

# Safer Recruitment Policy

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# Safer Recruitment

## 1. Introduction

- 1.1 This Policy is designed to set out the College's procedure for recruitment and selection.
- 1.2 The College is committed to safeguarding and promoting the welfare of children and vulnerable adults in its care. This policy sets out our compliance with the Statutory Guidance on safer recruitment as set out in the DfE Keeping Children Safe in Education Guidance. Please refer to the College's Safeguarding Policy for further information on Safeguarding at Cambridge Regional College.
- 1.3 We are committed to ensuring a fair and transparent process. This Policy aims to outline the practices which will give candidates equality of opportunity. The College aims to ensure that no job applicant suffers discrimination in any form and specifically because of any of the protected characteristics as set out in the Equalities Act (2010).
- 1.4 The College has a responsibility under the Counter-Terrorism and Security Act 2015 to comply with the 'Prevent Duty' which aims to prevent people being drawn into terrorism and protection against the risk of radicalisation and extremism.
- 1.5 This Policy applies to both internal and external recruitment to every post within the College and is made available to all applicants and employees. This Policy does not form part of an employee's contract of employment and may be amended as necessary.
- 1.6 To ensure that recruitment and selection is carried out consistently every College manager who participates in the recruitment and selection process must have received appropriate training in the process and with regard to related safer recruitment, safeguarding, prevent and equality, diversity and inclusion.

## 2. Aims and Objectives

- 2.1 The aims of the Safer Recruitment policy are as follows:-
  - to help deter, reject or identify people who might abuse learners or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.
  - to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;

- to ensure that all job applicants are considered equally and consistently;
  - to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
  - 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 (KCSiE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
  - to ensure that the College meets its commitment to safeguarding and promoting the welfare of our students by carrying out all necessary pre-employment checks.
- 2.2 Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.
- 2.3 The College has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the College based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.
- 2.5 If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.
- 2.6 The College aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Cambridge Regional College.

### **3. Advertising**

- 3.1 No post will be advertised without the completion of the College's Permission to Fill Form for New/Replacement Posts, authorised by the Senior Management Team.
- 3.2 All vacancies whether temporary or substantive will be filled in line with the College's Recruitment and Selection Procedures.
- 3.3 The vacant role will be defined in a non-discriminatory and objective manner through a carefully drafted Job Description and Person Specification assisted by

the College's job evaluation procedure. Advertisements will identify a number of the essential criteria in order to optimise the number of suitable applicants.

- 3.4 The Human Resources Department will be responsible for co-ordinating all advertising. All press adverts will be discussed and approved with the appropriate line manager prior to being processed.
- 3.5 Each advert will contain a statement regarding our commitment to safer recruitment practices, DBS and on-line checks as well as a statement actively promoting equality of opportunity to encourage applications from under-represented groups.
- 3.6 It is unlawful for the College to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the College. All applicants will be made aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS

## **4 Applications**

- 4.1 Posts will be filled following advertisement, internal or external, completion of an application form for the post concerned, evaluation by a panel and pre-employment checks being satisfactory. In relation to temporary academic staff the appointment may be made from a pool of temporary staff who have previously progressed through the recruitment and selection process in accordance with the College's Procedures.
- 4.2 All documentation relating to applicants will be treated confidentially in accordance with Data Protection and GDPR legislation.
- 4.3 A standardised application process is used to enable an objective assessment of an applicant's suitability. This will allow applicants to compete on equal terms with each other. A standardised application process does not preclude reasonable adjustments for disabled candidates.
- 4.4 All applicants for employment will be required to complete an application form containing questions about their personal details, academic and full employment history since leaving secondary education, their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history) and details of referees.
- 4.5 The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

4.5 CVs will not be accepted.

## **5 Disability Confident Employer Initiative**

- 5.1 The College has been awarded 'Disability Confident Employer' status for its commitment to ensuring equality of opportunity for disabled applicants and staff. Any disabled applicant who meets the essential criteria on the person specification will automatically be invited for interview. The Equality Act permits questions to be asked at the application stage to identify disabled applicants who want to use this scheme. Disabled applicants may opt-out of this scheme on the application form if they wish.
- 5.2 The College buildings are fully accessible to students, service users and staff who have a disability.
- 5.3 College is committed to challenging the stigma and discrimination associated with mental health and well-being and it has signed the 'Mindful Employer' pledge to demonstrate its commitment.

## **6 Shortlisting**

- 6.1 At least two people will carry out the shortlisting exercise, at least one of whom will be safer recruitment trained.
- 6.2 The shortlisting panel will assess the applicants against the person specification criteria as well as consider inconsistencies and look for gaps in employment.

## **7. Selection Process**

- 7.1 The interview and selection panel will comprise of at least two employees, at least one of whom will have been on the shortlisting panel and will have completed Safer Recruitment Training.
- 7.2 All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 12 months after the recruitment programme.
- 7.3 All applicants who are invited to an interview will be required to complete a 'Self Disclosure Form' to confirm information relating to any convictions, investigations or sanctions that might be relevant when working with children or vulnerable adults, this information will be placed in a sealed envelope and will only be read if you are successfully selected following interview. Following your successful selection the College would follow the process outline in section 14 of this policy.

Unsuccessful applicant 'Self Disclosure Forms' will be destroyed following appointment of the successful applicant.

- 7.4 The College may use a mixture of tools as part of its selection process to ensure that the right candidate is selected. These tools include but are not limited to:
- individual interviews;
  - written exercises;
  - teaching exercises;
  - presentations;
  - aptitude/ability tests;
  - visits to work locations;
  - group exercises;
  - personality profiles; and
  - observations.
- 7.5 In order to allow the candidate an opportunity to display, and the panel to appraise the necessary knowledge, skills and aptitudes, the College will widen the selection process according to the post. However, all selection processes will include a selection interview as a minimum requirement.
- 7.6 Aptitude and ability tests will correspond to the job in question and will measure as closely as possible the appropriate levels of the skills and abilities included in the person specification.
- 7.7 The interview panel will explore what attracted the candidate to the post and their motivation for working with children as well as ask for examples of experience of working with children which are relevant to the role. In addition the panel will probe any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.
- 7.8 All candidates will complete the same activities unless there is a health and safety reason why the candidate cannot do so, eg. because of pregnancy, or unless a reasonable adjustment is required. In such cases reasonable adjustments will be made where possible.
- 7.9 An offer of appointment will only be made on the basis of the consensus of the panel following adherence to the Recruitment and Selection Procedures. If the panel is evenly split, the Chair will have the casting vote.
- 7.10 Interview expenses are not reimbursed by the College except in exceptional circumstances and only with the prior agreement of the Director of Human Resources.

## 8. Reasonable Adjustments

- 8.1 Reasonable adjustments will be made as appropriate to application, shortlisting, interview and assessment arrangements and to support disabled candidates to do the job, should they be appointed.
- 8.2 During the application process the College will provide and accept information in accessible formats where this would be a reasonable adjustment. Accessible formats could include email, Braille, Easy Read, large print, audio format and data formats. Alternatively, the College will accept a Curriculum Vitae under certain circumstances as a reasonable adjustment. Candidates are invited to indicate when these accessible format are required.
- 8.3 Only shortlisted candidates are asked if they require the College to make reasonable adjustments for interview or assessment arrangements. When an offer of appointment is made, successful candidates will be invited to discuss their requirements for reasonable adjustments to support them to do the job. Applicants may discuss their requirements for reasonable adjustments at any stage of the recruitment process with the recruiting manager or Human Resources Department.

## 9. Pre-employment Checks

- 9.1 All offers of employment will be made subject to the following pre-employment checks being made:-
- Verification of a candidate's identity.
  - Enhanced Disclosure and Barring Service Certificate (DBS) including barred list checks as appropriate; no candidate will be able to commence work at the College until a DBS has been received and approved prior to commencement.
  - Prohibition Check where appropriate.
  - Verification of a candidates right to work in the UK.
  - Original Certificates for required qualifications being provided.
  - Satisfactory references (one from last employer and from last employer in education if relevant).
  - Medical check to verify the mental and physical fitness to carry out the work responsibilities.
  - Receipt of documents required under the Immigration Act 2016 (a list of these can be obtained from Human Resources or can be found on the UK Border Agency Website);
  - Any further checks considered appropriate if the person has lived or worked outside the UK.
  - An on-line search of publicly available information regarding the candidate, as permitted under Section 175 of the Education Act 2002 (as amended)

## **10. Proof of identity, Right of Work in the UK & verification of Qualifications and/or professional status**

- 10.1 All successful applicants will be required to bring their identification documentation such as passport, birth certificate, driving licence with them as proof of identity/eligibility to work in UK in accordance with the Immigration, Asylum and Nationality Act 2006 and with DBS identity checking guidelines.
- 10.2 Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.
- 10.3 Cambridge Regional College does not hold an employer sponsor licence and therefore cannot issue Certificates of Sponsorship under the points-based system.
- 10.4 In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form by providing the original certificate of achievement.

## **11. Overseas Checks**

- 11.1 Applicants who have lived/travelled abroad for more than 3 months in the previous five year period will need to obtain a criminal records check or a certificate of good conduct from the relevant country. The College will support applicants in obtaining the required information.

## **12. Rehabilitation of Offenders Act 1974**

- 12.1 The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to learners. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at the College

## **13. Disclosure and Barring Service (DBS) Check**

- 13.1 The College applies for an enhanced disclosure from the DBS in respect of all positions at the College which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended).
- 13.2 The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.



- 13.3 It is the College's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.
- 13.4 Members of staff are aware of their obligation to inform the College Management of any cautions or convictions that arise between these checks taking place and they are required to sign a disclaimer on an annual basis regarding this.
- 13.5 DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence
- 13.6 Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is payable by the applicant. This allows for portability of a Certificate across employers.
- 13.7 The College will:
- Obtain consent from the applicant to carry out an update search.
  - Confirm the Certificate matches the individual's identity.
  - Examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced certificate/enhanced including barred list information.
- 13.8 The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.
- 13.9 The DBS no longer issue Disclosure Certificates to employers. The College can view the result of the DBS check on-line. If applicants are subscribed to the DBS update service they must bring their original DBS Certificate to HR before they commence work or any project involving regulated activity.

## 14 Dealing with Convictions

14.1 The College operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

14.2 A formal meeting will take place face-to-face to establish the facts with the Head of Department/Director and HR. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the College will evaluate all of the risk factors above before a position is offered or confirmed.

14.3 If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS.

14.4 In cases where the applicant would otherwise be offered a position were it not for the disputed information, the College may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

## 15 Dealing with Concerns from On-Line Search

15.1 The on-line search will normally be carried out by a member of the Human Resources Team and will be done via the Google search engine.

15.2 The search will look for any of the following:-

- information that suggests that a candidate is unfit to work with children/students rather than general information about their social life or views on certain issues.
- Information that may cause harm to the reputation of the College eg. drug or alcohol misuse, inappropriate photos

- 15.3 If any information considered relevant is found this will be passed to the Director of Human Resources in the first instance. If necessary, a discussion will be held with the Designated Safeguarding Lead.
- 15.4 A meeting will take place with the applicant, the appropriate management and HR to discuss the findings of the on-line search and a decision taken by the College to determine if the findings are significantly serious to withdraw the offer of employment.

## **16 References**

- 16.1 References for the successful candidate(s) will be requested after interview.
- 16.2 All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the College. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. The referee should not be a relative. References will always be sought by the College and obtained directly from the referee.
- 16.3 All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children.
- 16.4 Any discrepancies or anomalies identified in references will be followed
- 16.5 References will be verified to ensure that they originate from a legitimate source. The College does not accept open references, testimonials or references from relatives.

## **17 Pre-employment Health Questions**

- 17.1 Applicants will generally not be asked about health or disabilities before a formal job offer is made or before the applicant has been accepted into a pool of applicants to be offered a position when one becomes available. There are limited exceptions which will only be used with Human Resources' approval. For example:-
- (a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
  - (b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
  - (c) Equalities monitoring (which will not form part of the decision-making process).

## **18 Entitlement to Work in the UK**

- 18.1 The College is required by law to ensure that all employees are entitled to work in the United Kingdom (UK). To comply with the Provisions of the Immigration Act 2016 successful candidates will be asked to provide evidence of their entitlement to work in the UK before an offer of employment can be confirmed.
- 18.2 The College will not make assumptions about a person's right to work in the UK based on race, colour or national origin.

## **19. Feedback**

- 19.1 The College will provide post interview feedback to all candidates who make such a request. Feedback should be provided by the Chair of the Panel whenever possible.
- 19.2 The College will seek to assist internal candidates unsuccessful for appointment through the provision of constructive feedback and the provision of training and development where necessary.

## **20. Recruitment Complaints**

- 20.1 Without infringing legal rights, applicants may submit a written complaint of unfair treatment to the Director of Human Resources. Any complaints will be investigated in line with the College's Grievance Procedure, available from the Human Resources Department.

## **21. Monitoring of Recruitment**

- 21.1 All applicants will be asked to complete an Equalities Monitoring Form as part of their application. This information will not be divulged to the selection panel and will be used for monitoring purposes only.
- 22.2 In line with the recommendations from the Equality and Human Rights Commission, the College will undertake an analysis of the composition of the workforce on an annual basis. The results of the exercise will be reported in the College's Annual Equality and Diversity Report and used to measure the effectiveness of its College's equalities policies and approaches. This will assist in the further development of appropriate positive action programmes.

## **23. Retention of Recruitment Documents**

- 23.1 In accordance with the requirements of the General Data Protection Regulations (2018), and the college's associated retention policy, personal data collected during the recruitment process will be retained for a period of 12 months after the completion of the appointment for those not appointed to the College.

## Document history

Date	Issue number	Change/Comments	Date Approved	Approved by
10/10/20012	1	Checked and updated – no change by author		
24/05/2016	2	Updated and re-approved by JCNC	24/05/2016	JCNC/HR
28/09/2018	3	Updated to reflect current practice	05/10/2019	HR
28/05/2021	4	No Change		
01/09/2022	5	Change in title to "Safer Recruitment Policy" Change in order to follow the recruitment procedure. Inclusion of "on-line Checks" as part of the pre-employment Checks Reference to Rehab of Offenders legislation process of dealing with convictions		
17/01/2023	6	Addition of "Self Disclosure Form" requirement to comply with additional safer recruitment requirements.		



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