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| Safer Recruitment |
| Policy and Procedure |
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 **Introduction**

JMET is committed to providing the best possible care and education to its learners and to safeguarding and promoting the welfare of children and young people. We are also committed to providing a supportive and flexible working environment for members of staff. JMET recognises that to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment. Recruitment methods must be fair, efficient, and effective.

**Aims**

The aims of our recruitment policy are as follows:

 • 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, gender, 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) (formerly the Department for Children, Schools and Families (DCSF)), Safeguarding Children and Safer Recruitment in Education (Guidance), Keeping Children Safe in Education (KCSIE) and any guidance or code of practice published by the Disclosure and Barring Service (DBS)

• to ensure that we meet our commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

The recruitment and selection process should ensure the identification of the person best suited to the job within the organisation is based upon the applicant’s abilities, qualification, experience, and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional timely and responsive manner and in compliance with current employment legislation and relevant safeguarding legislation and statutory guidance (including KCSIE 2021 and Prevent Duty Guidance).

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.

**Responsibilities**

It shall be the responsibility of the Director/s(or a delegated authority) to implement this policy and to monitor its performance.

It is the responsibility of managers to ensure that:

* They are familiar with the recruitment policies and procedures, and that they follow them accordingly.
* Staffing levels for their department are determined and authorised.
* All roles have current job descriptions that specify role requirements and selection criteria.

It is the responsibility of the HR managerto ensure that:

* Managers are aware of their responsibilities in the recruitment and selection process.
* Managers are given continuous support and guidance regarding recruitment and selection issues.

**Definition of Regulated Activity and Frequency**

Any position undertaken at, or on behalf of JMET will amount to “regulated activity” if it is carried out:

* frequently, meaning once a week or more, or
* overnight, meaning between 2am and 6am, or
* satisfies the “period condition”, meaning four times or more in a 30-day period, and
* provides the opportunity for contact with children.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

The organisation is not permitted to check the Children’s Barred List unless an individual will be engaging in “regulated activity”. JMET is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the company can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e., roles which would amount to regulated activity if carried out more frequently.

**Procedures**

**Pre-Recruitment Activities**

When it becomes necessary to recruit for a position, managers should carefully consider the requirements for the position and the key selection criteria including skills, experience and qualifications.

If no job description exists for the available position or if it requires revising, this is the responsibility of the appropriate manager. Once the new job description or amendments have been drafted, it should be forwarded to the Director/s for approval.

Where the job description is for a new role the Director/s will review and evaluate the position and draw up a job description.

Prior to commencing the recruitment process, the responsible manager is required to gain approval from Director/s and forward this to the HR manager.

**Advertising**

All vacant posts will be advertised through relevant networks, websites and through local employment services.

If required, the relevant manager will prepare an appropriate recruitment advertisement for the position and submit it for review and approval by Company Directors who will task the recruitment team with the placement of the advertisement. The relevant manager will monitor applications received.

Any advertisement will make clear the company’s commitment to safeguarding and promoting the welfare of children and vulnerable adults.

Where deemed appropriate, external recruitment consultants may be used for recruitment purposes. The recruiting manager should contact the HR manager for assistance in engaging the services of recruitment consultant.

It remains the relevant manager’s responsibility to ensure that the recruitment consultant adheres to JMET recruitment and selection policies in respect to qualifications, references and current DBS status. (A copy of which must be held on record).

Any documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

**Application Forms**

All applicants for employment will be required to complete an online application or paper application form containing questions about their academic and employment history and their suitability for the role. A Curriculum Vitae will not be accepted in place of the completed application form.

The application form will include the applicant’s declaration regarding convictions and working with children and vulnerable adults and will make it clear that the post is exempt from the provisions of the Rehabilitations of Offenders Act 1974.

It is unlawful for JMET to employ anyone who is barred from working with children or vulnerable adults. It is a criminal offence for any person who is barred form working with children or vulnerable adults to apply for a position that includes work with these groups.

**Job Descriptions and Person Specifications**

Applicants will receive a job description and person specification for the role applied for. A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities, and expertise that are required to do the job.

**Interviews**

Short listing will take place and successful applicants will then be invited to attend a formal interview.

The face-to-face interview will be conducted by a minimum of two interviewers and will explore the applicant’s ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment training).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

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 6 months after the recruitment programme.

**References**

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by JMET. 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 or adults, then the second reference should be from the employer with whom the applicant most recently working with children. The referee must not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provider objective and factual information to support appointment decisions.

**Offer of Employment and New Employee Process**

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

* the agreement of a mutually acceptable start date and the signing of a contract incorporating JMET written terms and conditions of employment.
* verification of the applicant’s identity (if not previously been verified)
* the receipt of two references (one of which must be from the applicant's most recent employer) which JMET considers to be satisfactory.
* the receipt of an enhanced disclosure from the DBS
* where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List administered by the DBS
* verification of the applicant's right to work in the UK.
* verification of the applicant’s medical fitness for the role
* any further checks which are necessary as a result of the applicant having lived or worked outside of the UK.
* verification of qualifications which JMET deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified)

**Rehabilitation of Offenders Act 1974**

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to child or vulnerable adult learners. Therefore, any convictions and cautions that would normally be considered ‘spent’ must be declared when applying for any position at JMET.

**DBS (Disclosure and Barring Service) Check**

JMET applies for an enhanced disclosure from the DBS and a check of the Children’s Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions which amount to “regulated activity” as defined in the Safeguarding Vulnerable Groups Act (2006). The purposed 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.

If an applicant has previously enrolled onto the DBS Update Service for a check in the same workforce, then this can be used in place of a new check.

It is the company’s policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

It is the company’s policy to re-check employees DBS certificates every three years and in addition, any employee who takes leave for more than three months (i.e., maternity leave, career break, etc) must be re-checked before they return to work.

All members of staff of JMET are aware of their obligation to inform HR of any cautions or convictions that arise between these checks taking place.

**Portability of DBS Certificates Checks**

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. JMET 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, i.e., enhanced certificate/enhanced including barred list information.

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.

**Dealing with Convictions**

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

**Proof of Identity, Right to Work in the UK and Verification of Qualifications**

All applicants invited to attend an interview will be required to bring their identification documentation, such as passport, birth certificate, driving license, etc with them as proof of identity/eligibility to work in the UK and DBS identity checking guidelines.

Where an applicant claims to have changed their name by deed poll or any other means (e.g., marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification required for the position and claimed in their application form.

**Medical Fitness**

All applicants are requested to complete a medical questionnaire and, where appropriate, a doctor’s medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

JMET 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.

**Induction**

The HR manager will conduct a thorough induction for all new employees covering all contractual aspects of JMET.

The appropriate line manager will carry out a role specific induction.

The DSL will conduct a separate Safeguarding induction.

**Single Central Register of Members of Staff**

In addition to the various staff records kept by JMET, a single centralised record of recruitment and vetting checks is kept by HR. This is kept up to date and will contain details of the following:

* all employees who are employed to work for the company.
* all employees who are employed as supply staff to the company whether employed directly or through an agency.
* all others who have been chosen by the organisation to work in regular contact with learners. This will cover volunteers, governors, and peripatetic staff.

**Ongoing Employment**

JMET recognised that safer recruitment and selection is not just about the start of employment but should be part of a larger framework for all staff. The organisation will therefore provide ongoing training and support for all staff as identified through the annual appraisal procedure.

**Leaving Employment at JMET**

Despite the best efforts to recruit safely, there will be occasions when allegations of serious misconduct or abuse against children, young people or adults are raised. This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks, JMET also has a legal duty to make a referral to the DBS in circumstances where an individual:

* has applied for a position with JMET despite being barred from working with children, or
* has been removed by the organisation from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.