected Members and contractors of their legal duty to take action if they are concerned about the wellbeing of any child, young person or vulnerable adult. It therefore follows that safe recruitment practices must apply to all posts.

16. This Procedure is not intended to provide a comprehensive guide to recruitment and selection or employment issues. Managers, Headteachers and those responsible for recruiting will need appropriate training as well as support and advice from HR to ensure their practice satisfies the requirements of employment law. This procedure provides procedural guidance to promote safer recruitment only. This Procedure does not replace or override:

- Any Care Inspectorate Wales (CIW) practices or other professional body practices relating to recruitment that must be followed and made available for reference;
- The vacancy management process that will be in operation in the Council and as a process subject to regular review. The vacancy management process is available on the HR Portal and must be followed before any post can be advertised/recruited to.

THE RECRUITMENT PROCESS

17. **Planning** is vital to successful recruitment. The recruitment literature relevant to the post must explain clearly the combination of qualities, qualifications and experience a successful applicant will need to demonstrate, alongside any particular matters that need to be mentioned in the advertisement and corresponding paperwork to prevent unwanted applications.

18. **The Applicant Information Pack** should include:

    - The application form (and any accompanying explanatory note).
    - The job description and Person Specification
    - Relevant information about the Council and the recruitment process
    - The Council's Equal Opportunities Policy Statement
    - The Corporate and/or School's Recommended Safeguarding Policy

19. **A well-written job description** is essential to attracting the right candidate for the job. It should clearly state the main duties and responsibilities of the post and where relevant to the post, the individual's responsibility for promoting and safeguarding the welfare of children, young people and/or vulnerable adults.

20. To maintain the integrity of the evaluated grading structure in the Council, the Council's template job description that is available on the HR Portal must be used for all* posts. The Council is confident that all employees are paid on an objective and consistent assessment of the key factors of their job. The Council's pay structure was developed to eliminate bias and discrimination by showing that all jobs have been treated in the same way and to ensure that employees are paid fairly and equally for equal work N.B 'all posts' in this circumstance does not apply to teacher job descriptions. Template teacher job descriptions can be obtained from HR.

21. **The person specification** must include the qualifications and experience, and all other requirements needed to perform the role. It must describe the competences and qualities that the successful applicant should be able to demonstrate and explain that these requirements will be tested and assessed during the selection process. The Council's template personnel specification accompanies the template job description that is available on the HR Portal.

22. **Scrutinising and Shortlisting -** All information required from applicants must be obtained and scrutinised. Any and all discrepancies/anomalies identified through the scrutiny process must be satisfactorily resolved before the applications progress. For example:

    - Any anomalies or discrepancies or gaps in employment identified by the scrutiny should be considered and noted as to why the application is progressing or not.

- Any history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to supply or temporary work should be considered and noted as to why the application is progressing or not.

23. All candidates must be assessed equally against the criteria contained in the person specification without exception or variation.

24**.** **The Interview Panel –** should consist of two or more recruiters. One recruiter only is not advisable. The members of the panel must:

- have the necessary authority to make decisions about appointment;
- meet before the interviews to reach a consensus about the required standard for the job to which they are appointing;
- consider the issues to be explored with each candidate and agree who on the panel will ask about those;
- agree a set of questions relating to the requirements of the post avoiding closed and hypothetical questions wherever possible.
- seek to agree competence based questions that ask a candidate how they have responded to, or dealt with an actual situation, how they will deal with a specific situation and test the applicant's attitudes and understanding of issues.
- agree assessment criteria in accordance with the person specification
- At least one recruiter on the Interview Panel must be appropriately trained.

25. When setting questions, the panel must be mindful of Equalities Legislation and construct each question carefully to ensure never in breach of equalities issues.

26. When setting tests, the panel must be mindful of Equalities Legislation and ensure that no test / question places any candidate at a disadvantage

27. Interviewees should always be required to:

- explain satisfactorily any gaps in employment;
- explain satisfactorily any anomalies or discrepancies in the information available to the recruiter;
- declare and discuss any information that is likely to appear on a criminal record disclosure;
- demonstrate their attitude towards safeguarding and promoting the welfare of children, young people and/or vulnerable adults where applicable;
- demonstrate their ability to support the Council's commitment to safeguarding and promoting the welfare of children, young people and/or vulnerable adults as stated the Council's Corporate Safeguarding Policy where applicable.

28. **A face to face interview** is good practice in order to explore the candidate's suitability to work in the post applied for.

29. For people who will be required to work with children, young people and/or vulnerable adults, the face to face interview is a must.

30. The recruiter must always be mindful to consider accessibility issues and reasonable adjustments in their planning for and invites to the interview.

31. It is often viewed as good practice to involve children, young people and/or vulnerable adults in the pre interview or interview process where appropriate to the post applied for.

32. When arranging venues for interviews, equalities legislation must be considered in relevance to accessibility issues and ensuring that no person is placed at a disadvantage in any capacity.

33. **Invitations to Interview -** The Interview Invite aside from the obvious need to identify where, when, how and by whom the interview will be conducted should also where appropriate provide a reminder that:

- The interview will explore the individual's suitability to work with children, young people and/or vulnerable adults.
- The identity of the successful candidate will be checked thoroughly to ensure they are who they claim to be
- That where a DBS check is required for the post, the person who the panel are seeking to appoint will be required to complete an application for a DBS Disclosure, receive and share the DBS certificate with the Council before appointment can be confirmed.
- That original documents and/or certified copies of educational and professional qualifications that are required for the post must be available to the Recruiter/ to the Council to view before appointment can be confirmed. In the absence of either, written confirmation of the applicant's qualifications must be obtained from the awarding body.

34. **Professional and character references** that address specific questions to help assess an applicant's suitability to work must be obtained prior to offering an appointment in any capacity. The Council provides a template reference pro-forma for this purpose.

35. Recruiters must not rely on open references and testimonials such as 'To whom it may concern'.

36. Where the post involves working with children, young people and/or vulnerable adults, the reference must include questions to assess the applicant's suitability to work with these groups. It is the safer recruitment letter request and reference template that should be followed for these appointments. This takes into account the requirements of the relevant regulatory bodies.

37. All returned references must be carefully scrutinised to ensure that all questions have been answered and that the answers support the applicant's suitability for the post applied for. This will be the responsibility of the recruiting manager. Some references will require follow up calls by the recruiting manager in accordance with relevant regulatory requirements.

38. If there are unanswered questions in the reference or the answers are vague or unspecific, the recruiting manager must contact the referee to provide answers or clarification as appropriate. The information attained must be recorded and compared with the application form to ensure consistency. Any discrepancy in the information provided must be taken up with the applicant.

39. **Conditional Offer of appointment –** Recruitment records maintained by HR must demonstrate that:

- An Identity check has been undertaken;
- A qualification check has been undertaken (original certificates received);
- Right to work in the UK has been established. The Council is legally required to establish this under the Immigration, Asylum and Nationality Act 2006;
- Two references have been received, one from current or most recent employer in every case where this is available along with a written record of any telephone conversation with a referee from the recruiting manager;
- That where a DBS check is required for the post, the person who the panel are seeking to appoint has completed an application for a DBS Disclosure, received and shared the DBS certificate with the Council.
- Where required, registration status relevant to the post that has been applied for has been satisfied, for example, Education Workforce Council (EWC), Care Inspectorate Wales (CIW);
- The Council's Occupational Health Department has confirmed the applicant has the health & physical capacity to undertake the post;
- Where required an overseas criminal record check documentation has been received and reviewed where appropriate.
- Gaps in employment and/or education have been accounted for by the recruiting manager.

AGENCY STAFF AND VOLUNTEERS - SAFE RECRUITMENT / ENGAGEMENT PRACTICE

Agency Staff

40. Under the Conduct of Employment Agencies and Employment Businesses Regulations 2003, employment agencies and employment businesses are not allowed to introduce or supply a work seeker to a hirer unless they have made checks to ensure that both the work seeker and hirer are aware of any legal or professional body requirements, which either of them must satisfy to enable the work seeker to work for the hirer. This should include:

- The agency/business checking that any supply staff have the qualifications and/or registration status and/or DBS status required for the post the hirer is seeking to fill.

- The agency/business carrying out the same pre-employment checks as we do for our staff (see point 38 above).

- Agencies being able to confirm that they consistently implement these checks and have carried out the checks for every individual they might/will supply to the hirer.

- That they are only going to present a work seeker that has passed the **safer recruitment process** if the post involves working with children, young people and/or vulnerable adults.

41. The Agency/business must be prepared to commit to regular quality assurance checks with the hirer to satisfy themselves that safe recruitment practice has not

lapsed. Evidence of the quality assurance check must be available for audit purposes.

Volunteers

42. Volunteers are seen by children and vulnerable adults alike as safe and trustworthy adults, and if the Council/ the School is actively seeking volunteers, and is considering candidates about whom it has little or no recent knowledge, it should adopt the same recruitment measures as it would for paid staff.

43. Where an establishment/School approaches a person who is well known to them to take on particular role, a shorter procedure could be adopted, but it should still include obtaining **references**, conducting an informal interview to be clear about the person's suitability, and obtaining a DBS check where the role requires it. The completion of a risk assessment as a matter of good practice is recommended in such cases.

44. All those requested to work closely and regularly with children and young people and/or vulnerable adults in an unsupervised capacity, must have an enhanced DBS check.

POST APPOINTMENT – MAINTAINING A SAFER CULTURE

45. It is important that all staff in an establishment have appropriate training and induction so that they understand their safeguarding roles and responsibilities and are confident about carrying them out.

46. The content and nature of the induction process will vary according to the role and previous experience of the new member of staff or volunteer, but should:

- Ensure adherence to any induction framework that is relevant to the post including promoting the understanding of any professional body status expectations of the post.
- Include safe practice and the standards of conduct and behaviour expected of staff in the establishment, e.g. anti-bullying, anti-racism.
- Identify how and with whom any concerns about those issues should be raised
- Include other relevant HR procedures, such as disciplinary, capability and whistle blowing procedures.

47. If the post includes safeguarding and promoting the welfare of children, young people and/or vulnerable adults, the induction programme should also include information about, and written statements of:

- policies and procedures in relation to safeguarding and promoting welfare e.g. safeguarding, child protection, adult protection, physical intervention or restraint, intimate care, internet safety and any local child/adult protection and safeguarding procedures

48. The induction should also include attendance at training appropriate to the individual's role.

49. Provide opportunities for the new member of staff / Agency staff or volunteer to discuss any issues or concerns about their role and responsibilities.

50. Enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately.

51. Monitoring of both the recruitment process and induction arrangements will help better inform future recruitment practices. This monitoring should cover staff turnover and reasons for leaving, exit interviews and the attendance of new recruits at relevant training.

MONITORING OF THE PROCEDURE

52. Good partnership working between Education, Children and Adult Services ensures that policies and procedures are effectively implemented and reflect the statutory guidance of the South East Wales Safeguarding Children Board (SEWCSB) and the Gwent Wide Adult Safeguarding Board (GWASB). Awareness and good practice is promoted through these Boards. The safe recruitment procedure will be reviewed annually to ensure consistent with Statutory Guidance and good reflective practice.

INTERPRETATION OF THE PROCEDURE

53. In the event of a dispute relating to the interpretation of this procedure, the Head of People Services and a Head of Service unconnected to the appointment/engagement will make the final decision on interpretation.

REVIEW OF THE PROCEDURE

54. A review of this procedure will take place annually in line with the Council's safeguarding and equal opportunities policies. The procedure will be updated appropriately to reflect any changes in legislation and guidance. Any amendments will be consulted on with all the relevant parties. However, in the case of amendments relating to legislative requirements, the procedure will be amended and reissued.

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