

To ensure that safer recruitment is effectively managed the College has put in place procedures to be followed by all staff and Governors.

1.0 Filling the Vacancy

- Before starting the recruitment process, all Managers should firstly identify whether the post is required and if so, whether existing staff have the capacity and capability to fill the role.
- All vacancies require approval prior to advertisement. Variable hours posts require approval by the relevant School Director or Business Support Head/ Director. Established posts require approval by the Department Director and the Principal/Executive. New posts will require additional Finance Approval.
- An Advert, job description and person specification should be produced for every post to ensure that the existing documents are up to date and fit for purpose and should include a statement confirming the College’s commitment to Safeguarding, and that Safeguarding checks will be undertaken.
- Applicants should receive advice on visiting the RHACC website, and the link to RHACC’s Safeguarding Policy and Procedures
- Vacancies should be advertised in an appropriate medium.
- All vacancies will be advertised across the RHACC job-board using the standard advert template.
- It is the responsibility of all staff to regularly check the RHACC job board for the latest vacancies and to apply for positions that they feel they hold the relevant qualification/s, skills, and experience for.

1.1 Internal Redeployment

The College has the right to reasonably redeploy resource to fulfil the needs of the business. 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.

1.2 Applications

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.

Where a post is ringfenced to a specific member of staff the application can be submitted outside the College E-recruitment system.

Monitoring information will be separated from the candidate’s application for the shortlisting process

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1.3 Short term Fixed term/ Temporary Appointments

Where possible vacancies should be advertised in the normal way.

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, and all relevant safer recruitment checks, should be obtained and an equal opportunities monitoring form completed by the candidate. The Head of Department/ Director 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.

2.1 Safer Recruitment

In line with statutory requirements, underpinned by regulations:

- a DBS Enhanced Disclosure will be obtained for all eligible new and existing appointments to the College’s workforce (see DBS Matrix in Appendix 1)
- an up-to-date single central record will be maintained, detailing a range of checks carried out on College staff;
- anyone appointed to the College workforce who has lived outside the UK within the preceding 5-year period, will be subject to additional checks as appropriate;
- the College will ensure that eligible contract/agency staff have undergone the necessary checks and have been made aware of this policy;
- 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);
- identity checks will be carried out on all appointments to the College workforce before the commencement of employment is made;
- candidates will be checked to ensure that they have the have a right to work in the UK.
- 2 satisfactory written References and proof of qualifications will be obtained prior to the individual commencing work with the College, one of which must be either their current or last employer, or from a recognised educational establishment such as a College or University, where the applicant has studied.

2.2 Exemptions

There are a few exemptions from the above which will instead be managed through the utilisation of the Risk Assessment Form; these exemptions include:

- One-off visiting guest speakers
- External short-term agency staff
- External short-term contractors

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2.3 Short Listing and Selection

- As a Disability Confident Employer, we have agreed to interview any individual with a disability who meets the minimum criteria for the vacancy.
- Candidates with a disability should be given the opportunity to make a request prior to the recruitment day that reasonable adjustments will be made for them.
- As part of our commitment toward equality in the College, we will regularly review the demographics of the staff within the College and look to encourage applicants with specific protected characteristics, that we need to correct an existing equality imbalance.
- 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 Management Team.
- The interview for established posts will be conducted by a panel normally made of two members, normally chaired by a member of the Management Team. At least one panel member must have completed the College’s Safer Recruitment Training. For senior posts a third panel member should be included in the panel. For Variable Hours teaching appointments panels are normally chaired by a School Director or Programme Manager (See: Recruitment flowchart Appendix 2)
- 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 which might include written exercises; PC-based tests; presentations; mini teach sessions and group exercises etc.

3.0 Provisional offers of employment:

To ensure the College complies with all required safeguarding legislation and provides a safe environment for learners, the College expects that anyone who is made a provisional offer of employment at the College will not be permitted to commence work until all safer recruitment processes have been fully completed satisfactorily, including a Risk Assessment, where appropriate.

The College will:

- Complete as appropriate an enhanced disclosure and barring check (which includes a barred list check with the Disclosure and Barring Service where applicable),
- Undertake overseas checks where applicable (where a candidate has lived or worked overseas for a period of over 3 months within a 5-year period)
- Complete a DBS Recheck on all staff, every three years

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The candidate will:

- Provide proof of relevant qualifications and right to work in the UK.
- Provide a minimum of two referees for previous employment whom the College can ask about suitability to work with young people and vulnerable adults. 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 cannot be accepted.
- Undergo induction and complete any mandatory training.
- Undertake health clearances by completing the health check screening with our health care provider.

3.1 Work Permits and Visas

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. A work permit, visa or online evidence of Immigration status is required for all foreign nationals.

4.0 The Disclosure and Barring Service

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.

As an organisation using the Disclosure and Barring Service to help assess the suitability of applicants for positions of trust, RHACC 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.

An Enhanced Disclosure (including a barred list check with the Disclosure and Barring Service when appropriate) 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. (See DBS Matrix Appendix One)

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.

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Definitions:

Regulated Activity

“Regulated activity” is, 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

1. Storage and access

Certificate information will be securely stored, in an electronic folder with access strictly controlled and limited to those who are entitled to see it as part of their duties.

2. Handling

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.

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3. Retention

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 Government [code of practice¹](#) and in full accordance with this policy.

Once a recruitment decision (or other relevant) decision has been made upon receipt of the disclosure, we do not keep document 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

Throughout this time, the access to the disclosure information will be strongly restricted to allow access to the HR Department, the Designated Safeguarding Lead, and the Principal, in order to facilitate a risk assessment for the position that the individual is applying for.

4. Disposal

Once the retention period of 6-months after the end of the employment 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, 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

RHACC 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.

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.
2. We make provision for all candidates who wish to do so to have a confidential discussion prior to submitting an application form to a designated person in HR.
3. 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. We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

¹ [DBS code of practice - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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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:

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

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

- The risk to students and other members of the College community;
- The seriousness of the offence(s);
- An examination of circumstances leading up to the offence;
- Repeat offences;
- The length of time since an offence(s) was committed;
- An individual’s attempt to rehabilitate themselves;
- The capacity to manage risks and provide safeguards;
- Level of supervision required and available;

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.

The College will not accept disclosures obtained from other organisations unless:

- the candidate is registered with the DBS online update service and issues the College with the relevant certificate numbers, documents, and authorisation.

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:

If a current employee is convicted of any conviction, 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:

- They have concerns about the individual’s suitability to work with children or to engage in regulated activity; or

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- An individual moves to work that involves greater contact with children and or regulated activity and their previous role did not require one. The college will also carry out DBS re-check every 3 years for every member of staff to mitigate any safeguarding risk

5.0 Commencement of employment prior to receipt of DBS disclosure information.

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 starting work.

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.

Whilst the disclosure application is being processed, a risk assessment signed off by the Principal 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 vulnerable adults 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 vulnerable adults.

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 referees have provided limited information and who have no previous disclosure information the level of supervision may be high. For new starters with more experience and strong references which give sufficient detail and evidence of good previous conduct in previous relevant roles may be permitted to work with lower levels of supervision.

It is only when the Principal formally approves the proposed supervisory arrangements that the individual may commence employment with the College.

6.0 Appointment process

6.1 Authority to appoint

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

Safeguarding young people and vulnerable adults training.

All employees are expected to undertake appropriate Safeguarding and prevent training within the first month of employment. 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 procedures for more details of the College’s training plan.)

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Employees are expected to attend/ complete all mandatory training as requested. This will include training in relation to our Safeguarding and Prevent Training Plan, as outlined in our Safeguarding Procedures, which refers to, and includes Keeping Children Safe in Education 2021 (or the latest version thereafter).

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