

# RHACC

**Richmond and Hillcroft  
Adult Community College**

## **SAFER RECRUITMENT AND SELECTION POLICY**

<b>Owner:</b>	HR	<b>Approved by:</b>	Board
<b>Review interval:</b>	3 years	<b>Approved on:</b>	02/05/2024
<b>Date of next review</b>	02/05/2027	<b>Post to website:</b>	No

# **SAFER RECRUITMENT AND SELECTION POLICY**

## **1.0 INTRODUCTION**

- 1.0.1 To ensure that safer recruitment is effectively managed, the College has put in place procedures to be followed by Employees, Managers and the Human Resources Department

## **2.0 FILLING THE VACANCY**

- 2.0.1 All vacancies require approval by a member of the College Management team prior to advertisement. New established posts will require Executive member approval.
- 2.0.2 A job description and person specification should be produced for every post.
- 2.0.3 Applicants should receive advice on visiting the RHACC website.
- 2.0.4 Vacancies should be advertised in an appropriate medium.

## **2.1 Internal Redeployment**

- 2.1.1 The College has the right to reasonably redeploy resource to fulfil the needs of the business.
- 2.1.2 Where the College wishes to permanently redeploy an existing employee with the necessary skills, knowledge and abilities to an alternative role, they will inform and consult the employee/s as appropriate.

## **2.2 Applications**

- 2.2.1 All applicants are required to apply for vacancies via the College's online e-recruit system. The exception to this would be to consider a request made as a reasonable adjustment to apply using a different format.
- 2.2.2 Monitoring information will be separated from the candidate's application for the shortlisting process

## **2.3 Short term Fixed term/ Temporary Appointments**

- 2.3.1 Where possible vacancies should be advertised in the normal way.
- 2.3.2 In exceptional circumstances for the above categories e.g., due to unavoidably tight time constraints the normal advertising and short-listing process may not be possible. In these cases, a CV will suffice and it may be necessary to recruit through a commercial agency or by a direct approach to potential candidates. However, references should be obtained and an equal opportunities monitoring form completed by the candidate. The Head of Department concerned should record reasons why normal recruitment procedures cannot be followed in the requisition form. No appointment will be made without an interview by the line manager. All notes and recruitment documents must be passed to Human Resources when the interview process is complete.

## **SAFER RECRUITMENT AND SELECTION POLICY**

### **2.4 Safer Recruitment**

- 2.4.1 In line with statutory requirements, underpinned by regulations:
  - 2.4.1.1 a DBS Enhanced Disclosure will be obtained for all eligible new and existing appointments to the College's workforce
  - 2.4.1.2 an up-to-date single central record will be maintained, detailing a range of checks carried out on College staff;
  - 2.4.1.3 anyone appointed to the College workforce who has lived outside the UK will be subject to additional checks as appropriate;
  - 2.4.1.4 the College will ensure that eligible contract/ agency staff have undergone the necessary checks and have been made aware of this policy;
  - 2.4.1.5 the College will deal with ex-offenders in an open and transparent way to ensure that safeguarding risks are mitigated but rehabilitation opportunities are available where appropriate (See: Section 4.2 Recruitment of Ex-Offenders below);
  - 2.4.1.6 identity checks will be carried out on all appointments to the College workforce before the commencement of employment is made;
  - 2.4.1.7 candidates will be checked to ensure that they have the right to work in the UK.

### **2.5 Short Listing and Selection**

- 2.5.1 Candidates with a disability should be given the opportunity to make a request, prior to the recruitment day, for reasonable adjustments to be made for them.
- 2.5.2 Short listing will be based on the requirements of the job description and person specification and will be carried out by an appropriate manager and verified by an appropriate member of the Senior Management Team.
- 2.5.3 The interview for established posts will be conducted by a panel normally made of two members, normally chaired by a member of the Senior Management Team. At least one panel member must have completed the College's Safer Recruitment Training. For Variable Hour teaching appointments panels are normally chaired by a School Director or Programme Leader (See: Recruitment flowchart). Appendix 2
- 2.5.4 In addition to the interview the College may use a mixture of tools as part of its assessment process to ensure that the right candidate is selected. This will include; written exercises; PC-based tests; presentations; mini teach sessions and group exercises etc.

### **3.0 PROVISIONAL OFFERS OF EMPLOYMENT:**

- 3.0.1 To ensure the College complies with all required safeguarding legislation and provides a safe environment for learners the College expects that everyone who is made a provisional offer of employment at the College will:
  - 3.0.1.1 Complete as appropriate a disclosure and barring check (which includes a barred list check with the Disclosure and Barring Service), where applicable;
  - 3.0.1.2 Provide information for additional overseas checks where applicable (where a candidate has lived or worked overseas for a period of over 3 months within a 5-year period)

## **SAFER RECRUITMENT AND SELECTION POLICY**

- 3.0.1.3 Provide a minimum of two referees for previous employment (or appropriate) whom the College can ask about suitability to work with young people and adults at risk. One reference should be from their most recent employer. Further references may be sought if the College considers it necessary to obtain more information about an applicants' prior employment. Pre prepared references can NOT be accepted.
- 3.0.1.4 Provide proof of relevant qualifications and right to work in the UK.
- 3.0.1.5 Undergo induction, and complete any mandatory training.

### **3.1 Work Permits and Visas**

- 3.1.1 Candidates requiring a work permit or visa to work in the UK will be required to secure this themselves before applying to work at the College. Only in exceptional circumstances will the College apply for a work permit or visa for a potential employee under the appropriate guidance from the UK Border Agency. A work permit or visa is required for all foreign nationals.

## **4.0 THE DISCLOSURE AND BARRING SERVICE**

- 4.0.1 A disclosure is a document provided by the Home Office containing information held by the Police and Government departments, which is used by organisations to make safer recruitment decisions. Disclosures provide details of a person's criminal record, including convictions, cautions, reprimands and warnings.
- 4.0.2 As an organisation using the Disclosure and Barring Service to help assess the suitability of applicants for positions of trust, Richmond and Hillcroft Adult and Community College complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of information. It also complies fully with its obligations under the Data Protection Regulations 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Certificate information and has a written policy on these matters, which is available to those who wish to see it on request.
- 4.0.3 An Enhanced Disclosure (including a barred check list with the Disclosure and Barring Service) will be requested if the applicant is offered a post at the College that is considered to involve regulated activity. Other posts which are not defined as regulated activity may be subject to an Enhanced Disclosure that does not include a check with the Barring Service following an appropriate safeguarding risk assessment.
- 4.0.4 Disclosure information will be used only for the specific purpose for which it was requested and for which the applicant's/ employee's full consent has been obtained.
- 4.0.5 Generally, due to the nature of work at the College, Enhanced Disclosures will be requested.

# SAFER RECRUITMENT AND SELECTION POLICY

## Definitions:

### Regulated Activity

“Regulated activity”, as set out in the Safeguarding Vulnerable Groups Act 2006 and amended by the Protection of Freedoms Act 2012, is defined as follows:

**Child:** a person under the age of 18

Regulated Activity: The new definition of regulated activity (i.e. work that a barred person must not do) in relation to children comprises, in summary:

(i) unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;  
(ii) work for a limited range of establishments (‘specified places’), with opportunity for contact e.g. schools, children’s homes, childcare premises. Not work by supervised volunteers.

**Adult :** a person over the age of 18

Regulated Activity: The revised definition of an adult, in respect of safeguarding, removes the word “vulnerable” and replaces it with a list of activities which could be undertaken for any adult and these activities are those that are defined as “regulated”. These activities are:

- Providing health care
- Providing personal care
- Providing social care
- Assistance with household matters i.e. managing cash/bills arranged under a third party
- Assistance in the conduct of a person’s affairs by formal appointment

## **4.1 Handling of Disclosure Information**

### **4.1.1 Storage and access**

4.1.1.1 Certificate information will be kept securely, in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **4.1.2 Handling**

4.1.2.1 In accordance with section 124 of the Police Act 1997, Certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Certificates or Certificate information has been revealed and recognised and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

### **4.1.3 Retention**

4.1.3.1 The College uses an umbrella company to process applications and we will take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of certificate information in full compliance with the [code of practice](#) and in full accordance with this policy.

## **SAFER RECRUITMENT AND SELECTION POLICY**

- 4.1.3.2 Once a recruitment (or other relevant) decision has been made upon receipt of the disclosure, we do not keep Certificate information for any longer than is necessary. This retention will allow for the consideration and resolution of any disputes or complaints, or be for the purpose of completing safeguarding audits.
- 4.1.3.3 Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

### **4.1.4 Disposal**

- 4.1.4.1 Once the retention period has elapsed, any Certificate information is destroyed by secure means i.e. by shredding, pulping or burning. While awaiting destruction, Certificate information will not be kept in any insecure receptacle (e.g., waste bin). We will not keep any photocopy or other image of the Certificate or any copy. Where a risk assessment has taken place following a positive DBS disclosure result, the completed and signed risk assessment form will be kept securely in the individual's personnel file. However, notwithstanding the above, we may keep a record of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, the unique reference number of the Certificates and the details of the recruitment decision taken.

## **4.2 Recruitment of Ex-offenders**

- 4.2.1 Richmond and Hillcroft Adult and Community College complies with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.
  - 4.2.1.1 We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. A DBS with full barring check is required for all successful applicants where the role falls within regulated activity.
  - 4.2.1.2 We make provision for all candidates to have a confidential discussion prior to submitting an application form to a designated person in HR.
  - 4.2.1.3 At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
  - 4.2.1.4 We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.
  - 4.2.1.5 Having a criminal conviction will not necessarily bar an applicant for an employment opportunity. This will depend on the nature of the position and the circumstances and background of the offence(s).

## **4.3 When assessing disclosures, the College will:**

- 4.3.1 Ensure that requesting and handling of criminal records will always be dealt with in appropriate confidence and with discretion;
- 4.3.2 Comply with Data Protection and Human Rights legislation;
- 4.3.3 Ensure that access to criminal record information is only released to others on a need-to-know basis.

## **SAFER RECRUITMENT AND SELECTION POLICY**

### **4.4 When considering the relevance of a disclosure, a decision on employment will be based on:**

- 4.4.1 The risk to students and other members of the College community;
- 4.4.2 The seriousness of the offence(s);
- 4.4.3 An examination of circumstances leading up to the offence;
- 4.4.4 Repeat offences;
- 4.4.5 The length of time since an offence(s) was committed;
- 4.4.6 An individual's attempt to rehabilitate themselves;
- 4.4.7 The capacity to manage risks and provide safeguards;
- 4.4.8 Level of supervision required and available;
- 4.4.9 Where it is a requirement of the role, if a candidate will not give authorisation for a disclosure to be carried out, then any provisional offer of employment will normally be withdrawn. Failure to reveal information that is directly relevant to the position sought will normally lead to withdrawal of an offer of employment. The final decision on whether or not a conviction is a barrier to employment will be made by the Principal in conjunction with the Head of HR.
- 4.4.10 The College will not accept disclosures obtained from other organisations unless:
  - 4.4.10.1 the candidate is registered with the DBS online update service and issues the College with the relevant certificate numbers, documents and authorisation.
  - 4.4.10.2 during a period that ended not more than three months before the person's appointment, the applicant has worked in:
    - a school in England in a position which brought him or her regularly into contact with persons aged under 18; or
    - another institution within the further education sector in England, or in a 16 to 19 Academy, in a position which involved the provision of education and caring for, training, supervising or being solely in charge of persons aged under 18
- 4.4.11 Where the above exceptions apply, the College reserves the right to carry out its own checks in line with College policy.

### **4.5 Disclosures whilst in employment:**

- 4.5.1 If a current employee is convicted of an offence which impacts on either their ability to work with children or adults or their job role, they must contact the human resources department immediately. Whilst there is no legal requirement for the College to recheck DBS disclosures, the College will do so if:
  - 4.5.1.1 They have concerns about the individual's suitability to work with children or to engage in regulated activity; or
  - 4.1.1.2 An individual moves to work that involves greater contact with children and or regulated activity and their previous role did not require one.
- 4.5.2 The College will conduct DBS Rechecks every three years.

## SAFER RECRUITMENT AND SELECTION POLICY

### 5.0 COMMENCEMENT OF EMPLOYMENT PRIOR TO RECEIPT OF DBS DISCLOSURE INFORMATION;

- 5.0.1 Ideally, where a DBS disclosure is required, it should be obtained before the individual begins work at the College. In all cases the request for a DBS disclosure must be submitted in advance of any start date given and the disclosure certificate obtained as soon as practicable after the individual starts work.
- 5.0.2 Managers must seek advice from HR, and ensure they liaise closely with the HR department in sufficient time, where commencement of a post is being considered prior to receipt of any necessary DBS disclosure information.
- 5.0.3 Whilst the disclosure application is being processed, a risk assessment **MUST** be completed before the employee can start employment in the new post. The appropriate manager should implement arrangements to ensure that no risk to children or adults at risk could arise while the College is waiting for Disclosure clearance. This would include ensuring that the employee does not have any individual unsupervised contact with children or engage in regulated activity with adults at risk.

### 6.0 SUPERVISION: GUIDANCE FOR MANAGERS

- 6.0.1 Line managers should consider what is known about the person, their experience, and the nature of their duties and responsibilities. For new starters with limited experience, where references have provided limited information and who have no previous disclosure information, the level of supervision may be high. New starters with more experience and strong references which give sufficient detail and evidence of good conduct in previous relevant roles may be permitted to work with lower levels of supervision.
- 6.0.2 ***It is only when the Principal formally approves the proposed supervisory arrangements that the individual may commence employment with the College.***

#### 6.1 Appointment process

- 6.1.1 The College's Authority to Appoint form must be completed and signed by the Principal for all established roles or a delegated member of the Executive in the absence of the Principal.

#### 6.2 Induction

##### 6.2.1 Safeguarding young people and adults at risk training.

- 6.2.1.1 All employees are expected to undertake appropriate Safeguarding young people and adults at risk training within the first month of employment. Where possible this should be completed before employment commences. Such procedures ensure targeted control and risk assessment strategies are employed at the earliest possible stages in order to adhere to the College's commitment to safeguarding its learners. (Please refer to the College's Safeguarding Policy for more details.)
- 6.2.1.2 Employees are expected to attend/ complete all mandatory training as requested.

## **SAFER RECRUITMENT AND SELECTION POLICY**

- 6.2.1.3 All those working at Richmond and Hillcroft Adult and Community College are required to complete mandatory annual updates or refresher training in safeguarding children, young adults, and adults at risk in education, as part of our commitment to ensuring our adherence to the Keeping Children Safe in Education statutory guidance.

### **7. ADVERT**

- 7.1 When defining the role (through the job or role description and person specification), we will include:
  - 7.1.1 the skills, abilities, experience, attitude, and behaviours required for the post; and
  - 7.1.2 the safeguarding requirements, i.e., to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.
- 7.2 The advert shall include:
  - 7.2.1 The College's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken;
  - 7.2.2 the safeguarding responsibilities of the post as per the job description and personal specification; and
  - 7.2.3 whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions. In certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to the College, and if they are disclosed, we cannot take them into account. Further information about filtering offences can be found in the DBS filtering guide.
- 7.4 Where a role involves engaging in regulated activity relevant to children we will include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children
- 7.5 We will include a copy of the College's child protection policy, and practices and policy on employment of ex-offenders in our application pack and also refer to a link on our website
- 7.6 We will only accept an application form and not a Curriculum Vitae as part of the application process.

### **8 SHORTLISTING**

- 8.1 Shortlisted candidates should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to the Attorney General's Guidelines on Disclosure. Further information can be found on [Attorney General's Guidelines on Disclosure 2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/432222/Attorney-Generals-Guidelines-on-Disclosure-2020.pdf)

## Appendix 1

### Safer Recruitment New Start Risk Assessment

**For consideration of commencement of employment upon the completion of most vetting procedures, where there is a clear evidential business case for the employee to be started prior to the final completion of the Safer Recruitment Process.**

Individuals should only be allowed to commence working with children or adults at risk of harms in extenuating circumstances where the needs of service provision outweigh the risk. This template should be used by the responsible manager to assess and where appropriate manage any risk in such circumstances. **Where an employee has been started under a Risk Assessment, the employee needs to be issued with a RED lanyard until the Safer Recruitment Process has been fully and satisfactorily completed.**

## SAFER RECRUITMENT AND SELECTION POLICY

### For Completion by HR (Section 1)

<b>Name of Applicant</b>		<b>Position</b>	
<b>Department</b>		<b>Line Manager</b>	
<b>Proposed Start Date</b>		<b>Date of Risk Assessment</b>	
<p>DfE statutory guidance <i>Keeping Children Safe in Education</i> states that where an individual is allowed to start work in Regulated Activity before the DBS is available the college should ensure the individual is appropriately supervised and that all other checks have been completed.</p> <p>Regulated activity refers to set activities which entitle an individual to an enhanced DBS check and barred list checks if applicable. The definition of regulated activity is set out in legislation and includes, but is not limited to - teaching, training, instructing, personal care and working for 'specified places' including institutions with childcare premises.</p>			Will the applicant be working in Regulated activity?
I confirm that I am aware of my duties under Safer Recruitment and therefore understand the risks in respect of Safeguarding.			
The employee in question has completed section 3 of this form "employee Declaration" prior to their first day,			
The employee in question will be issued with a RED lanyard until a DBS has been received to ensure they are identifiable to staff as requiring supervision. Staff in the relevant department will be briefed to ensure the employee is always supervised.			
Has the DBS been applied for, and have we had this returned? If no, please comment on where in the process this is presently. If yes, please confirm whether the certificate is clear or not, if not, please provide details to the DSL and Principal. Has the new starter provided a Pre-Employment Self-Disclosure? If yes, this needs to be provided to the DSL and Principal.			<b>DBS</b> <b>Self-Disclosure</b>
Does the individual have an existing DBS Certificate? What this clear? please comment.			
Has the List 99 check been completed? If so, was this clear? If not, please provide details.			

## SAFER RECRUITMENT AND SELECTION POLICY

<p>Have we received two satisfactory references? Please comment on each and who these are from and for period: If not, please comment on where we are with this and/or what the issue is.</p>	<p><b>Reference 1</b></p> <p><b>Reference 2</b></p>
<p>Was an overseas check required? If so, have we had this returned? Is it satisfactory? If not, please comment on where we are with this and/or what the issue is.</p>	<p><b>Required? Received? Satisfactory? If No, please comment:</b></p>
<p>Have we obtained their proof of right to work in the UK? If not, please comment on where we are with this and/or what the issue is.</p>	
<p>Have we obtained their proof of ID? If not, please comment on where we are with this and/or what the issue is.</p>	
<p>Has the New Starter Health Check been completed? Did this identify any additional support needed? If not, please comment on where we are with this and/or what the issue is.</p>	
<p>If the position is a teaching position, have we confirmed their qualifications? If not, please comment on where we are with this and/or what the issue is.</p>	

**SAFER RECRUITMENT AND SELECTION POLICY**

**For completion by line manager (Section 2)**

Questions about the role	Please Select	Please state how you will mitigate the risk of harm to the children (within the Creche) and adults at risk. Ensure that you have considered how they undertake their duties. (for e.g., teach with door open, work in an open environment, full supervision, LSA in class, learner walks). What restrictions and/or actions will be put in place?
Will this applicant be working with Children or adults (as described by regulation)?	Yes/No	
Will the applicant be required to work unsupervised with these groups prior to the DBS?	Yes/No	
What actions can be taken to mitigate any potential risk of this employee committing an offence against a learner or other staff member?		
Type of employment? If VH, please state potential schedule of work.		
Please explain how not allowing this person in the College, before all areas of the Safer Recruitment process has been satisfactorily completed, will impact the College negatively.	Yes/No	
If the restrictions and/or actions that you have identified in this section, were applied, are you satisfied that this would sufficiently reduce the risks to the College, learners, and staff?	Yes/No	<p><b>Please identify the Risk Factor: <span style="color: red;">Low</span></b>  <span style="color: red;">Medium</span>  <span style="color: red;">High</span></p>

**Declaration of Line Manager**

**Name:**

**Position:**

**Date:**

**Please type your name to sign the declaration, this will be used as your normal signature:**

**SAFER RECRUITMENT AND SELECTION POLICY**

**For completion by Employee (Section 3)**

EMPLOYEE DECLARATION – to be completed prior to their first day		
<p>I understand that it is a part of my terms and conditions of employment with RHACC that I have a valid DBS in place and have met all vetting requirements in place under the <i>Keeping Children Safe in Education</i> guidance.</p> <p>At all times and that whilst my disclosure is being processed then it is necessary to declare the following:</p>		
Are you aware the role you have applied for may involve working with under 18s or adults at risk?		
Are there any restrictions in place preventing you from undertaking such work?		
Have any court orders or other determinations related to under 18s or adults at risk been made in respect of you?		
Have you been barred from working with children by the Disclosure and Barring Service (DBS)?		
I understand my responsibilities in terms of safeguarding		
I understand that I must notify HR immediately of anything that affects my suitability including any pending court appearances, cautions, warnings, convictions, order or other determinations made in respect of me or a member of my household that may render me disqualified from working with children.		
The information I have provided is a true and accurate record. I confirm I have no reason to believe that any information, other than already provided on application form, will be disclosed on the DBS certificate.		
Print Name:	<b>Please type your name to sign the declaration, this will be used as your normal signature:</b>	Date:

## Principal Risk Assessment Authorisation (Section 4)

To be authorised by the Principal or Delegated Authority		
Print Name:	Please type your name to sign the declaration, this will be used as your normal signature:	Date:

## SAFER RECRUITMENT AND SELECTION POLICY

### Equality Impact Assessment: Initial Screening (Stage 1)

Name of Policy or Practice: Safer Recruitment and Selection Policy

Person/ Team/ Department Responsible: HR Department

Date of Assessment: December 2022

#### Consider the three aims of the public equality duty:

- To eliminate discrimination
- To advance equality of opportunity
- To foster good relations

#### Protected Characteristics:

Age, Disability, Gender Reassignment , Race, Religion or Belief, Sex, Sexual Orientation, Marriage & Civil Partnership, Pregnancy & Maternity

Q1) What is the purpose of the policy, decision or practice	To ensure that safer recruitment is effectively managed and the College has put in place procedures to be followed by Employees, Managers and the Human Resources Department
2) Who is affected by the initiative? Does the initiative make a positive contribution to equality and diversity in the College? Or is it equality neutral i.e. no particular effect on anyone group? Equality neutral	
3) Is there the potential for there to be a negative impact on one or more of the Equality groups as a result of this initiative? If so what groups may be effected and why? Or is it equality neutral? Equality neutral	
4) Has anyone complained about the policy or initiative? No	
5) Is the impact of the initiative significant enough to warrant a more detailed assessment? No	
If yes please circle priority rating for assessment: High Medium Low	

Note: If there are any adverse outcomes to the questions a full impact assessment is required.