



# The GTA Safer Recruitment for Employment Policy

This policy applies to staff and learners who access the GTA.

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## Safer Recruitment for Employment Policy

### Introduction

This procedure has been developed by Doncaster Safeguarding Children Board (DSCB) to provide a framework for partner agencies to ensure that all staff, volunteers and contractors are recruited and supervised in a manner that best ensures the safety of children and young people in Doncaster.

As outlined in *Working Together to Safeguard Children (2015)*, all Local Safeguarding Children Boards (LSCB's) have a responsibility:

- To co-ordinate what is done by each person or body represented on the Board for the purpose of safeguarding and promoting the welfare of children in the area of the authority;
- To ensure the effectiveness of what is done by each such person or body for that purpose.

To ensure delivery of its functions, the LSCB must develop procedures in a number of different areas, as defined in *Working Together to Safeguard Children (2015)*. This includes the recruitment and supervision of people who work with children. It must ensure that safeguarding and promoting the welfare of children are an integral part of all employment processes. However, whilst LSCB has a co-ordinating role to ensure effectiveness of local organisations in relation to safeguarding children, it is not accountable for their operational work.

As also outlined in *Working Together to Safeguard Children (2015)* the LSCB has a duty to ensure the effectiveness of partner organisations to safeguard and promote the welfare of children. In order to do so it will monitor their work by a process combining peer reviews, self-evaluation, performance indicators and joint audits. This will include work on safer recruitment and employment practices.

Following the Bichard Inquiry Report 2004 national guidance was issued to ensure that those employed in all areas of education were safe to work with children. 'Safeguarding Children and Safer Recruitment in Education has been effective in all educational establishments since January 2007. This guidance has been superseded by [Keeping Children Safe in Education \(2016\)](#). All LSCB partner agencies, including the voluntary and faith sector, need to ensure that they adhere to this guidance in their own practice. Many other non-education partner organisations of LSCB already have robust and effective employment policies and procedures in place. But this now needs to extend to all agencies where workers come into contact with children as defined above. It is also recommended that this procedure be followed when recruiting staff that, whilst not having direct contact with children, have access to related sensitive information.

This procedure should be applied to staff and volunteers in all LSCB partner organisations, not just educational establishments.

The term 'children' will denote all children and young people under the age of 18 years old.

### **1.1 Audience**

This procedure is designed to be used by all those involved in recruiting and employing anyone involved in working with children, for example:

- Staff in organisations, including managers and human resources personnel;
- Governors and members of management committees;
- Employment agencies and businesses supplying staff to partner organisations.

Each LSCB partner organisation should have its own recruitment procedures. This procedure does not replace those; it is guidance as to what they should include. Further advice about information and support available to those recruiting and supervising staff, contractors and volunteers, should be available from their own human resources department or management committee, and should include advice in relation to what constitutes Work with Children and Regulated Activity.

### **1.2 Work with Children and Regulated Activity**

Work with Children is a term used by the Disclosure and Barring Service to give a single definition for the purposes of eligibility for Enhanced criminal records checks. The definition includes, but is not limited to, Regulated Activity.

The following are included in the definition of Work with Children:

- Regulated Activity relating to children (including work which is, by its nature, Regulated Activity, but which is not done frequently enough to be classified as Regulated Activity, i.e. carried out by the same person once a week or more often, or on 4 or more days in a 30-day period);
- Work which would have been Regulated Activity with children before the introduction of the Protection of Freedoms Act 2012 (i.e. the original, wider definition of Regulated Activity, before this was narrowed under the scaled back Revised Vetting and Barring Scheme). (This includes work which is, by its nature, Regulated Activity, but which is not done frequently enough to be classified as Regulated Activity, i.e. carried out by the same person once a week or more often, or on 4 or more days in a 30-day period). This includes, in addition to current 'Regulated Activities';
- Any supervised teaching, training or instruction of children or the provision of any care or supervision of children by a person who is being supervised by another;
- The provision of any legal advice to a child;

- Any paid work that is carried out in a specified place (such as schools, children's homes, children's hospitals) which gives the worker the opportunity to have contact with children, even if on an occasional or temporary basis;
- Any work undertaken by a volunteer in such a specified place, even where the work is supervised;
- The work of officials of the Children and Family Courts Advisory and Support Service (CAFCASS) and their Welsh equivalents and the work of office-holders in various governance-related or senior management roles, for example a school governor, a local authority director of children's services, and the Children's Commissioner for England;
- The work of inspectorates in England, for example inspectors of schools, children's homes and childminding in England;
- Inspection work by the Care Quality Commission;
- The day-to-day management or supervision, on a regular basis, of any type of work referred to above;
- Registration as a childminder agency or managing a childminder agency;
- Prospective childminders or childcare providers;
- Anyone over the age of 16 who lives or works in the premises where the childminding or childcare takes place and has the opportunity to have contact with the children;
- Working for a childminder agency in a quality assurance role where the duties involve entering childcare premises and provide an opportunity to have contact with children while on the premises or to have access to sensitive or personal information about the children for whom the childcare is provided;
- Prospective foster carers;
- Anyone aged 18 and over who lives in the household of prospective foster carers;
- Prospective private foster carers;
- Anyone aged 16 and over who lives in the household of prospective private foster carers;
- Prospective adoptive parents;
- Anyone aged 18 and over who lives in the household of prospective adoptive parents;
- Prospective special guardians;
- Anyone aged 18 and over who lives in the household of prospective special guardians;
- Persons applying for registration to manage any type of agency or accommodation relating to the welfare of children under Part II of the Care Standards Act 2000;
- Persons who work in a Further Education College or 16-19 Academy where the work they do brings them into regular contact with students aged under 18. 'Regularly' in these circumstances should be applied by each organisation as appropriate.

Anyone aged over 16 who lives in a household which is on the premises of an educational institution, or on premises where Regulated Activity takes place and where another person in the household is being assessed to work with children. (This includes those types of work which would have been Regulated Activity with children before the introduction of the Protection of Freedoms Act 2012 – see above); Applications relating to registration as a social care worker.

### **1.3 Contractors**

All LSCB partner agencies need to ensure that the terms of any contract oblige the contractor to adhere to this guidance. It also requires monitoring of their compliance with the guidance by the partner agency. This should be audited internally by the respective organisation; for some organisations it may be part of an external inspection e.g. OFSTED. Some contractors will be providing a service to organisations where their staff will not be in contact with children. However, any contractual staff undertaking Regulated Activity should undergo the checks appropriate for the level of work undertaken.

The contractor is also responsible for ensuring any sub-contractors adhere to this procedure, and staffs are checked in the same manner.

Contract staff who are not undertaking Regulated Activity and do not come within the DBS Eligibility Criteria (see [A Guide to Eligibility for Criminal Record Checks](#)) e.g. maintenance or building contractors carrying out work in a school, do not have to obtain DBS Disclosures.

### **1.4 Volunteers**

Volunteers are defined as:

"a person who is engaged in any activity which involves spending time, unpaid (except for traveling and other approved out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives" ([Disclosure and Barring Service website](#)).

When applying for a standard or enhanced DBS check, whether for paid or voluntary positions, it is necessary to consider if the position applied for is eligible – see [A Guide to Eligibility for Criminal Record Checks](#).

Under no circumstances should a volunteer who has not provided an Enhanced DBS Disclosure be left unsupervised with children

LSCB partner agencies human resources departments or management committees should be contacted for further information and specific advice or documents related to recruiting volunteers.

To qualify for a free-of-charge volunteer check, the applicant must not:

- Benefit financially from the position for which the DBS application is being submitted;
- Receive any payment (except for travel and other approved out-of-pocket expenses);

- Be on a work placement;
- Be in a trainee position or undertaking a course of study that will lead to a full time role/qualification;
- Be a paid foster carer or a member of a foster carer household.

### **1.5 Guidance and Good Practice**

LSCB partner organisations will have their own recruitment and employment policies and procedures. This document is not intended to supersede them, but to act as good practice guidance for organisations to check against their own standards. It is not intended to be a substitute for training on recruitment and employment. It is strongly advised that all those involved in recruitment and supervision of staff undergo appropriate training courses in this field. For larger organisations human resources departments will be the first point of contact, for training and for advice and support. For smaller organisations, advice is available from a number of different quarters. Key documents and website's include:

- [Keeping Children Safe in Education \(2016\)](#);
- Chartered Institute of Personnel and Development ([CIPD website](#))
- OFSTED;
- Charity Commission website.

Training is available to those working in educational settings via DSCB E-Learning under the heading of Safer Recruitment. Although it has been developed for those working in educational establishments, the principles are still the same and can be useful for those working in other settings. However, the latter does not lead to accreditation.

### **1.6 Summary of Safer Practice in Recruitment**

Reference to safeguarding children and child protection should be considered by LSCB partner agencies at all stages of the recruitment process. A commitment to safeguarding and promoting the welfare of children needs to be made clear throughout. Adhering to a consistent process of collating, analysing and evaluating information about job applicants is also a vital part of the commitment to safeguarding children.

This should include:

- Ensuring the job description refers to safeguarding and promoting the welfare of children;
- Ensuring the person specification refers specifically to working with children, or in a setting where children are present;
- Obtaining comprehensive information from applicants, which should be scrutinised, particularly for any discrepancies or anomalies. These should be checked until a satisfactory outcome is reached;

- Obtaining independent professional and character references, that specifically request information about an applicant's suitability to work with children, or around, children and take up any concerns;
- Verify an applicant's identity;
- Verify the applicant has the professional or vocational qualifications as claimed;
- Check their employment history and other experience since leaving secondary school;
- Verify they have the levels of health and physical capacity required for the post;
- Obtain the required checks, undertaking a mandatory check of the Disclosure and Barring Service Children Barred List, and where appropriate an Enhanced DBS Disclosure (for further information see Section 2.15).

### **1.7 Continuing Awareness**

Safeguarding and promoting the welfare of children does not end when a person is appointed who is suitable to work with children and is committed to their safety. It should be extended throughout the employment and includes issues such as training, supervision, Whistleblowing and other aspects of maintaining a safe working culture.

Whilst the vast majority of staff and volunteers are committed to safeguarding and promoting the welfare of children, there are a minority who abuse their positions. Some may purposefully seek employment in posts with access to children for the purposes of doing harm. Others may react spontaneously and without thinking, in situations of stress for example, when harm to a child is then committed as a result.

Both situations are abusive, and should be investigated following the Procedure for Responding to Allegations Against Staff, Carers and Volunteers. Although it is an area of particular difficulty and sensitivity, it is vital that all staff and volunteers are aware of such possibilities, and that these may occur even with experienced colleagues of some standing. They should always seek advice if they have any concerns.

## **Safer Recruitment Practice**

### **2.1 Statement**

All LSCB partner agencies should have written recruitment and selection procedures that adhere to national and local guidance. These should clearly link to their child protection or safeguarding policy and procedures and have a written statement outlining their commitment to safeguarding and promoting the welfare of children. Such as:

“This authority/school/college is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.”

The word ‘organisation’ or similar can be substituted accordingly for other partner agencies. This statement should be included in:

- Publicity materials;
- Recruitment websites;
- Advertisements;
- Candidate information packs;
- Person specifications;
- Job descriptions;
- Competency frameworks;
- Induction training.

### **2.2 Planning and Advertising**

Detailed planning of all stages of the recruitment process is vital to ensure that the successful applicant is the right person for the job, and is committed to safeguarding and promoting the welfare of children. It is essential that adequate time is allocated for all associated tasks so that safeguarding issues are not overlooked or skimmed upon. For example, the date of interview should be set to allow adequate time for references on candidates to be obtained prior to their attendance at interview.

Once membership of the interview panel has been agreed upon, a timetable should be drawn up at this stage of what is to be done when and by whom. It is good practice to include one member of the panel who has been accredited or trained in safer recruitment. It is also recommended that the panel members are involved at all stages of the recruitment process, to ensure continuity. This should also reduce the possibilities of errors or oversights being made, in appointing a candidate who is committed to safeguarding.

All documentation that forms the candidate application pack should clearly state the extent of relationships and contact with children required for the post and the degree of responsibility that such involvement takes.

Advertisements should clearly state the organisation's commitment to safeguarding and the need for a DBS check, as well as the usual information in relation to job title, salary, and qualifications etc.

### **2.3 Application Form**

Application forms should be used in preference to curriculum vitae. In some organisations, CV's are not accepted. Applicant packs should contain guidance stating this, and instructions on how to complete the application form. This ensures that a core set of data is available for each candidate. Discrepancies or anomalies are, therefore, more easily spotted. Application forms should require the following:

- Identity details: full current and former names, current address, and National Insurance number. All of these help to ascertain a candidate's correct identity. It is recommended that details of date of birth are included on the equal opportunities monitoring form, in order to avoid age discrimination. Responsibility for checking this should be assigned to one member of the selection panel;
- Relevant academic/professional/vocational qualifications, date and awarding body;
- Full chronological history of full or part time employment since leaving secondary school, including voluntary work, education and training. Reasons for leaving jobs should be requested, and any gaps should be clearly accounted for;
- A declaration of any family or close relationships to existing employees or employers, including voluntary workers;
- Two referees, one of which should be the current or most recent line manager. If an applicant is not currently working with children but has done previously, a reference should be obtained from their line manager from that employment. It should be made clear that references will not be acceptable from relatives or from people clearly writing as just a partner or friend. Personal references should be considered as a last resort;
- A statement should be requested in relation to the candidate's suitability for the post. They should state what qualities and experience they have that, they believe, makes them suitable for the post. It should clearly relate to the person specification for the post.

The application form should state that the post is a 'regulated position' and therefore the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended 2013) applies. Therefore convictions, cautions, bind-overs that would normally be considered 'spent' should be

declared for the purpose of applying for the post. Note that, since 29 May 2013, certain old and minor cautions and convictions are no longer subject to disclosure – see the [Disclosure and Barring Service Filtering Guide](#).

Any such details disclosed should be sent with the form in a separate envelope marked 'confidential'. A statement should be signed by the applicant to state that they are not on Disclosure and Barring Service Children Barred List, subject to sanctions imposed by a regulatory body, e.g. the Health and Care Professions Council, the General Medical Council (GMC), the Nursing and Midwifery Council, and the National College for Teaching and Leadership, and that they are not disqualified from working with children. It should also state that:

- The successful candidate will be required to provide a DBS Disclosure at the level appropriate for the post. In some organisations or directorates all posts will require Enhanced Disclosures;
- References will be sought on those short listed and that previous employers may be approached to verify details provided before interview;
- If the candidate is currently working with children, or has done in the past, either on a paid or voluntary basis, employers will be asked if there have ever been any disciplinary offences against children or there have been any child protection concerns. If so, the outcome of the enquiry or disciplinary procedure needs to be ascertained;
- Providing false information is an offence which could result in the application being rejected, or summary dismissal if the applicant has already taken up the post. The matter could be reported to the Police. For further advice please contact the Local Authority Designated Officer.

Applicants with professional qualifications and registration to regulatory bodies should provide details of registration, which should be verified by the said body, such as the Health and Care Professions Council, GMC or National College for Teaching and Leadership.

## **2.4 Job Description**

The job description must clearly state the main duties and responsibilities of the post, as well as the post holder's responsibilities in terms of safeguarding and promoting the welfare of children and young people with whom they come into contact. The degree of responsibility for safeguarding children held by the post holder must be clearly outlined.

## **2.5 Person Specification**

This should:

- Include details of qualifications, experience, and any other pre-requisites for the post in relation to working with children or young people;
- Outline the competencies and qualities that the successful applicant should be able to evidence;

- Describe how the above will be assessed at interview along with issues of safeguarding and promoting the welfare of children. This will include:
  - Motivation for wanting to work with children, where appropriate;
  - Building and maintaining appropriate relationships with children, including issues of boundaries;
  - Coping strategies for working with, or around children, with challenging behaviours;
  - Attitudes concerning the use of authority and discipline when working with children.

## 2.6 Candidate Information Pack

The candidate information pack should include a number of standard documents such as the application form, with explanatory notes to assist with completion, job description, person specification, terms and conditions, and information about the organisation. However, the candidate information pack should also state other information in relation to safeguarding and promoting the welfare of children. This should include:

- Policies regarding the recruitment of ex-offenders; and
- The organisation's child protection or safeguarding policy statement.

## 2.7 Scrutinising and Short Listing

It is advised that one person from the short listing panel is nominated to scrutinise all applications for gaps or anomalies, before the actual short listing takes place. Each form should be checked to ensure it has been accurately and fully completed. If not, it should be rejected and returned to the applicant. Any anomalies or gaps should be noted to check with the candidate if they are invited to interview. **Gaps in employment, frequent changes in employment without a career or salary progression, or a move from permanently working with children to temporary, agency or supply work also need to be explored with the candidate.**

All applicants should be assessed according to the criteria contained in the person specification, and the same standards applied to each application.

## 2.8 References

References are an integral part of checking a candidate's suitability to work with children, by obtaining accurate and impartial information about their work history and character. Referees should always be approached directly by the agency who is conducting the interviews, not via the applicant. References should always be sent to a named individual, who should respond in writing. LSCB partner agencies should develop a standard pro-forma on which references should be returned; a letter is not recommended. Open references addressed 'to whom it may concern' are not acceptable. Two references should be requested, one from the current or previous employer, and one other who can objectively comment on the applicant's character, for example another previous employer, or an educational referee. References from relatives or from people

writing solely as friends or partners are not acceptable. In the case of an applicant who is not currently working with children but has in the past, a reference from that period of employment should be obtained.

It is essential that adequate time is allowed in the recruitment process so that references can be obtained prior to interview. If references have not arrived prior to the interview day, every effort should be made to obtain them including receiving them by fax/email in order to have all necessary information on which to assess candidates.

In the event that references do not arrive prior to interview, no offer should be made, informal or otherwise, until they have been received and assessed to be satisfactory. Interviewing organisations will respect if a candidate does not want their current employer contacting for a reference prior to interview. However, the candidate will need to agree to proceed to seek references immediately after interview. This should be pursued without making any offer of employment at this stage.

## **2.9 Checks Before Interviews**

Any other information that the applicant has included on their application form that cannot be verified by references, should be checked independently prior to interview. This may include specialist qualifications, or previous employment experience working with children for example. In such cases, telephone enquiries should be made requesting written confirmation to be sent to the interviewing agency. Some posts require a professional registration with a regulatory body, such as the Health and Care Professions Council (HCPC), National College for Teaching and Leadership etc. This needs to be evidenced and placed on file, if the person specification states it as an essential prerequisite.

## **2.10 Involving Children and Young People**

It is recommended that the recruitment process involves children and young people, whenever possible. This may take the form of separate interview panels of young people, supervised and observed by a member of staff. Another option would be for candidates to conduct a session with children or young people as they would be expected to do so if they were employed. At the least it should involve a young person giving a tour of the establishment to prospective employees, accompanied by a member of staff, or experienced volunteer.

## **2.11 Invitation to interview**

The letter of invitation to interview, as well as practicalities such as time, venue, directions, panel members etc, should detail the structure of the interview and make reference to the specific methods of assessing candidates' suitability to work with children. This may be an interview panel with young people, leading a session, or giving a presentation for example, which will be used as part of the recruitment process.

The letter should also emphasise if a DBS Disclosure is required, the successful candidate will be required to complete the DBS form immediately after accepting the offer of employment. It should also state that identity checks will need to be undertaken and what documentation is, therefore, necessary to bring to the interview. This should be either a current passport, or photo

driving licence, or full birth certificate with an accompanying recent utility bill or financial statement with candidate's name and current address. Where appropriate, documentation to substantiate a change of name should be provided to the panel. (See Appendix 3: Acceptable Identity Documents).

Original certificates of professional, vocational and academic qualifications should only be accepted. If originals cannot be produced by the candidate, the candidate should obtain a replacement document or written confirmation from the awarding body.

Copies of all identifying documents and certificates must be taken by the interview panel and kept in the applicants' files.

## **2.12 Interview Panel**

In most cases it is recommended that three interviewers sit on the panel, as this allows for a wider range of opinions on each candidate. This lessens the possibility of disagreements over what a candidate said, or differences of opinion in a person's suitability to work with children. However, more or less than three are acceptable, although one is not recommended.

It should be ensured that panel members:

- Are sufficiently senior to make decisions about appointments;
- Are suitably trained to interview for posts that involve working with children, i.e. that one panel member has undertaken safer recruitment training;
- Have met prior to interview to ensure that they are all in agreement about the necessary standards for the post; have agreed what questions to ask candidates and who will pose which questions; and have agreed how to assess candidates against the person specification;
- Establish specific supplementary questions for each candidate based on issues arising from application form or references, if appropriate.

A standard set of questions should be drawn up for all candidates. However, it is good practice to ask supplementary questions, to draw out attitudes or experiences of working with children. Hypothetical questions should be avoided, because they allow theoretical answers. It is more useful to ask competency based questions, to ascertain how they have responded to certain situations in the past, or to assess their level of understanding of particular issues.

Advice about how to undertake a competency based interview should be available from human resources departments of LSCB partner agencies. Voluntary organisations should contact Council for Voluntary Services for details of training and/or advice.

## **2.13 Interviews**

Face to face interviews should always be conducted, even if there is only one suitable candidate. Competency based interviewing should now be used. This requires that a standard set of questions are compiled to ask all candidates, but that supplementary queries can be used to drill

down further to ascertain candidates suitability for working with children and their attitudes to safeguarding and promoting the welfare of children.

### **2.14 Scope of Interview**

As well as ascertaining each candidate's suitability for the post through structured interviewing, and any other assessment procedure, it is essential that the panel should also examine:

- The applicant's attitude towards children and young people;
- His/her capacity to endorse the organisation's stance on safeguarding and promoting the welfare of children;
- Any anomalies or concerns arising from the application form;
- Any gaps in employment or study since leaving secondary school.

Candidates should be asked if they wish to declare anything prior to a DBS Disclosure being requested. They should also be asked if there are any issues they wish to discuss in relation to references, if they have not already been received.

### **2.15 Pre-appointment Checks**

Once a decision has been made on the most suitable candidate, the process of ensuring that s/he is committed to safeguarding and promoting the welfare of children should continue. It is recommended that no offer, conditional or otherwise, is made until all of the following have been received, if they have not been provided prior or at interview:

- Two satisfactory references (see Section 2.8, References);
- Confirmation of the candidate's identity (see Appendix 3: Acceptable Identity Documents);
- A check of DBS Children Barred List and, if required, a satisfactory DBS Disclosure;
- Confirmation of medical fitness as required for the post e.g. physical activities with children;
- Confirmation of qualifications;
- Confirmation of membership of a professional organisation.

It should be noted that it can be some time before DBS Disclosures are completed. If it is essential for an employee to start work before such checks are received, please see Appendix 4: DBS Risk Assessment Pro-forma - Employees and Volunteers. Also please see Appendix 3: Acceptable Identity Documents for a checklist of suitable documents to confirm identity.

If any information is received about a candidate at this stage, which disputes anything they previously stated, clarification about the situation should be sought by the human resources/personnel department of the organisation. For voluntary sector organisations, the manager should discuss it with their management committee.

All checks should be confirmed in writing, and records kept in the candidate's personnel file.

If any of the following occur, the candidate must be reported to the Police:

- His/her name is on DBS Children Barred List or a DBS disclosure states s/he has been disqualified by a court from working with children.
- There are serious concerns about his/her suitability to work with children.

The Police may also be contacted if an applicant has provided false information on their application form. However, this depends on the particular circumstances. Please contact the [Local Authority Designated Officer](#).

The candidate should also be reported to the agency's relevant government department e.g. Department for Education.

### **2.15.1 Identity**

The employer must ask for proof of identity, to confirm that the candidate is who s/he claims to be. Identifying documents such as passport, driving licence or birth certificate must be provided in conjunction with documents that prove current address. In summary, proof of identity must include name, date of birth, and address. Some form of photographic identity should also be seen. See checklist at Appendix 3: Acceptable Identity Documents, for a list of acceptable documentation.

### **2.15.2 DBS Disclosure**

Certain posts and voluntary work are subject to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended 2013). These include the following Regulated Activities:

- i. Unsupervised activities: teaching, training, instructing, caring for or supervising children, or providing advice/guidance on well-being, or driving a vehicle only for children;
- ii. Work for a limited range of establishments ('specified places'), with opportunity for contact with children: for example, schools/colleges, children's homes, childcare premises. Not work by supervised volunteers;

Work under (i) or (ii) is Regulated Activity only if done regularly;

- iii. Relevant Personal Care, for example washing or dressing; or health care by or supervised by a professional.
- iv. Registered child-minding; and foster-carers.

(Personal Care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.)

Disclosure of convictions, cautions, bind-overs which they have received should be requested on the job application form. Any such details must be declared even if they would be considered 'spent' in other circumstances. If a person who has made such disclosures is selected for appointment, they should be asked to apply for an Enhanced DBS Disclosure to verify their declarations. Note that, since 29 May 2013, certain old and minor cautions and convictions are no longer subject to disclosure – see the [Disclosure and Barring Service Filtering Guide](#).

### **2.15.3 Commencing employment awaiting DBS Disclosure**

If a person is on the Disclosure and Barring Service's Children Barred List details of this will be included on an Enhanced DBS Disclosure, provided the appropriate box has been ticked on the DBS application form. A separate check of the Disclosure and Barring Service's Children Barred List will not be necessary unless the DBS Disclosure has not been received at the commencement of employment. If employment is commenced before the DBS Disclosure is obtained, the new member of staff/volunteer may need supervision when working with children, depending on what is already known about them, their previous experience and level of responsibility. If little is known about them and references have provided limited information the level of supervision prior should be high. For those with more experience, and comprehensive satisfactory references the level of supervision may be less. See Appendix 4: DBS Risk Assessment Pro-forma - Employees and Volunteers for a DBS Risk Assessment Pro-forma in such cases.

Whatever level of supervision is required should be planned at the commencement of employment, communicated to the new member of staff/volunteer as to the level of supervision, why this is necessary and who will be the supervisor. This should be reviewed every two weeks until the Disclosure is received.

### **2.15.4 Portability of DBS Disclosures**

Some organisations only accept checks that have been carried out, and by them, e.g. in the last three years with no break in service longer than three months. A new check would also be required if there is a significant change in duties or level of access to children. Therefore, in such cases, portability of DBS Disclosures is not acceptable.

The Disclosure and Barring Service states that portability should be restricted to working with children, or working with vulnerable adults, but not transferable between the two areas. Otherwise, portability of DBS Disclosures should be at the discretion of the organisation. There may be circumstances, e.g. for volunteers or agency workers, when DBS Disclosures may have already recently been obtained by other organisations. It is recommended that if all other checks prove satisfactory i.e. comprehensive references and evidence of identity then, if a DBS Disclosure has been obtained and seen, there is no requirement to obtain a new one. However, it is recommended that the Counter signatory on the Disclosure should be contacted to confirm that there has been no information of concern regarding the candidate since it was obtained. Disclosure and Barring Service Children Barred List should be consulted in such circumstances.

It should be noted that the Disclosure and Barring Service state that organisations accepting previously obtained Disclosures do so at their own risk. Also, a comprehensive risk assessment, as outlined above, should be undertaken.

## **Disclosure and Barring Service Update Service**

An optional online Update Service is operated by the Disclosure and Barring Service (DBS), designed to reduce the number of DBS checks requested.

Instead of a new criminal records/Barred Lists check being necessary whenever an individual applies for a new paid or voluntary role working with children/Vulnerable Adults, individuals can opt to subscribe to the online Update Service. This will allow them to keep their criminal record certificate up to date, so that they can take it with them from role to role, within the same workforce.

Employers do not need to register, but can carry out free, instant, online status checks of a registered individual's status. A new DBS check will only be necessary if the status check indicates a change in the individual's status (because new information has been added).

### **2.15.5 DBS Disclosures for Visitors**

It is not required to obtain DBS Disclosures for visitors who will only have contact with children on an ad hoc or irregular basis for short time periods. But it is recommended that they sign in and out of visitor books and are accompanied whilst on the premises by a member of staff or volunteer.

Examples of people who do not need DBS Disclosures are:

- Visitors to the organisation, who have brief contact with children and will be accompanied by a member of staff or volunteer;
- Visitors or contractors who come on site to carry out repairs or maintenance and who will not be in the company of children unsupervised;
- Volunteers, including parents, who accompany staff on one off trips, outings, or events e.g. sports days, school fetes etc that do not include overnight stays;
- Children under the age of 18 who are undertaking work placements in another establishment e.g. in a school. However, there may be some exceptions as some children do have criminal records. The placing organisation should ensure that the child is suitable for the placement and the host establishment is entitled to ask for evidence of a check if there is any concern;
- People who are on site after hours, when children are not on the premises e.g. cleaners, or people hiring the accommodation for local events.

### **2.16 Overseas Criminal Records Disclosure**

#### **Checking via the DBS**

The DBS cannot access criminal records held overseas, but it is possible to submit an application while the applicant is overseas.

In a small number of cases, overseas criminal records are held on the Police National Computer and these would be revealed as part of a criminal record check. You must still verify the identity of an overseas applicant.

As the DBS cannot access criminal records held overseas, a criminal record check may not provide a complete picture of an individual's criminal record.

For more information please see the Home Office Guidance Criminal Records Checks for Overseas Applicants.

### **Checking via Embassies**

If you are recruiting people from overseas and wish to check their overseas criminal record, you should contact the embassy or High Commission of the country in question.

You can find contact details for embassies and High Commissions in the UK on the Foreign & Commonwealth Office (FCO) website.

You can also contact the FCO Response Centre Helpline on 020 7008 1500.

If the foreign check needs translating, the embassy of the country concerned may be able to help.

The DBS is not involved in the processing of applications made by individuals to overseas authorities and will not be responsible for the contents or the length of time taken for information to be returned.

### **Certificates of Good Conduct**

You should try to obtain a certificate of good conduct and any other references from potential overseas employees. The standard of foreign Police checks varies. To find out the standard, you should contact either the authorities in a particular country, or their embassy.

Either you or the employee should obtain a certified translation of the certificate of good conduct. The DBS does not offer a translation service.

### **The Centre for the Protection of National Infrastructure**

The Centre for the Protection of National Infrastructure (CPNI) provides protective security advice. This is for companies and organisations that deliver the UK's essential services.

You can find information about overseas criminal records checks on the CPNI website.

## **2.17 Managing Disclosure Information**

If information is revealed on a DBS Disclosure, the panel should consult with their human resources department, DBS registered body or management committee. A Single Assessment

should be undertaken by a member of the panel. In making a decision about the relevance of disclosed information, the following should be taken into consideration:

- The nature of the conviction/caution etc;
- The nature and circumstances of the offence;
- The age at which the offence took place;
- The frequency of the offence.

### **2.18 Renewing DBS Checks for Existing Staff/Volunteers**

Renewing DBS checks on existing staff/volunteers is at the discretion of the organisation. Good practice suggests that they should be renewed every three years. However, if information comes to light of any concern, an Enhanced DBS Disclosure should be requested immediately. See [DBS website](#) for further information.

Only when all checks have been made and the panel is satisfied that to the best of their knowledge the candidate is committed to safeguarding and promoting the welfare of children, should an unconditional offer of appointment be made.

### **2.19 Retrospective DBS Checks**

Whilst the majority of agencies will be carrying out DBS Disclosures on new staff, or renewing them for existing staff, there may be some circumstances when agencies will be undertaking retrospective checks on staff. In such situations, there needs to be agreement between personnel departments and senior management as to how this will be processed. This includes a definite list of which posts need to be retrospectively DBS checked, and a timetable for checking. Records should be kept of which staff have been checked, although the results of the Disclosures should not be included on the list. Dates of the next checks should be made, and a method of flagging such reminders established.

## Post Appointment Induction

All newly appointed staff and volunteers should undergo an induction programme. This is specific to the organisation and, therefore, is regardless of previous experience. The induction period should be designed to:

- Provide training and information about the organisation's policies and procedures, particularly in relation to safeguarding children;
- Provide child protection training for new staff/volunteers;
- Support new staff/volunteers in the most appropriate manner for their position;
- Inform new staff/volunteers of the conduct and behaviour that is expected;
- Allow new staff/volunteers opportunities to discuss any problems or anxieties that may arise;
- Ensure that any concerns that the line manager or mentor may have about the person's suitability or capability to undertake the work is addressed from the outset;
- Ensure that any concerns about the person's commitment to safeguarding and promoting the welfare of children are addressed immediately.

The range of policies and procedures in relation to safeguarding and promoting the welfare of children will be dependent on the individual establishment, but should include those of the organisation, as well as South Yorkshire Child Protection Procedures. All new staff and volunteers should be aware:

- How to access organisational policies and procedures, as well as those agreed by LSCB. As well as those directly related to safeguarding, these will also include disciplinary, capability and Whistleblowing;
- What standards of conduct, behaviour and safe practice are expected by staff, volunteers and children; and
- How to raise any concerns, and with whom.

## 4. Maintaining a Safe Culture

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Safeguarding issues do not stop once someone has been successfully recruited. It is vital that all staff and volunteers are appropriately trained and inducted in relation to safeguarding and promoting the welfare of children. This ensures that they have a level of awareness appropriate to the type of job they are doing and the seniority of the post they hold. If they have any concerns about the welfare of children, they should feel confident that in raising such concerns they will be taken seriously.

## **4.1 Training**

All LSCB partner agencies should ensure that their staff and volunteers are adequately trained from the beginning of their employment, so that they can recognise when a child may need safeguarding, and know how to respond to such concerns. Staff, volunteers and managers should be able to work effectively within their own agency, as well as in the multi-agency arena. This will be best achieved by a combination of single agency and multi-agency training courses. However, it is recognised that not all LSCB partner agencies will be able to offer single agency training e.g. small voluntary sector projects. In such situations recourse to external safeguarding training courses should occur.

LSCB partner agencies should ensure that their staff involved in recruitment undergo safer recruitment training, to ensure that those employed are committed to safeguarding children.

## **4.2 Supervision**

All LSCB partner agencies, whose staff and volunteers work with children or families, must have policies that set out standards of formal supervision. Supervision should take place with a line manager, or designated other. If the supervisor is not the line manager, systems of communication should be agreed so that the line manager is fully aware of the progress of the member of staff/volunteer, or highlight areas of concern. Supervisors should be available to staff/volunteer to provide advice and expertise, and be able to make decisions in relation to areas of difficulty for their staff/volunteer. This may be dependent on their level of experience.

All concerns regarding the safety and wellbeing of children should be raised by the member of staff/volunteer immediately they become apparent, with the line manager. Ongoing child protection issues should be discussed in supervision, so that good practice of staff/volunteers in relation to safeguarding children can be maintained. Roles and responsibilities should also be discussed, to ensure that staff/volunteers are operating within their designated job descriptions. Managers or other supervisors with child protection responsibilities should also regularly audit case recording in files to ensure standards are maintained.

If a member of staff/volunteer has developed physical or psychological problems that they feel are having an effect on their professional competence, they have a duty to report this to their line manager. Personal and professional support should then be offered. However, confidentiality cannot be guaranteed if such difficulties raise concerns about the safety of children.

There may be particular circumstances in which additional support should be available, e.g. allegations against colleagues or complex cases of abuse.

Risk assessments should also be conducted in relation to staff/volunteer safety and wellbeing. Whilst it is the duty of employers to ensure that their staff/volunteers are safe, it is also the responsibility of employees to inform their managers of any concerns they may have in this area, so that remedial action can be taken.

#### 4.2.1 Unsuitable Staff/Volunteers

If concerns are highlighted regarding a member of staff/volunteer's suitability to work with children, reference should be made to the Procedure for Responding to Allegations Against Staff, Carers and Volunteers. Advice can be sought from the Local Authority Designated Officer (LADO).

LSCB partner agencies should nominate a named officer whose responsibilities include reporting relevant staff/volunteers to the appropriate professional body, Disclosure and Barring Service's Children Barred list. Such reporting should only occur after the enquiry has taken place.

#### 4.3 Responsibilities of Management

Senior management and management committees/board of governors in all organisations should ensure that the following are in place for all staff and volunteers to safeguard and promote the welfare of children:

- Adequate training for all staff/volunteers working/in contact with children and families;
- Up-to-date child protection procedures that should be adhered to when there are concerns that a child is at risk of, or is suffering, significant harm;
- Easy access to expert advice in relation to safeguarding concerns. (Contact Doncaster Safeguarding Advisory Service on 01302 566792);
- Formal support and supervision for those working with children and families. This should address practice standards, professional conduct, and issues related to working with children and families;
- Complaints and Whistleblowing procedures for service users, staff and volunteers to raise concerns.

#### 4.4 Whistleblowing

All staff/volunteers have a duty to highlight matters of concern or suspicion regarding the conduct of others to their managers. This may result in other agencies being contacted, should the concerns involve them. It is acknowledged that taking such action against any professional is very difficult, especially if there is a concern about harassment or victimisation should such allegations be made. But **the safety of children is paramount** and everyone has a statutory duty to safeguard and promote the welfare of children. However concerned an individual member of staff or volunteer may be, this must never result in a child being unnecessarily put at risk. It is important to remember it is often the most vulnerable children who are targeted. They need vigilant staff and volunteers to act on their behalf.

See also [Whistleblowing or Raising Concerns at Work](#).

## **4.5 Monitoring**

Monitoring results for both the recruitment process and induction periods should inform practice in both areas, if feedback suggests elements of change would be beneficial. The attendance of new staff and volunteers at child protection training should also be monitored.

As well as recruitment and induction monitoring, the rate and reasons why staff leave should also be scrutinised. This can be done by exit interview or questionnaires. Any safeguarding issues identified through such research should be investigated further.

### **Appendix 1: Process for Safer Recruitment**

### **Appendix 2: Pre-Recruitment Check List.**

### **Appendix 3: Acceptable Identity Documents**

It is acceptable to provide one document from Group 1, or two documents from Group 2 as proof of identity.

#### **Group 1**

- Valid passport (any nationality);
- UK driving licence (either photo or paper);
- Original UK birth certificate (issued within 12 months of date of birth);
- Valid photo identity card (EU countries only);
- UK firearms licence.

#### **Group 2**

- Marriage certificate;
- Valid TV licence;
- Valid vehicle registration document;
- National insurance number car;
- Connexions card;
- Certificate of British nationality;
- Exam certificate (GCSE, NVQ);
- Valid NHS card;
- Bank or building society statement (less than three months old);

- Utility bill (electricity, gas, water, telephone, mobile phone contract/bill) (less than three months old);
- Addressed payslip (less than three months old);
- Credit card statement (less than three months old);
- Correspondence or documentation from: the Benefits Agency, the Employment Service, the Inland Revenue, a local authority (less than three months old);
- Store card statement (less than three months old);
- Non-original UK birth certificate (issued after 12 months of date of birth (full or short form));
- P45/P60 statement (issued within last 12 months);
- Mortgage statement (less than three months old);
- British work permit/visa(less than three months old);
- Financial statement (e.g. pension, endowment, ISA) (less than three months old);
- Court summons (less than three months old);
- Child benefit book (less than three months old);
- Work permit/visa (less than three months old).

#### **Appendix 4: DBS Risk Assessment Pro-forma**

Appendix 4: DBS Risk Assessment Pro-forma - Employees and Volunteers.