

Safer Recruitment and Selection Policy Including Recruitment of Ex-Offenders

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Cross Reference	

Purpose of this document

It is vital that Aspired Futures (AF) create a culture of safe recruitment and, as part of that, adopt recruitment procedures that help deter, reject or identify people who might abuse children/young people (CYP).

AF is committed to safeguarding and promoting the welfare of CYP and expects all staff and volunteers to share this commitment.

Details of Policy

Advertising a Vacancy

After identifying a vacancy the SMR & HR Manager will create a job advertisement including a statement of commitment to safeguarding, full person specification and job description. The person specification must not include discrimination of any kind and the job description should include details of the role, hours of work and level of Disclosure and Baring Service check required.

Processing Applications

Applicants responding to the job advertisement will be sent the job description and person specification, along with a request to provide a letter of application which details their suitability for the role plus an up to date Curriculum Vitae (CV) by the SMR & HR Manager.

Certain posts in AF are exempt from the Rehabilitation of Offenders Act 1974 and therefore for relevant posts candidates will be asked to declare any unspent convictions, cautions and reprimands. If a declaration is positive, details must be provided. The final decision to employ or recruit once a person has declared past issues or that they are an ex-offender, will be made by the Board of Trustees and their decision will be final without the right for appeal.

Shortlisting

A panel of suitably qualified and experienced people will be identified by the trustees to undertake the short listing and interviews and will ensure the following takes place

- Short listing will be undertaken by at least two of the interview panel

POLICIES AND PROCEDURES

- All candidates are assessed equally against the same criteria and an agreement will be reached by the short listing panel about which applicants to invite for interview
- A record of the short listing is kept for 6 months after short listing
- The short-listed candidates may be asked to attend one or more therapeutic sessions (where appropriate) in order to gain a better insight into the unique services provided by AF.

Recruitment of Ex-offenders

The Criminal Justice and Court Services Act 2000 makes it an offence to apply for, offer to do, accept or do any work with children (paid or unpaid) if disqualified from working with children. Disqualification can arise from inclusion in either the list of those considered unsuitable to work with children held by the Department of Health or the Department for Education and Skills. In addition the courts can disqualify those convicted of serious offences from working with children. The Charities Act 1993 disqualifies individuals who have unspent convictions for offences involving deception or dishonesty from acting as charity trustees. It is an offence to knowingly employ (paid or unpaid) anyone with a conviction for crimes against children including murder, manslaughter, rape, GBH and a number of sexual offences to work in a regulated position with children or vulnerable adults. In this instance, the results of a disclosure automatically determine that a candidate for work with AF (paid or unpaid) is unsuitable.

AF will consider applications for recruitment from individuals who have a criminal record to a paid or unpaid position on their merits but the safety of CYP, vulnerable adults and families will be a paramount and overriding consideration in determining their suitability.

A criminal conviction may not necessarily be a bar to being an employee or volunteer. Certain offences are however so serious that in the light of the nature of AF work, the existence of a conviction for such an offence will normally preclude the applicant from involvement in AF on an unpaid or paid basis:

- Offences against a person or CYP
- Sex offences
- Theft when in a position of trust
- Offences when weapons were used
- Supplying drugs
- Offences involving violence
- Serious motoring offences involving imprisonment
- Burglary
- Arson with intent to endanger life

This is not a comprehensive list of serious offences but is illustrative of the type of offence, which would be considered so serious that normally the applicant would not be able to undertake unpaid or paid work.

Certain less serious convictions will not necessarily rule out an application. Such offences might be:

- Minor motoring offences
- Spent drink offences if there have been no breaches since
- Isolated public order offences
- Driving disqualification convictions
- Any offence committed as a minor if not already listed
- Minor theft.

POLICIES AND PROCEDURES

If an applicant for a position has a criminal conviction, a sub-committee of the AF Senior Management Team and Board of Trustees shall be asked to determine whether or not the application can proceed. The sub-committee shall assess the risk to the AF service users and other staff paid or unpaid represented by the criminal convictions recorded against the applicant. The sub-committee will consider if steps can be taken to minimise the risk and whether such steps would reduce the risk to an acceptable level to enable the application to proceed. It is acknowledged that if a risk cannot be sensibly and effectively managed, the ex-offender cannot be involved with AF.

The sub-committee will take into account the following:

- The seriousness of the offence
- A report given by the person who conducted an interview with the candidate and any mitigating or extenuating circumstances surrounding the commission of the offence as outlined by the applicant
- The length of time that has elapsed since the last offence and the applicant's experiences/jobs held since the last offence. These should be carefully explored especially where there has been any contact with vulnerable CYP.
- Whether the conviction is relevant to the position in question
- Whether the applicant has a pattern of offending behaviour or other relevant matters
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters.

The decision of the sub-committee will be fully explained to the applicant. The applicant will be entitled, if dissatisfied, to apply to the Board of Trustees for further consideration. In this event, the Board of Trustees will consider the representations of the applicant at a specially convened Trustees' meeting. The applicant will be entitled to address the meeting but will be asked to withdraw to enable the Trustees to reach its decision. There is no further right of appeal on the decision of the Board of Trustees.

Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or a decision not to accept the person as a volunteer.

Interviews

All candidates will be interviewed by a pre-agreed and suitably trained interview panel which will always include the Director of Services.

Interviews should always be conducted on a face-to-face basis, even if there is only one candidate and all candidates invited to interview **must** be asked to present their passport at the interview to satisfy legislation regarding eligibility to work within the UK.

A list of interview questions should be agreed and written down before the first interview begins and each applicant should be asked the same questions and a pre-agreed scoring method applied to each response. Questions should relate to skills/qualities needed for the role itself based on the job description and person specification.

Competence or value-based questions are asked of the candidate at interview, to explore their experience of responding to or dealing with a situation involving the safeguarding of CYP.

In addition to assessing and evaluating the applicant's suitability for the role, the interview panel explores the applicant's motivation, values, attitudes and boundaries in relation to their work with vulnerable CYP and their ability to support the organisation's commitment to safeguarding and promoting the welfare of CYP.

POLICIES AND PROCEDURES

Conditional Offer

When all interviews have concluded, the interview scores will be discussed and the successful candidate will be selected.

All offers of employment made are conditional upon the satisfactory completion of pre-employment checks and in particular

- For potential members of staff the receipt of at least two satisfactory and verified references, one should be from the present or most recent employer. The reference request will be structured and specifically asks referees whether the referee has any concerns about the candidate working with CYP.
- The verification of the candidate's identity.
- Appropriate checks including DBS disclosure to an Enhanced level.
- Verification of the candidate's medical fitness.
- Evidence of relevant qualifications – original documents must be provided.
- Verification of right to work in UK

The successful candidate will also receive a Staff Handbook and a Family Friendly Handbook and be asked to read all Policy and Procedure documents.

Induction

A focused induction is planned for all new staff and includes an introduction to and explanation of AF safeguarding policies and procedures; with particular emphasis on recognising symptoms of abuse and understanding procedures for reporting concerns.

- The Safeguarding Code of Conduct is explained, discussed and signed during the early stages of induction.
- Any new members of staff will attend any training course available to make sure they are familiar with LSCB local reporting and referral procedures.
- No persons whose suitability has not been confirmed will have unsupervised contact with CYP whom are being cared for by AF, this will be the responsibility of the Children and Young People Assessment and Inter-Agency Manager and Service and Volunteer Manager.