

Safer Recruitment Policy¹

Approved by EACP Trustees: 23 May 2019

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Purpose and Scope

The East Africa Children's Project (EACP) supports schools and organisations in East Africa that come into contact with children and families as part of their activities in education and community support.

Safer recruitment is a set of practices to help make sure that EACP staff and volunteers are suitable to work with children and young people. It's a vital part of creating a safe and positive environment and making a commitment to keep children safe from harm. Safer recruitment is a continuing process of improvement for our organisation whose work or services involve contact with children. A safer recruitment policy statement is a commitment to recruiting staff and volunteers who are suitable to support and work with children.

EACP safer recruitment policy statement

The EACP is committed to:

- safeguarding and protecting all children and young people by implementing robust safer recruitment practices
- identifying and rejecting applicants who are unsuitable to work with children and young people
- responding to concerns about the suitability of applicants during the recruitment process
- responding to concerns about the suitability of employees and volunteers once they have begun their role
- ensuring all new staff and volunteers participate in an induction which includes child protection
- a list of the supporting procedures that accompany the policy
- an annual policy review.

Safer recruitment procedures

Having a safer recruitment policy statement in place is a vital first step towards keeping the children and young people who have contact with staff and volunteers safe. An advance plan for the whole recruitment process seeks to ensure EACP has a consistent approach to recruitment a new staff or volunteers.

The recruitment process

¹ This guidance draws on guidance provided by the Charity Commission (<https://www.gov.uk/government/publications/strategy-for-dealing-with-safeguarding-issues-in-charities>), National Council for Voluntary Organisations (<https://www.ncvo.org.uk/practical-support/information/safeguarding>), National Society for the Prevention of Cruelty to Children (<https://learning.nspcc.org.uk/safeguarding-child-protection/>).

Define the role

For any role working with children and young people, both the job description and the person specification should highlight the importance of understanding safeguarding issues.

Advertising the role

Every advert for a role that includes work with children should include a statement about your commitment to keeping children safe. If the role requires a criminal records check, this should be included in any advert. Advertising all vacancies attracts a wide selection of applicants – whether the role is for paid staff or a volunteer.

Applicant information pack

Providing an application pack ensures that people interested in applying for a role have all the information they need about your organisation and the advertised vacancy. It's best practice to use a standard application form for all roles, whether paid or unpaid. This helps make sure you get all the information you need from each candidate. It should include space for the candidate to explain how they meet the criteria outlined in the person specification.

Self-disclosure form

A self-disclosure form gives candidates the opportunity to explain confidentially about any unspent criminal convictions, child protection investigations or disciplinary procedures they have on their record. If the role requires an enhanced criminal records check applicants should be asked to disclose any unprotected spent convictions and cautions. In **England, Scotland and Wales**, one can only ask for information about cautions or convictions which are not designated as 'protected' under the [Rehabilitation of Offenders Act 1974](#).

Applicants should complete self-disclosure forms before interview and bring them in a separate, sealed envelope marked 'Confidential'. Only open the self-disclosure forms of candidates who have accepted a conditional offer, and review the information inside as part of vetting checks. Securely dispose of all unopened self-disclosure forms. The self-disclosure form does not replace the need for a criminal records check. Criminal records checks should always be carried out as appropriate.

References

All applicants should be asked to provide the details of at least two referees which should be reviewed checked. It's a good idea to give candidates an overview of the questions referees will be asked so the candidate can consent to this information being provided. Candidate's should be asked about their suitability to work with children and young people. It's best practice to use a standard reference form for all roles, to get all the required information.

Selecting applicants for interview

Shortlisting should be carried out by at least two people. They should each be clear about what their role involves, and should assess each application form according to how well it meets the criteria set out in the person specification.

Preparing for interview

Assess all applicants on their ability to carry out the role, based on justifiable and objective criteria. Plan a range of selection methods that are clearly related to the person specification.

Panel

At least two people should be on the interview panel and which should have a chair. Agree beforehand who is responsible for ensuring all assessments are conducted fairly and candidates are treated equally.

Children's participation

Involving children, young people and their families in recruitment can be a really useful way of finding the right people for the role.

Practical test

A question and answer format may not be the best way to test a particular requirement or competency. Consider other methods such as a practical test.

Interview

Interviews to recruit people to work with children should always be conducted face-to-face. Ask candidates in advance whether they have any access requirements for the interview venue, and provide what they need. Give an outline of the selection methods you'll be using and ask if they need any special arrangements for these.

Plan questions in advance. Choose questions that relate to items in the person specification that explore the candidate's suitability to work with children, their attitude and their motivations for applying for the role.

Ask each candidate the same questions so that they are all treated equally. Make notes during the interview. This will form the evidence for assessing each candidate after the interviews are complete. Use a scoring system based on the person specification and follow the same criteria for each candidate.

During the interview candidates should show that they are able to:

- establish and maintain professional boundaries and professional integrity
- establish and maintain relationships with children
- take action to protect a child.

Checking identity

Check each candidate's identity during the recruitment process. The first opportunity to do this is usually when the candidate attends an assessment day and interview.

Making an offer

When contacting any successful candidate, make it clear that the offer is still subject to satisfactory completion of all the vetting processes that need to undertake.

Vetting, disclosure and barring checks

Carry out a range of processes and checks to ensure that the right people to work or volunteer for employed in roles that have contact with children.

Verifying references

References can help you make an informed decision about an applicant's suitability to work or volunteer with children.

Ask referees about the candidate's:

- suitability and ability to work with children and young people

- knowledge and understanding of child protection and safeguarding.

Make sure information provided in the reference is consistent with the information provided by the candidate in their application form and interview. Follow up any discrepancies, concerns, or vague statements.

Appointing Trustees;

In appointing new trustees EACP will follow guidance provided by the Charity Commission.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/704644/CC30.pdf

Trustees will also read, understand and sign a Trustee Declaration Form

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/820778/Trustee_Declaration_Form.pdf

Criminal records checks

Criminal records checks enable you to ensure that people aged 16 or over have nothing on their record that makes them unsuitable to work or volunteer in roles that have contact with children.

Each nation in the UK uses a different criminal records check process, but they are all aligned and recognise each other's decisions. A person who is barred from working with children in one nation will be barred across the UK. You can apply for a criminal records check directly or use an umbrella body. More information about how to apply is available from each criminal records agency. [The Disclosure and Barring Service \(DBS\)](#) for England and Wales helps employers and voluntary organisations in England and Wales make safer recruitment decisions.

Enhanced with barred list checks

There are different types of criminal record checks depending on the nature of the work being carried out. In England, Northern Ireland and Wales, if someone is doing "regulated activity" they need to undergo an "enhanced with barred list check". This provides information about police convictions, cautions, reprimands and warnings; information about whether the person has been barred from working with children; and any other relevant information. In England, Northern Ireland and Wales, regulated activity with children means carrying out any of the below activities frequently or with intensity (more than 3 days in a 30 day period or overnight).

- Unsupervised activities: teaching, training, instructing, caring for or supervising children; providing advice/guidance on wellbeing, or driving a vehicle only for children.
- Working for a limited range of "specified places" with the opportunity for contact with children and young people, for example schools, children's homes, childcare premises.

These are also examples of regulated activity if unsupervised:

- engaging in intimate or personal care of children.
- health care (including by a registered health care professional).

Regulated work can also apply to certain positions of trust within organisations, for example being a trustee of a children's charity.

Other checks

There are a range of other checks which should be carried out.

Right to work checks

Even if the role is not paid, you may need to carry out a right to work check. The Home Office has published [guidance on right to work checks](#) (Home Office, 2019).

Overseas checks

If a candidate has been resident overseas for three months or more over the past five years, you should check the candidate's criminal record in that country. The Home Office provides [guidance on applying for criminal records checks for overseas applicants](#) (Home Office, 2017).

Any documents not in English should be accompanied by a certified translation.

Disqualification from working with children

Organisations are responsible for making sure the people they employ as staff and volunteers have not been disqualified from working with children. This includes ensuring they are not disqualified by association (in **England and Wales**) because they live in the same household as someone who has been disqualified.

The Department for Education (DfE) has published [statutory guidance to help organisations comply with their responsibilities](#).

Pre-employment checks for schools and colleges

Teachers can be prohibited from teaching children and young people for various reasons, including unacceptable professional conduct or a conviction of a relevant criminal offence. Before appointing teachers you must check their qualifications, qualified teaching status and their eligibility to work as a teacher. Non-teaching staff, school managers and governors should also undergo vetting and barring checks.

Checking temporary or agency staff and visitors

It's just as important to ensure you recruit temporary or agency staff who are suitable to work with children as it is with permanent staff. If someone is visiting your school or organisation to run an activity with children, you must also make sure they have undergone the necessary checks. You should only engage people to work with children if they come from an agency or organisation that has robust safer recruitment policies and procedures.

Supply teachers, student teachers and contractors in schools are all in regulated activity.

Ask the agency for written confirmation that the relevant disclosure and barring checks have been made for each temporary staff member or visitor. When supply staff arrive on site you should check their ID.

What to do if vetting checks raise concerns

If references, vetting, disclosure and barring checks reveal concerns about a person's history, the organisation needs to assess whether or not they are suitable to work with children and young people. It's important to have clear procedures in place for making these decisions. You may need to put any formal offer of an appointment on hold to make sure you've got time to consider everything thoroughly.

If necessary, you must pass on information to the relevant authorities, such as the criminal records agency, professional bodies or police.

References

A reference should provide you with all the information you've asked for and the responses should be clear and direct.

- If a reference expresses concerns, is incomplete or vague, contact the referee directly to address these issues. Keep a written record of any telephone conversations.
- If the issue is significant, ask the referee for further details in writing.

- You should not consider information about unsubstantiated concerns or allegations that have been proven to be false when deciding whether to interview or employ a candidate.

Self-disclosure form

If a candidate discloses a caution or conviction on their self-disclosure form, you need to carry out a risk assessment to decide if this is relevant to the post.

Criminal records checks

People on the barred list must not be given a role that requires them to work or volunteer with children or young people in regulated activity. It is illegal in the UK for an employer to knowingly employ somebody to carry out regulated activity whilst they are on the barred list. If you find that someone who has applied to work with children is barred, you should notify the police. In the UK you cannot use 'spent' or 'protected' convictions as a reason not to employ somebody (unless the conviction makes them unsuitable to work with children). If the applicant has not been barred from working with children but the checks have raised concerns (for example if they have a criminal record), you need to carry out a risk assessment to ascertain whether the applicant is suitable to work with children and young people.

Carrying out the risk assessment

Decisions about whether or not to employ someone whose vetting checks raised concerns should be made on a case-by-case basis. A risk assessment will help you work out whether they are suitable to work with children and young people.

You should only share information about an applicant's criminal record with those who need to know. The applicant should be told who in the organisation knows about his/her record. The applicant will usually know about any information revealed during the course of a vetting or barring check. You should discuss any concerns with them as part of the risk assessment process.

- Past convictions might be a great source of anxiety and embarrassment for the person concerned, so you need to act with sensitivity and empathy.
- Take all reasonable steps to gather as much relevant information as possible.
- Make sure a third party is present during the discussions. Ask a colleague who was involved in the recruitment process to support you and take notes.
- Carefully plan the questions you need to ask in advance and keep the discussion focused on the individual, their feelings and attitudes.
- It is not your responsibility to decide whether a legal decision was right or fair – you need to decide whether the applicant is suitable to work or volunteer with children and young people.

Making the decision

Follow EACP's procedures to make sure all recruitment decisions are consistent.

The reasons for your decision should be objective, rational and easy to understand. Write these down and keep them in a securely lockable cabinet or in a digital password protected form, along with the notes you made during your investigations.

Things to consider include:

- the nature of the offence and its seriousness
- the relevance of the offence to other staff, volunteers, children and their families

- the length of time since the offence took place
- the length of the sentence
- whether the offence was an isolated incident or part of a pattern or history of offending
- the circumstances which led to the offence being committed
- whether these circumstances have changed (if so, do these changes increase or reduce the likelihood of similar offences happening in future?)
- whether the individual has changed since the offence (if so, what has led to the change and does this reduce or increase the likelihood of them committing further offences?)
- the level of remorse expressed by the applicant and/or any efforts to change
- whether the new role provides opportunities to re-offend
- any legal constraints relevant to the role, for example if the person has lost their driving licence and the role requires driving.

Confidential information

If the vetting and barring check includes additional information that is marked "in confidence", you should not discuss it with the applicant. This could compromise a criminal investigation or the safety of another person, and may in itself constitute a criminal offence under the [Police Act 1997](#).

If you decide not to appoint someone on the basis of confidential information, you need to be careful when you inform them that the offer is withdrawn. It is sufficient to tell the applicant that, on the basis of checks and references that have been made, you have had to withdraw the provisional job offer.

Storing disclosure and barring checks

You should not store copies of disclosure and barring check certificates unless there is a dispute about the results of the check. Instead, you should keep a confidential record of:

- the date the check was completed
- the level and type of check
- the reference number of the certificate
- the decision made about whether the person was employed (with reasons).

If there is a dispute about the results of a check, you may keep a copy of the certificate for no longer than six months.

Creating a safer culture

The commitment to safeguarding children should be an ongoing process and have a high profile in your organisation. All staff and volunteers should feel responsible for helping to make a safer culture and empowered to speak out if they have concerns. To help develop a safe environment for speaking out, it's important to make child protection a key part of your induction for new staff and volunteers.

Induction

Having a consistent induction process will make sure everyone in your organisation fully understands and knows how to follow your safeguarding policies and procedures.

Make sure all new staff and volunteers:

- have read and understand your safeguarding and child protection policies and procedures

- know how to spot the signs that a child may be experiencing abuse
- know how to respond appropriately if a child makes a disclosure about abuse
- know what to do if they have concerns about a child's wellbeing.

All staff and volunteers should complete child protection training as part of their induction – even if they say they have done this before. It's important to make sure everyone has up-to-date knowledge and skills and understands how child protection works in the organisation. You should also consider putting a mentoring and/or supervision process in place for new staff and/or having a probationary/trial period. This will allow concerns on either side to be raised and responded to appropriately.

Ongoing supervision and training

Supervision and training should be regular and ongoing. This gives everyone a chance to reflect on and improve their child protection practice and keeps safeguarding at the front of their minds. Ensure everyone is kept up-to-date with any changes that are made to your safeguarding and child protection policies and procedures.

Safer recruitment procedures

England, Northern Ireland, Scotland and Wales each have specific legislation and guidance relating to safer recruitment. Across the UK, statutory guidance highlights the responsibility of those in the education, community and care sectors to have policies and procedures in place that ensure they only employ suitable people to work or volunteer with children.

In **England**, the statutory guidance is [Working together to safeguard children \(PDF\)](#) (Department for Education, 2018c).

Related policies and procedures

This policy statement should be read alongside our organisational policies and procedures, including:

- EACP Safeguarding Policy
- Role description for the designated safeguarding officer
- Recognising and Responding to Abuse
- Managing allegations against staff and volunteers
- Child protection records retention and storage
- Code of Conduct for Staff and Volunteers
- Whistleblowing