

**People Management – Policy and Guidance
Safer Recruitment Policy - DRAFT
[Month] 2023**



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PART 1: SAFER RECRUITMENT POLICY

Introduction

1. **Safeguarding is everyone's business whether they work for, or on behalf of the Council.**
2. Carmarthenshire County Council's Corporate Safeguarding Policy has the following overarching Principles:
 - Every child and adult at risk (whatever their background, culture, race, colour, nationality, ethnic or national origins, disability, religion and belief or non-belief, age, sex, gender reassignment, gender identity and gender expression, sexual orientation, pregnancy or maternity, marital or civil partnership status) has a right to participate in a safe society without any violence, fear, abuse, bullying, harassment or discrimination.
 - Every child and adult at risk has the right to be protected from harm, neglect exploitation and abuse.
 - All councilors, employees and volunteers who work for or with the Council have a responsibility for protecting children and adults at risk from abuse and neglect and working in a way that promotes and supports their best interests.
 - The Authority will invest in preventative and early intervention services and endeavor to prevent situations arising where abuse, neglect or harm may occur.
3. Carmarthenshire County Council's Recruitment and Selection Policy aims to ensure that internal and external appointments to posts at all levels within the Authority are equitable, consistent and safe. Carmarthenshire County Council will ensure our workforce comprises of employees with the knowledge, skills, experience and attributes which maximise the performance of the Council's activities, ensuring best value services to the community of Carmarthenshire.

Scope

4. This policy applies to all adults who have contact with children, young people, and adults at risk through their work, whether in paid or voluntary capacity. It applies to permanent, temporary and agency staff, including those recruited from overseas. It also applies to staff who do not have direct responsibility for children and adults at risk, but who will have contact with children and adults at risk and will be seen as safe and trustworthy and/or have access to confidential and sensitive information for example, administrative staff, receptionists, caretakers, catering, cleaning and maintenance staff.
5. The principles of safer recruitment will be included in any contract or service level agreement drawn up between the Council and contractors or agencies that provide services for, or staff to work with children and adults at risk. It will be a requirement that these organisations must be able to demonstrate that they have safer recruitment procedures in place. All service level agreements and contracts will contain reference to the Corporate Safeguarding Policy and the standards expected of working on behalf of the Council.

Policy Statement

6. Safeguarding and protecting children and adults at risk is a high priority for Carmarthenshire County Council and ensuring that there are robust arrangements and procedures in place. This includes implementing safe recruitment procedures and practices.
7. The aims of this policy are:
 - To deter unsuitable applicants from applying for roles working with children and adults at risk.
 - To identify and reject applicants who are unsuitable to work with children and adults at risk.
 - To respond to concerns about the suitability of applicants during the recruitment process.
 - To ensure that all candidates are treated fairly, consistently and in compliance with all relevant legislation.
 - To respond to concerns about the suitability of employees and volunteers once they have begun their role.

- To ensure all new staff and volunteers participate in an induction which includes safeguarding appropriate to their role.
 - To ensure that managers, relevant staff and councillors involved in recruitment are trained in safer recruitment and understand their responsibilities under this policy.
 - To minimise the possibility of children and adults at risk suffering harm from those in a position of trust.
8. The Council will not employ anyone to work with children or adults at risk where there is any reasonable doubt about their suitability for the role.

Roles and Responsibilities

9. Ensuring the effectiveness of safer recruitment and selection procedures is the responsibility of the employing department, with support and advice from the People Services team.
10. It is the responsibility of Directors, Heads of Service and senior managers to ensure that the department is operating safer recruitment procedures and to monitor contractors and agencies compliance with safer recruitment procedures and standards.
11. Anyone who is directly involved in the recruitment process, i.e. shortlisting, interviews and assessments, must "declare an interest" if they have a close personal association or relationship with any of the candidates. Please refer to the **Employee Code of Conduct** and **Close Personal Associations and Relationships guidance**.
12. Where appropriate and where there may be a perception of a conflict of interest, another suitably experienced manager may have to stand in to ensure independence and transparency.
13. Due to the size and diversity of the Council, the recruitment and selection of employees will be the responsibility of recruiting managers at several levels across the organisation. Managers involved in the recruitment and selection of staff which have contact with children, young people and adults at risk are responsible for familiarising themselves with, and complying with, the provisions of this policy.
14. Safer recruitment training is a mandatory requirement for recruiting managers. A minimum of one selection panel member must have attended this training. Please contact the Organisational Development Team for further information.

15. The Corporate Safeguarding Group is responsible for ensuring that there are safer recruitment procedures in place and monitoring compliance with them.
16. The Designated Officers for Safeguarding (DOS) are responsible for managing all allegations made against staff and volunteers who work with children and adults at risk within their area.
- Carmarthenshire County Council has two designated officers:

Rebecca Robertshaw, DOS for Children and Young People
childprotection@carmarthenshire.gov.uk

Cathy Richards, DOS for Adults at Risk
SCHAdultSafeguarding@carmarthenshire.gov.uk

Context

17. This Safer Recruitment Policy supports the over-arching Corporate Safeguarding Policy.
18. This policy works alongside other Council policies and guidance including:
- Recruitment and Selection policy
 - Equality and Diversity policy
 - Disclosure and Barring Service Checks and Self Disclosures – Guidance for Managers (REVISED)
 - Employment References- Guidance (REVISED)
 - Probationary policy
 - Whistleblowing policy
 - Shortlist guidance
 - Officers' Code of Conduct
 - Behavioural Standards in the Workplace guidance
 - Close Personal Associations: Relationships at Work guidance
 - Recruitment of Ex-Offenders policy (NEW)
19. This policy takes account of:
- Social Care Wales: Code of Practise for Social Care Workers, and Guidance for Registered Workers

- Education Workforce Council: Code of Professional Conduct and Practise
- Social Care Wales: All Wales Induction Framework

20. The legislation and national guidance that support this policy statement are:

- Social Services and Well-being (Wales) Act 2014
- Working Together to Safeguard People statutory guidance
- Children Act 1989 and 2004
- Rehabilitation of Offenders Act 1974 and Rehabilitation of Offenders (Exceptions Order) Act 1975, as amended 2013 and 2020
- Police Act 1997, Part 5
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Education Act 2002
- Data Protection Act 2018
- Welsh Government guidance, Keeping Learners Safe, 2020

21. This policy statement links to the [Wales Safeguarding Procedures](#) for children and adults at risk of abuse and neglect. Specifically, Section 5: Safeguarding allegations / concerns about Practitioners and those in Positions of Trust.

22. In particular, the Children Act 2004 requires local authorities to have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, including:

- Safe recruitment practices and ongoing safe working practices for individuals whom the organisation or agency permit to work regularly with children, including policies on when to obtain a criminal record check;
- Appropriate supervision and support for staff, including undertaking safeguarding training;
- Creating a culture of safety, equality and protection within the services they provide.

In addition,

- Ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of

- children and creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role;
- Staff should be given a mandatory induction, which includes familiarisation with child protection responsibilities and the procedures to be followed if anyone has any concerns about a child's safety or welfare;
 - All practitioners should have regular reviews of their own practice to ensure they have knowledge, skills and expertise that improve over time.

PART 2: Safer Recruitment Procedures

23. Safer recruitment procedures support the policy aims by ensuring that there is a consistent and thorough process of obtaining, collating, analysing, and evaluating information from and about candidates to ensure that all persons appointed are suitable to work with children and/or adults at risk.

24. Job Profile

When a post becomes vacant, or a new post is created, the job profile needs to be reviewed to ensure compliance with this policy.

The Job Profile cover should state:

“Safeguarding is everyone's business. All Council employees have a responsibility for protecting children and adults at risk from abuse and neglect and working in a way that promotes and supports their best interests.”

The job profile should clearly state:

- The safeguarding requirements and responsibilities of the role, such as the extent of contact or responsibility for children and adults at risk.
- The individual's responsibility for promoting and safeguarding the welfare of the children and adults at risk they are responsible for or will come into contact with.
- The requirements needed to perform the role in relation to working with children and adults at risk.
- The competencies, values, and qualities that the successful candidate should be able to demonstrate

- The type of DBS check that will be requested for the role (if required) and the justification for requesting this type of DBS check.

25. Information for Candidates

When advertising job vacancies, the following information will be provided to applicants:

- The Council's commitment to safeguarding and promoting the well-being of children and adults at risk
- The Job Profile
- That appropriate pre-employment vetting, including DBS checks and proof of identity, will be undertaken
- A statement that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children or adults at risk (where the role involves this type of regulated activity)
- A link to the Corporate Safeguarding policy and other relevant policies.
- Relevant information about the Authority and/or service area and relevant aspects of employment such as induction, training, supervision, career development, employee support.

26. Application Form

The Council requires job applicants to complete a standard application form via its online recruitment process. Curriculum vitae will not be accepted. This provides a consistent basis from which to shortlist and make recruitment decisions. Adjustments to this process may be allowed in certain circumstances e.g. where the applicant requires an alternative format due to disability.

In the case of job roles working with children or adults at risk, there is a risk that a CV will only contain the information an applicant wishes to present and may omit relevant information.

The application form should obtain the following information:

- Identifying details of the applicant including current and former names, current address and National Insurance Number;
- **N.B.** To comply with the Equality Act 2010, **date of birth** is not included on the main application form, but is included in the diversity monitoring form, which can be retained by HR/Personnel and not made available to those involved in the short-listing process;
- Academic and/ or vocational qualifications with details of awarding body and date of award;

- A full history in chronological order since leaving secondary education, including periods of any post-secondary education/training and part-time and voluntary work as well as full time employment, with start dates, explanations for periods not in employment or education/training and reasons for leaving employment;
- Details of referees, one of which should be the applicant's current or most recent employer/line manager. References will not be accepted from relatives or friends.
 - Where an applicant is not currently working with children or adults at risk, but has done so in the past, it is important that a reference is also obtained from that person / organisation and reason for leaving in addition to the current or most recent employer;
- A statement of the skills and abilities, and competencies/experience that the applicant believes are relevant to their suitability for the post and how they meet the job profile;
- Information will be requested about any previous - including spent - convictions, cautions, reprimands, warnings or bind-overs.

27. Shortlisting and Interviewing Panel

The shortlisting process will usually involve 3 people, but at least 2 people. Consideration should be given to representing diversity within the panel. The same selection panel should short list and interview the candidate. Please note that shortlisting should not be delegated to one panel member; it is important that all panel members are involved.

At least one member of the panel should have undertaken safer recruitment training.

The members of the panel will:

- Have the necessary authority to make decisions about the appointment;
- Declare an interest if they have a close association or relationship with any candidate and excuse themselves from the panel if appropriate;
- Meet before the interview to agree their assessment criteria in accordance with the job profile and to prepare a list of questions they will ask all candidates relating to the requirements of the post;
- Identify any issues they wish to explore with each candidate based on the information provided in their application form and in the references (if received prior to the interview);

- Notes of the applicant's interview answers should be collated by the chair of the panel and stored for 6 months.

All application forms should be scrutinised to check:

- They are fully and properly completed. Incomplete applications should not be accepted;
- The information is consistent and does not contain any discrepancies;
- Gaps in employment or training and reasons given for them
- History of repeated changes of employment without any clear career or salary progression or a mid-career move from a permanent to temporary post and reasons given.

The panel will:

- Consider any inconsistencies, discrepancies or gaps in employment and reasons given for them
- Explore all potential concerns

Candidates will be asked to complete a self-declaration of their criminal record or any information that may make them unsuitable to work with children or adults at risk. This information will not be shared with the Interviewing panel until they have selected the preferred candidate.

However, we would welcome candidates who wish to share any relevant information contacting the Manager directly for an informal, open discussion at an earlier stage, should they wish to do so.

We appreciate that 27% of working age adults in the UK have a criminal record and any information shared will be treated sensitively and fairly.

28. Interview

Candidates should bring the following documentation to the interview:

- Evidence of their **right to work** in the UK, as prescribed by the **Home Office**.
- Evidence of their **identity**, such as:
 - a current driving licence OR
 - a current passport OR
 - a full birth certificate.

Note: Some form of photographic ID must be seen.

AND

- a document such as a utility bill or financial statement (less than 3 months old) that shows the candidate's current name and address

AND

- where appropriate, change of name documentation, such as a marriage certificate.
- Certificates confirming **educational and professional qualifications**. If this is not possible, written confirmation must be obtained from the awarding body.
- Documentation of **registration with a professional body** (if appropriate).

A copy of the documents used to verify the successful candidate's identity and qualifications must be kept for the personnel file.

29. Scope of the Interview

The panel will:

- Assess the merits of each candidate against the job profile, and explore their suitability to work with children and adults at risk
- Emphasise to the candidate that the identity of the successful candidate will be checked thoroughly. Also, that a Disclosure and Barring Service check will be required as part of the vetting process.
- Record all information considered and decisions made

In addition to assessing and evaluating the applicant's suitability for the post, the panel should explore:

- The candidate's attitude towards children or adults at risk;
- Their ability to support the organisation's agenda for safeguarding and promoting the welfare of children and adults at risk;
- Any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this
- Concerns or discrepancies arising from the information provided by the candidate and/or referee;

- Whether the candidate wishes to declare anything relating to the requirement for a Disclosure and Barring Service check.

The interview should also explore issues relating to safeguarding, including:

- Motivation to work with children or adults at risk;
- Ability to form and maintain appropriate relationships and personal boundaries;
- Emotional resilience in working with challenging behaviours;
- Attitudes to use of authority.

30. Participation of children, young people, and adults at risk

Children, young people and adults at risk can make a valuable contribution to the recruitment process and their participation should be considered for key strategic and managerial posts as well as for posts where staff will have a high level of responsibility for personal care e.g. residential staff.

The following considerations should be taken into account in planning the involvement of children, young people and adults at risk:

- Clarification of the role they will take in the process, how their views will be taken into account in selection and what weighting these will be given;
- Preparation and/or training for the role they will be taking;
- Process for debriefing them on the outcome.

31. Pre-employment vetting checks

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks.

The Recruiting Manager will:

- Verify the candidate's identity
- Verify their professional qualifications, as appropriate to the role

The Recruitment Team will:

- Check the candidate's identity documents are appropriate

- Verify their right to work in the UK. (See **GOV.UK website** for information on how to check a candidate is allowed to work in the UK)
- Obtain a Disclosure and Barring Service Disclosure at the appropriate level (unless the Disclosure and Barring Service Update Service applies). Inform the (See **Disclosure and Barring Service Checks Guidance**).
- Verify their mental and physical fitness to carry out their work responsibilities has been assessed by Occupational Health, if appropriate.
- Verification of professional status/registration where required, i.e. Social Care Wales, Education Workforce Council, Health & Care Professions Council.
- Receive written references, where possible confirmed by telephone. Specific questions relating to safeguarding allegations or concerns and their suitability to work with children and adults at risk are included in the Request for Reference template. (See **Employment References Guidance**.)
- Check if the applicant has previously worked for the Authority and the reason for leaving.
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
 - Criminal records check: see **GOV.UK - Criminal records checks for overseas applicants**.
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach

If any Safeguarding concerns are revealed by these checks, the Recruiting Manager and the HR Adviser will be informed and will be required to undertake a risk assessment.

(For further information, see **Disclosure and Barring Service (DBS) Checks and Self-Disclosures Guidance for Managers**).

All checks should be:

- Confirmed in writing;

- Documented and retained on the personnel file (subject to restrictions on the retention of information imposed by Disclosure and Barring Service regulations);
- Followed up with the candidate where they are unsatisfactory or where there are discrepancies in the information provided.

The following information will be reported to the Police and/or the Disclosure and Barring Service:

- The candidate is found to be on the Barred Lists, or the Disclosure and Barring Service check shows that they have been disqualified from working with children or adults at risk by a Court;
- The candidate has provided false information in, or in support of, their application;
- There are serious concerns about an applicant's suitability to work with children or adult at risk.

Anyone who is barred from work with children or adults at risk is committing an offence if they apply for, offer to do, accept or do any work which constitutes regulated activity. It is also an offence for an employer knowingly to offer work in a regulated position, or to procure work in a regulated position for an individual who is disqualified from working with children or adults at risk or fail to remove such an individual from such work.

32. Employment of Ex-Offenders

Employers must make a judgement about suitability, taking into account only those offences which may be relevant to the post in question. In deciding the relevance the following should be considered:

- The nature of the appointment;
- The nature of the offence;
- The age at which the offence took place;
- The frequency of the offence.

For further information, see **Recruitment of Ex-Offenders Policy** (insert hyperlink).

33. Employment Agency Staff and Contractors

For all agency staff or contractor staff who are working in regulated activity or whose work provides them with an opportunity for regular contact with children or adults at risk, written confirmation should be obtained from the agency or contractor that the appropriate checks have been undertaken, using the template in Appendix 2. This template requires the agency to provide signed confirmation against each pre-employment check.

Agency staff or contractors who have not had the required checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

The identity of the staff presenting themselves for work must be checked to ensure that they are the same person on whom the checks have been made. This identity check should be recorded on the template.

Managers who are seeking to appoint agency social workers or consultants in Adult Services or Children's Services must follow the *Agency Social Work - Recruitment and Monitoring Process* (Appendix 3).

34. Staff Records

For each member of staff appointed, a record should be kept to show:

- Written references obtained and confirmed by telephone;
- Gaps in employment history checked;
- A satisfactory Disclosure and Barring Service / Enhanced Disclosure and Barring Service certificate obtained, with unique reference number and date;
- Reasons/decision to appoint despite criminal convictions (i.e. a Risk Assessment);
- Evidence of proof of identity (this will have been provided for the Disclosure and Barring Service check);
- Evidence of qualifications;
- Details of registration with appropriate professional body;
- Confirmation of right to work in UK;

- Record of interview questions and candidate's answers to be kept for the duration of the individual's probationary period, and then can be destroyed.

Records should be signed and dated by the appointing manager.

35. Induction in relation to Safeguarding

There should be an induction programme for **all** staff and volunteers. The purpose of the induction is to:

- Provide training and information about the organisation's safeguarding and child protection policies and procedures. This training should be at a level appropriate to the member of staff role and responsibilities with regard to children;
- Support individuals in a way that is appropriate for their role;
- Confirm the conduct expected of staff;
- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities;
- Enable the line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately;
- Ensure that the person receives written statements of:
 - Policies and procedures in relation to safeguarding;
 - The identity and responsibilities of staff with designated safeguarding responsibilities;
 - Safe practice and the standards of conduct and behaviour expected;
 - Other relevant personnel procedures e.g. whistle blowing, disciplinary procedures.
- Verify successful completion of the **All Wales Induction Framework** where appropriate.

36. Probationary period

All new appointees will be subject to the completion of a satisfactory probationary period as allowed for in the contract of employment, for

example, the first six months of employment up to a maximum of 12 months (unless extended in exceptional circumstances). Newly qualified Social workers are subject to a probationary period of 12 months.

The recruiting manager must implement the **Managing Probationary Employees Policy** from the date of commencement.

37. Existing staff

In certain circumstances, all the relevant checks on existing staff will be carried out as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children or adults at risk; or
- An individual moves from a post that is not working with children or adults at risk to one that is; or
- An individual's job duties have changed and they are now working with children or adults at risk;
- There has been a break in service of 12 weeks or more; or
- There has been a change in DBS guidance since the staff member was appointed, or the DBS guidance was not followed correctly at the time of their appointment.

38. Ensuring Equality of Treatment

All employees are required to adopt a positive, open and fair approach and ensure the Authority's Equality and Diversity policy is adhered to and applied consistently to all irrespective of race, colour, nationality, ethnic or national origins, disability, religion and belief or non-belief, age, sex, gender reassignment, gender identity and gender expression, sexual orientation, pregnancy or maternity, marital or civil partnership status.

In addition, the Welsh Language Standards ask us to 'ensure that the Welsh language is treated no less favourably than the English language' and this principle should be adopted in the application of this policy. If you have any equality or diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR team who will, if necessary, ensure the policy / procedure is reviewed accordingly.

If you require this publication in an alternative format, please contact CEDuty@carmarthenshire.gov.uk

Appendix 1: What is Regulated Activity?

Regulated activity is work that a barred person must not do.

For further information on Regulated Activity with Children, refer to:

Department for Education Regulated Activity Children

For further information on Regulated Activity with Adults, refer to:

Department of Health Regulated Activity Adults

There is also detailed guidance on Regulated Activity included in the **Disclosure and Barring Service (DBS) Checks and Self-Disclosures Guidance for Managers** (insert hyperlink).

Appendix 2: Agency Workers Pre-Employment Checks

TO BE COMPLETED BY THE AGENCY SUPPLYING THE STAFF

Agency Name	
Name of Agency Administrator responsible for completing this form	
Telephone Number (to be used in the event of a query)	
Date of Submitting Form to Carmarthenshire County Council	

AGENCY WORKER'S PERSONAL DETAILS

Full Name	
Date Of Birth	
Gender Pronouns to be used at work	
Contact Telephone Number	

RECORD OF PRE-EMPLOYMENT CHECKS

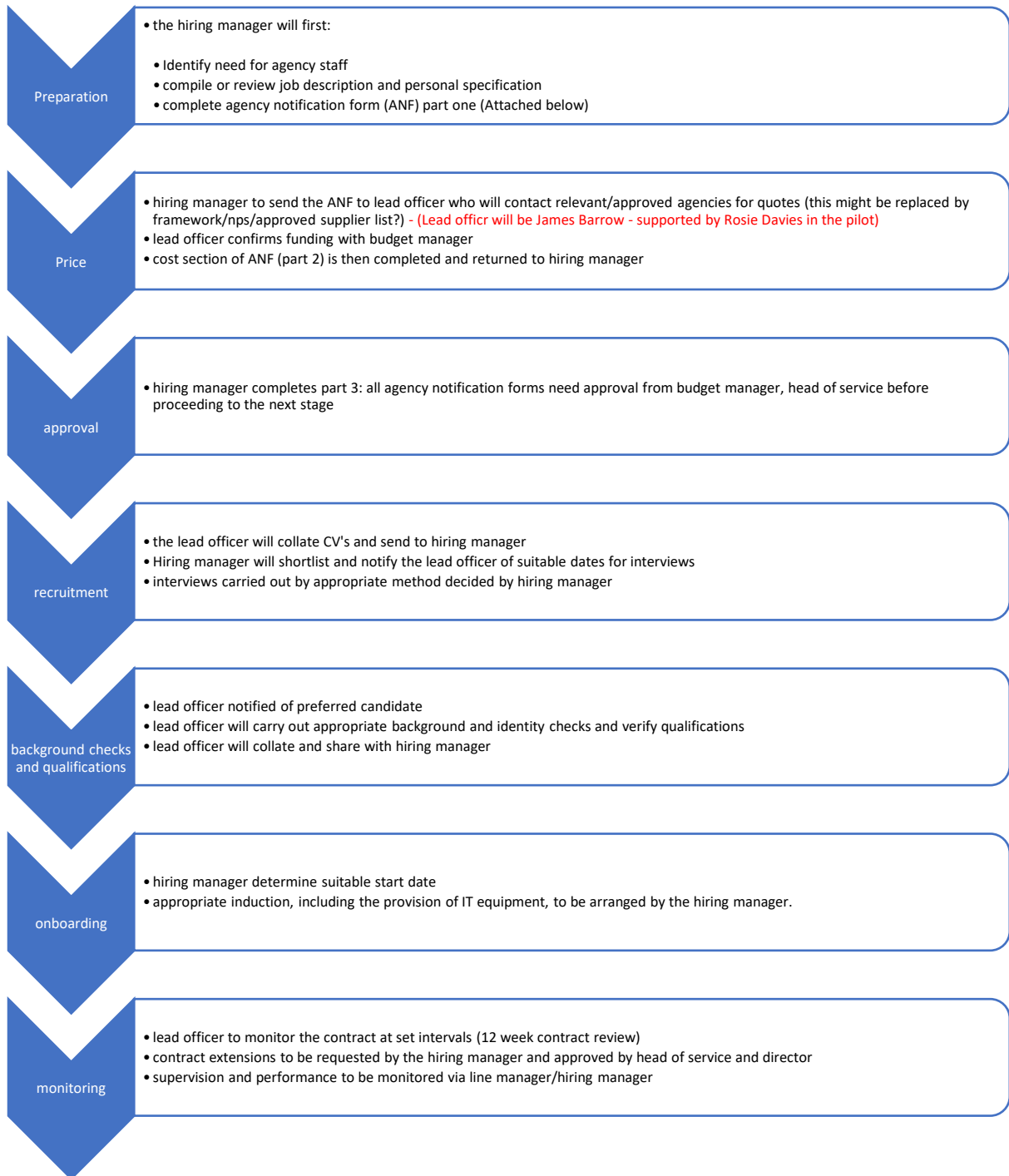
Pre-Employment Check (appropriate to the role)	Date of Check	Checked by: (Signature)	Satisfactory Result of Check: YES / NO
Identity document – specify:			
Professional Qualifications – specify:			
Right to Work in UK			
Enhanced DBS Check with Barring List <i>Tick relevant Workforce:</i> - Child Workforce <input type="checkbox"/> - Adult Workforce <input type="checkbox"/> - Child & Adult Workforce <input type="checkbox"/>			
Health Assessment			
Professional Registration <i>Tick relevant Registration Body:</i> - Education Workforce Council <input type="checkbox"/> - Social Care Wales <input type="checkbox"/> - Health and Care Professions Council <input type="checkbox"/> - Other (specify):			
Category of Professional Registration <i>Tick relevant Category:</i> - School Teacher <input type="checkbox"/> - School Learning Support Worker <input type="checkbox"/>			

- Social Worker <input type="checkbox"/> - Social Worker <input type="checkbox"/> - Social Care Manager <input type="checkbox"/> - Social Care Worker <input type="checkbox"/> - Occupational therapist <input type="checkbox"/> - Other (specify):			
Employment Reference 1			
Employment Reference 2			
Additional Checks on Workers who have lived or worked outside UK. Please specify checks carried out:			

TO BE COMPLETED BY THE MANAGER OR HEADTEACHER

Form of Identity Checked (e.g. Passport, Photo Driving Licence)	Date of Check	Checked by: (Signature)	Does the name and date of birth match the details provided by the agency on this form? YES / NO	Does the photographic image resemble the person presenting for work? YES / NO

Appendix 3: Agency Social Workers Recruitment and Monitoring Process



Agency worker recruitment process chart 16/12/22 – Rhys Page



Agency Notification
Form.docx

[Agency Notification Form](#)