



Safer recruitment policy

Policy statement

The safe recruitment of staff in Nailsworth Playgroup is the first step to safeguarding and promoting the welfare of children and staff in the provision. Nailsworth Playgroup is committed to safeguarding and promoting the welfare of children in its care and expects all staff and volunteers to share this commitment. Nailsworth Playgroup is also committed to providing a supportive working environment to all its members of staff and recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment. It is recognised that this can only be achieved through sound procedures, good co-operation and the recruitment and retention of competent, motivated employees who are suited to, and fulfilled in the roles they undertake.

Nailsworth Playgroup recognises the value of, and seeks to achieve a diverse workforce, which includes people from different backgrounds, with different skills and abilities. Nailsworth Playgroup is committed to ensuring that the recruitment and selection of all who work within the provision is conducted in a manner that is systematic, efficient, effective, and promotes equality of opportunity. Nailsworth Playgroup will uphold its obligations under law and national collective agreements to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed.

Aims

The aim of our Safer Recruitment Policy is:

- a. To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position.
- b. 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 (2018) (KCSIE) ('The Guidance') and any advice published by the Disclosure and Barring Service (DBS).
- c. To ensure that Nailsworth Playgroup meets its commitment to safeguarding and promoting the welfare of children in their care by carrying out all necessary preemployment checks.

Recruitment Procedure

All positions within Nailsworth Playgroup are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and have an Enhanced Disclosure & Barring Service Check. Nailsworth Playgroup is committed to ensuring that people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position. This will depend on the background, nature and circumstances of the offence(s).

In accordance with the recommendations set out in the Guidance, Nailsworth Playgroup 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 a formal interview, employment with Nailsworth Playgroup will be conditional on the following:

- a. Completion of an Application Form, with satisfactory explanations for any gaps in employment.
- b. Verification of the applicant's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006.
- c. Production of evidence of the right to work in the UK (for any member of staff who is not a national of a European Economic Area (EEA) country).
- d. Receipt of at least two references which are satisfactory to Nailsworth Playgroup, one of which will be from the applicant's most recent employer. If a verbal reference is taken, detailed notes will be taken, dated and signed. Applicants will be informed that any previous employer may be contacted. All references will be verified by phone.
- e. Confirmation that the applicant is not barred from working with children, young people (and/ or vulnerable adults).
- f. Confirmation that the applicant is not subject to a prohibition order issued by the Secretary of State.
- g. The receipt of an enhanced disclosure from the DBS which Nailsworth Playgroup considers to be satisfactory. Number, date and name of person who completed check to be recorded.
- h. Receipt of a satisfactory check either via DBS or the Department for Education's Secured Access Portal that no direction has been made by the Secretary of State against the applicant pursuant to Section 128 of the Education and Skills Act 2008.
- i. Verification of the applicant's medical fitness.
- j. Verification of the applicant's qualifications.
- k. Obtain a Certificate of Good Conduct or (certificate of clearance, certificate of no criminal conviction) for applicants who were born or have worked abroad where the applicant has not worked in an Education

Provision in the UK since moving from overseas. The application process for criminal records checks or 'Certificates of Good Conduct' varies from country to country. Candidates will have to apply in the country or to the relevant embassy in the UK. Further information on applying for criminal records checks from overseas is available here: <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

- m. Completion of a self-declaration to identify staff for whom "by association" rule applies.
- n. Interview, with written record of outcome, where at least one panel member will have completed and been accredited with the DFE Safer Recruitment Training.
- o. The Nailsworth Playgroup management team then considers the applicant is suitable for the position

Roles and Responsibilities

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy. It is the responsibility of the Manager and Officers of the Committee involved in the recruitment process to:

- a. Ensure that the provision operates safe recruitment procedures and carries out all appropriate checks on all staff and volunteers who work at the provision.
- b. Monitor contractors' and agencies' compliance with this policy.
- c. Promote the welfare of children in their care at every stage of the procedure.

External contractors and agencies

It is the responsibility of all contractors and agencies that provide services to Nailsworth Playgroup to comply with safer recruitment practices. It is the responsibility of the Committee in conjunction with the Manager, to ensure all pre-employment checks are complete before employment begins. If this is not possible due to unforeseen circumstances, a suitable Risk Assessment is completed to compensate until the checks can be completed.

Verification of Identity and Address

All applicants who are invited to an interview will be required to bring the following evidence of identity, right to work in the UK, address and qualifications:

- a. Passport, photo-card (together with counterpart) driving licence and original full birth certificate.
- b. Two utility bills no older than three months (from different sources) showing their name and current home address.
- c. Where an applicant has moved addresses within the last five years proof of address for each property they have lived at

- d. Documentation confirming their National Insurance Number (P45, P60 or National Insurance Card).
- e. Original documents confirming any educational and professional qualifications referred to in their application form (if required).
- f. Where an applicant claims to have changed his/her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

Advertising

To ensure equality of opportunity, Nailsworth Playgroup will advertise all vacant posts to encourage as wide a field of candidates as possible. Normally this will entail an external advertisement (through social media and if appropriate, LA website). However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement will be appropriate.

Applications

Applicants will receive a job description for the role applied for. All applicants for employment will be required to complete an Application Form containing questions about their academic and employment history and their suitability for the role. A curriculum vitae may be submitted together with an application form. Nailsworth Playgroup does not accept a curriculum vitae in place of an application form.

The applicant may then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. Nailsworth Playgroup requires applicants to account for any gaps or discrepancies in employment history on the application form. Where an applicant is shortlisted, any gaps will also be discussed at interview.

False information

Applicants should be aware that providing false information is an offence and could result in an application being rejected or summary dismissal if the applicant has been selected. Where false information is provided in support of an application to work at Nailsworth Playgroup, the provision is required to report the matter to the DBS, the police and other relevant professional bodies.

References

References should always be sought on applicants for paid and unpaid employees. References for shortlisted applicants (to include the last employer the applicant worked for) will be requested immediately after short-listing. The only exception to this is where applicants have indicated on their application forms that that they do not wish their current employer to be contacted.

If the current/most recent employment does/did not involve work with children, then the second referee will be from the employer with whom the applicant most recently worked with children.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- a. The applicant's dates of employment, position held, salary, reason for leaving, performance and disciplinary record.
- b. Their relationship to the applicant.
- c. Whether they have any reason to believe that the applicant is unsuitable to work with CYP or vulnerable adults.
- d. Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children, young people or vulnerable adults (including any in which the disciplinary sanction has expired).
- e. Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children, young people or vulnerable adults or behaviour towards children, young people or vulnerable adults.

Nailsworth Playgroup will only accept references obtained directly from the referee and will not rely on references or testimonials provided by the applicant or open references or testimonials. Nailsworth Playgroup will not accept references from relatives of the applicant or people writing solely in the capacity as a friend.

References will be compared to the application form to ensure that the information provided is consistent. Any discrepancies will be taken up with the applicant and/or the referee before any appointment can be confirmed. Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case.

All referees shall be contacted by phone to confirm the authenticity of the reference.

Medical Fitness

Nailsworth Playgroup is required to verify the medical fitness of anyone to be appointed to a post at the provision, after an offer of employment has been made. This information will be reviewed against the Job Description for the particular role, together with details of any other physical or mental requirements of the role. If the Manager has any doubts about an applicant's fitness the provision will consider reasonable adjustments in consultation with the applicant. The provision may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

Nailsworth Playgroup 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 and suitable alternative employment.

Criminal Records Check

Due to the nature of the work, Nailsworth Playgroup expects an application for an enhanced disclosure from the DBS in respect of all prospective members of staff, committee and volunteers.

An enhanced disclosure will contain details of all convictions on record (including those which are defined as “spent” under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. An enhanced disclosure will also reveal whether an applicant is barred from working with children, young people or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children, young people or vulnerable adults maintained by the DBS. An enhanced disclosure may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

If there is a delay in receiving a DBS disclosure the Manager under supervision of the Chair has the discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, including a check of the Children’s Barred List, have been completed and once a Risk Assessment has been completed and appropriate supervision has been put in place. (These measures are recorded and evidence is maintained in the employee’s file).

DBS checks will be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including the equivalent of a DBS disclosure (Certificate of Good Conduct), from the relevant jurisdiction(s).

Verification of Qualifications and/or Professional Status

Short-listed applicants will be required to provide proof of their qualifications and professional status by producing original documentation. Nailsworth Playgroup will verify that applicants actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant original certificate, or a letter of confirmation from the awarding body/institution. If the original documents are not available, the provision will require sight of a properly certified copy. Where applicants have obtained qualifications abroad, a certified comparability check by the National Academic Recognition Information Centre (NARIC) will also be requested if there is any query over the qualification.

Policy on Recruitment of Ex-offenders

Nailsworth Playgroup will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The provision makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar him/her from employment within the provision. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All positions within Nailsworth Playgroup are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions, including those which would normally be considered 'spent', when applying for a position at the Nailsworth Playgroup. A failure to disclose a previous conviction may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for Nailsworth Playgroup to employ anyone who is barred from working with children, young people or vulnerable adults. It is a criminal offence for any person who is barred from working with children, young people or vulnerable adults to attempt to apply for a position at the provision.

Nailsworth Playgroup will make a report to the Police and/or the DBS if:

- a. It receives an application from a barred person.
- b. It is provided with false information in, or in support of an applicant's application.
- c. It has serious concerns about an applicant's suitability to work with children, young people or vulnerable adults.

Retention and Security of DBS Disclosure Information

Nailsworth Playgroup's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. In particular, the provision will:

- a. Store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the Playgroup's management team.
- b. Not retain disclosure information or any associated correspondence for longer than is necessary, but with due regard for safeguarding requirements to evidence the security of the education provision's procedures. The provision will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question and the unique number issued by the DBS. Record Retention/Data Protection.

If an applicant is appointed, Nailsworth Playgroup will retain any relevant information provided on his/her application form, together with any attachments and evidence of the pre-employment checks completed on his/her personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after one year.

Single Central Register of Recruitment Vetting Checks (SCR)

In line with DFE requirements, Nailsworth Playgroup will keep and maintain a SCR. The SCR will list all staff who are employed at the Provision, including bank staff, volunteers, students and committee members. The SCR will indicate whether the required pre-employment checks have been completed, what documents have been checked, when and by whom.

Legal framework

Department for Education (DFE), Keeping Children Safe in Education (2018) (KCSIE) ('The Guidance')

Disclosure and Barring Service (DBS)

Rehabilitation of Offenders Act 1974

The Immigration, Asylum and Nationality Act 2006.

Education and Skills Act 2008

Equality Act 2010