

Introduction

This Policy has been prepared to ensure that the Recruitment Practices adopted by SWRAC :-

1. Minimise any risk to learners
2. Safeguarding policy and procedures are maintained
3. Results in the most suitable candidate being selected and their skills, experience and qualifications match the requirements of the post
4. Effective and consistent recruitment practices are adopted to ensure that all applicants are treated fairly.

This Policy defines the principles that the Company considers important in the recruitment process and aims to ensure that consistency and good practice is applied across the Company.

Safeguarding in recruitment

Safeguarding is a thread that runs throughout SWRAC's activities. It is required to be considered as part of the recruitment process and as such the following must be considered and/or actioned at pre-selection, interview and appointment stages:-

Preparation for post

- The interview process has been planned to allow sufficient time for each stage of the process eg for collecting application forms.
- Adverts state that the successful applicant will be required to go through a robust vetting process eg all applicants will be required to have an enhanced DBS check if working in "regulated activity".
- Applicants are informed of their safeguarding responsibilities in job descriptions and other information sent to them.
- Applicants are made aware that there is a strict code of conduct for all staff.
- Advertisements for all roles to be sent to Dorset Race Equality Council for inclusion within their bulletins.

Applications

- All applications are received on a standardised application form.
- Applicants are informed that;
 - The post may be exempt from the Rehabilitation of Offenders Act 1974
 - The successful applicant will be required to provide a DBS check at the required level
 - The employer will seek information from previous employers about any disciplinary procedures relating to children or child protection concerns.
 - Providing false information is an offence.
- Application forms to be completed before interview and CV provided.
- Is the information provided consistent?
- Are there any gaps in employment?
- Are there any safeguarding concerns?

Shortlisting

- Standardised interview questions are available and need to be agreed prior to interview.
- References are sought directly from the referee, not handed over by the candidate.
- All references to be written or in electronic form.
- References are requested on a standard reference proforma.
- Three references are sought, at least one is from the current employer or a previous employer where the candidate worked with children / vulnerable adults.
- References ask:-
 - About the candidates suitability for the post and their suitability to work with children.
 - Whether they have been subject to any disciplinarys or allegations raised in relation to the safety or welfare of children, vulnerable adults or adults.
 - Referees may be called to verify that they have provided the reference and to discuss any content that needs checking

Interviews

The following checks are completed at the interview stage or prior to interview

- Specific qualifications or experience
- Interviews are, where possible, conducted face to face, by 2 people
- Interviews are structured so the same information is sought from each candidate

Appointment

When an offer of appointment is made is it made on condition that :-

- all pre-employment checks are satisfactorily completed
- Identity of candidate is confirmed
- Right to work and live in the UK for overseas applicants
- Company satisfaction with reference responses
- Company satisfaction with appropriate level DBS returns
- New employees will be subject to DBS checks, Enhanced DBS dependent upon the role that they are employed. Employees within roles that have no contact with learners (such as administrative staff, catering staff etc) may be exempted from DBS checks.
- Where confirmation of DBS is not received prior to start, a risk assessment will be produced and the employee will not be permitted to work with children or vulnerable adults until DBS is received.
- Induction will take place within the probation period. Induction will include:-
 - Provision of Safeguarding Policy and Guidance documents
 - Provision of Safeguarding & IAG 'hotline' cards
 - Familiarity with in-house management information systems and safeguarding report systems
 - Confirmation and commencement of appropriate DBS checking

Equal Opportunities in Recruitment

The recruitment of any staff will be based upon seeking to appoint the best person for the role. As such, all applicants will be considered entirely upon their personal merits, experience and aptitude for the role. SWRAC's Equality & Diversity Policy will apply to the recruitment activity as to any other aspect of the Company's activities.

Recruitment Authorisation

Any vacancy must be authorised by the Managing Director before any attempt is made to fill the role. In making the request consideration should be given to whether the role could be absorbed amongst the rest of the team or elsewhere in the Company.

Job Descriptions and Person Specifications

Once authorisation has been obtained, the person recruiting and HR must produce a HR33 - Person Specification Job Description for the vacancy which provides a fair and accurate representation of the role.

The HR33 should be given to all candidates prior to interview to enable them to prepare adequately for the interview which will improve the success of the interviewing process, together with an Application Form – HR17.

Particular care must be taken when producing HR33 to ensure that unreasonable requirements are not placed on the job holder which cannot be objectively justified and may unfairly disadvantage certain groups e.g. women, ethnic minorities, elderly or disabled persons.

Under the Equality Act 2010 (“the Act”), prospective employers can ask health-related questions before short-listing or making a job offer if it is necessary for them to do so for one or more reasons permitted by the Act. These are situations where: the employer needs to establish whether the employee is fit to undergo an assessment, or whether the employer has a duty to make reasonable adjustments in connection with an assessment; the employer needs to establish whether the job applicant will be able to carry out a function that is intrinsic to the job concerned; the employer wishes to undertake diversity monitoring; the employer is considering taking positive action in relation to disabled persons; or it is a genuine requirement of the job that the employee has a particular disability.

A question that does not fall within one or more of these exceptions will be prohibited. Asking a prohibited question does not of itself give a job applicant a tribunal claim. However, if a job applicant who has been asked a prohibited question does bring a claim of disability discrimination, the burden will be on the employer to prove that they have not discriminated.

Offer of Employment

Once the most appropriate candidate has been selected, this needs to be approved by the MD and the terms and condition of the offer of employment confirmed.

In setting a starting salary to offer your chosen candidate bear in mind the salary level the candidate is seeking, the budget and the authorised salary range. Bear in mind the salary of existing employees in a similar role so that inconsistencies are not created within the Company which could be challenged under the Equality Act 2010.

An offer should be made verbally, by the person recruiting, to the candidate and once agreed, a contract of employment needs to be raised and sent out with the offer letter by HR.

The company reserve the right to seek references and specify that employment offers are conditional upon receipt of professional references which are satisfactory to the Company. The referees should usually be the applicant’s current and previous employers, although in the case of a college or school leaver the college tutors or teachers will be acceptable.

Referees will usually be sought from an applicant once an offer of employment is made and referees will not be approached without the applicant’s permission.

References will usually be sought in writing although details may be checked or clarified by telephone where necessary. If a response to a written request for a reference has not been received, then the Company will telephone the referee where the details have been provided and may seek an oral reference instead.

If references which are satisfactory to the Company are not received within a reasonable timescale then it may be necessary to consider the withdrawal of the offer of employment.

Qualification Certificates

All applicants are required to provide evidence of qualifications.

The employment offer will be conditional upon valid evidence of qualification and the offer may be withdrawn if this is not supplied within a reasonable timescale.

If an applicant falsifies certificates or evidence of qualifications and this subsequently comes to the attention of the Company at any stage during employment then the individual will be subject to disciplinary action and will be liable to dismissal.

Work Permits and Illegal Working

It is against the law to employ a person who does not have permission to live and work in the UK. The Company could be prosecuted and fined under the Immigration and Asylum Act for employing somebody who does not have permission to work in the UK.

Therefore all successful applicants will be required to provide evidence of one original piece of documentation from the list below once an offer of employment is made (this list is not exhaustive):

- ❑ A document giving the person's National Insurance number and name. This could be a P45, a National Insurance card or a letter from a government agency;
- ❑ A document showing that the person can stay indefinitely in the UK or that they have no restriction preventing them from taking employment. This may be an endorsement in a passport or Home Office Letter;
- ❑ A work permit or other approval to take employment from the Department for Education and Employment;
- ❑ A document showing that they are a UK Citizen or have right of abode in the UK. This may be an endorsement in a passport, a birth certificate, a registration or naturalisation document or a letter from the Home Office;

In order to avoid discrimination, it is essential that the same criteria are applied to every person who is offered employment with the Company. It will be the responsibility of the recruiting manager to ensure that a relevant document has been supplied which satisfies the criteria set out above.

If an applicant is not able to produce one of the listed documents then they will be advised to contact the Citizens Advice Bureau for further advice and their employment will be put on hold until evidence can be produced and the offer may be withdrawn.

Personnel Records and Starter Procedures

Personnel records are held by HR Department. A file containing electronic and paper records is held for each employee and will include:

- ❑ Contract of Employment
- ❑ Personal information – New Starter Form and Application Form
- ❑ Changes to terms and conditions
- ❑ Copies of ID required for DBS and identity checks
- ❑ Absence records
- ❑ Holiday records
- ❑ DBS Records

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- ❑ Current Disciplinary details
- ❑ Records of any Training undertaken
- ❑ Records of Objectives and Performance Appraisals

These records are held in a secure environment. This enables information gathering and quick access to employee records.

Complaints Procedure

Any applicants who consider that they have been unfairly treated or discriminated against during the recruitment process should write to Helen Toft stating the grounds of the complaint.

Any employee who wishes to complain about his/her experience of the recruitment process should do so by means of the Grievance Procedure.

Disclosure and Barring Service

Where appropriate to the role a candidate will be advised that a DBS check will be carried out during the probation period. Dependent on the role we may also carry out Prohibition from Teaching and Section 128 checks. Where the checks identify issues which are inappropriate for the role, the Company reserves the right not to continue with the job role beyond the probation period. For the avoidance of doubt any position that may involve contact with learners will be subject to the checks. Further checks will be carried out every three years or should the employee's circumstances change.

Where confirmation of DBS is not received prior to start, a risk assessment will be produced and the employee will not be permitted to work with children or vulnerable adults until DBS is received.