



SAFER RECRUITMENT POLICY

Introduction

This policy has been developed to embed safer recruitment practices and procedures throughout Little Wonders Nursery and to support the creation of a safer culture by reinforcing the safeguarding and well-being of children and young people in our care.

This policy complies with guidance outlined in 'Keeping children safe in education July 2018' and has been ratified by the management and safeguarding lead.

This policy reinforces the conduct outlined in the "The Procedures of "The Safeguarding Children Board" as well as the Whistleblowing policy which all staff are expected to be familiar with.

All successful candidates for paid or voluntary employment are made aware of these documents.

This policy is an essential element in creating and maintaining a safe and supportive environment for all pupils, staff and others within the community and aims to ensure both safe and fair recruitment and selection of all staff and volunteers by:

- Attracting the best possible candidates/volunteers to vacancies based on their merits, abilities and suitability to the position and are considered equitably and consistently;
- Deterring prospective candidates/volunteers who are unsuitable from applying for vacancies;
- Identifying and rejecting those candidates/volunteers who are unsuitable to work with children and young people.

Disclosure Barring Service Checks and Vetting

All nursery based jobs are exempt from the Rehabilitation of Offenders Act as the work brings employees into contact with children who are regarded by the Act as a vulnerable group. Applicants for nursery based jobs must, therefore, disclose all spent and unspent convictions.

For all appointments, an enhanced DBS certificate, which includes barred list information, is required as staff will be engaging in regulated activity. A person will be engaging in regulated activity if it includes:

- a) Teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children;
- b) Work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) Relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - 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.

The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if “it is carried out frequently by the same person” or if “the period condition is satisfied”. Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, for the purposes of the work referred to at (a), apart from driving a vehicle only for children, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children. “Frequently” is not defined in the Act, but the Guidance Regulated Activity in relation to Children: scope describes “frequently” as doing something once a week or more.

Portability of Certificates using the DBS Update Service

In order for a DBS check to be carried and used for more than one employer or workplace, an applicant firstly needs to have a new DBS Certificate. The applicant must, within 19 days, register with the DBS for the Update Service after the certificate issue date. It is only when a successful registration has occurred with the update service that a DBS is portable. This allows employers to check a certificate status at any time.

Before using the update service, the setting shall:

- Obtain consent from the applicant to do so;
- Confirm the certificate matches the individual’s identity;
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g. enhanced certificate/enhanced including barred list information and the position applied for states ‘child workforce’.

We ensure that:

- An enhanced DBS check with a barred list information is carried out for all new appointments who will be engaging in regulated activity;
- A prohibition check through the National College for Teaching and Leadership (NCTL) is carried out to ensure that there is no Prohibition Order made by the Secretary of State against the individual.

Previously Issued DBS Certificates

If a new starter joins Little Wonders Nursery who has previously had a DBS certificate issued then we may, at our discretion, accept it providing the following conditions are met:

- The person has transferred from similar position without a break in service of more than three months;
- There is no expiry date on the certificate;
- The authenticity of the original DBS certificate is verified;
- We obtain written notification from the previous employer that they carried out the checks on the individual who will be working at the setting;
- Checks are also carried out on that the person presenting themselves for work is the same person on whom the checks have been made. Any information disclosed as part of the DBS check will be treated confidentially;
- This confirmation will be used as evidence on the Single Central Record for Ofsted.

Please note a barred list check will be undertaken even if the setting decides not to undertake an enhanced DBS check with a barred list check.

Identity Checks

All applicants who are invited to an interview are required to bring evidence of their identity, address and



qualifications. Original documents are only accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed following at the end of the recruitment programme.

Overseas Checks

All new appointments to our workforce who have lived outside the UK are subject to additional checks as appropriate.

Further details can be found here: <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

Other Checks

As a responsible employer, we ensure that those we employ are able to carry out the duties of the post applied for. Therefore, we request all prospective employees to complete a medical questionnaire once an offer of employment has been made. We request that the questionnaire is completed 'to the best of the employee's ability' because we will rely on the responses given, in both making the decision to recruit and allowing him/her to continue in the role.

If necessary we will seek further medical advice, with the written consent of the prospective employee.

This also applies to those who seek to work for us either as supply staff or volunteers.

Storage and Access

Disclosure of information is never kept on the personnel file and is always kept separately and securely, in a lockable, non-portable cabinet. Access is strictly controlled and limited to those who are entitled to see it as part of their duties.

Safer Recruitment

Sumaira Jabin– (Manager and DSL), has undertaken Safer Recruitment in Education Training and will be involved in all staff and volunteer appointments and arrangements (including where appropriate, contracted services).

All recruitment materials will include reference to the setting's commitment to safeguarding and promoting the wellbeing of pupils

Roles and Responsibilities

The management, supported by the Safeguarding Lead will:

- Ensure the setting operates 'safer recruitment' procedures and makes sure that all appropriate checks are carried out on all staff and volunteers who work with children; and that any panel involved in the recruitment of staff has at least one member who has undertaken Safer Recruitment Training (Reviewed every 5 years);
- Ensure this is in accordance with Department for Education guidance and legal requirements and monitor the setting's compliance with them;
- Ensure that all staff are suitably trained in recognising and responding to signs of abuse;
- Ensure that all staff are aware that we do not tolerate extreme religious or political views in any capacity. This includes any views which are prohibited under the law as well as those views that contravene our ethos and stance on equality, tolerance and respect for all, regardless of Race,



Gender, faith, sexual orientation etc.

The Manager; will:

- Ensure that the setting operates safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance;
- Ensure that all appropriate checks have been carried out on staff and volunteers;
- Ensure that all staff are suitably trained in recognising and responding to signs of abuse;
- Ensure that all staff are aware that we do not tolerate extreme religious or political views in any capacity. This includes any views which are prohibited under the law as well as those views that contravene our ethos and stance on equality, tolerance and respect for all, regardless of Race, Gender, faith, sexual orientation etc.
- Monitor any contractors and agencies compliance with this document;
- Promote the safety and well-being of children and young people at every stage of this process.

Procedure

A statement of the setting's commitment to ensuring the safety and well-being of the pupils (can be found on the setting advertisement for the post). All positions advertised carry the following statement:

'Our setting is committed to safeguarding and promoting the welfare of children and expect all staff to endorse this commitment. All post holders will be subject to a satisfactory enhanced DBS disclosure.'

Inviting Applications

Where an applicant has completed our application form we require them to complete the following section:

Rehabilitation of Offenders Act 1974

Under the Rehabilitation of Offenders Act 1974(exceptions) Order 1975, you are required to declare any information about convictions, past cautions or prosecutions pending. Any offer of employment will be subject to an Enhanced Level DBS check. All disclosures of criminal background are strictly confidential.

Please detail any offence(s) including convictions, in a sealed envelope and attach it with this application form. All applicants are able to access the following information on our website where all our vacancies are advertised (written copies are also available on request):

- Job description and person specification;
- The Safeguarding Policy;
- The Safer Recruitment Policy;
- Recruitment of Ex-Offenders policy;
- An application form;
- Equal Opportunities monitoring form.

Prospective applicants must complete, in full, and return a signed application form, (electronic signatures are acceptable when an application is submitted on line). Incomplete application forms will be returned to the applicant where the deadline for completed forms has not passed.

Candidates submitting an application form completed on line are asked to sign the form if called for interview.

A Curriculum Vitae is not accepted in place of a completed application form.



Identification of the Recruitment Panel

At least one member of the selection and recruitment panel will have successfully completed training in safer recruitment.

Short Listing and References

Candidates are short listed against the person specification for the post.

Two references, one of which must be from the applicant's current/most recent employer, are taken up before a candidate is appointed. References are sought directly from the referee, and where necessary, are contacted to clarify any anomalies or discrepancies. Detailed written records are kept of such exchanges.

Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records are kept of such exchanges.

Referees are asked the following specific questions:

- The candidate's suitability to work with children and young people;
- Any disciplinary warnings, including time-expired warnings, relating to the safeguarding of children and young people;
- The candidate's suitability for the post.

Reference requests may also include request for the following information:

- Applicants current post and salary;
- Sickness record;
- Attendance record;
- Disciplinary record.

All appointments are subject to satisfactory references, vetting procedures and DBS clearance.

Invitation to Interview

Candidates called to interview receive:

- A letter confirming the interview and any other selection techniques;
- Details of the interview day including details of the panel members;
- Details of any tasks to be undertaken as part of the interview process;
- The opportunity to discuss the process prior to the interview.

The Selection Process

Selection techniques are determined by the nature and duties of the post, but all vacancies require an interview of short-listed candidates. Interviews are always done face-to-face.

Candidates are required to:

- Explain any gaps in employment;
- Explain satisfactorily any anomalies or discrepancies in the information available to the panel;
- Declare any information that is likely to appear on the DBS disclosure;
- Demonstrate their ability to safeguard and protect the welfare of children and young people;

- To disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting).

Pre-Appointment Checks

An offer of appointment to a successful candidate, including one who has lived or worked abroad, is conditional upon satisfactory completion of pre-employment checks

When appointing new staff, we:

- Verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available, three forms of ID will be required;
- Obtain a certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity;
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- Verify the candidate's mental and physical fitness to carry out their work responsibilities. The job applicant will be asking relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
- Verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website;

- If the person has lived or worked outside the UK, the setting will make further checks;
- As appropriate verify professional qualifications.

Recruitment of Ex-Offenders

Please see the Recruitment of Ex-Offenders policy for further details.

Agency and Third-Party Staff

The setting obtains written notification from any agency, or third-party organisation, they use that the organisation has carried out the checks on an individual who will be working at the setting. This includes, as necessary, a barred list check, prior to appointing that individual. Checks are also carried out on that the person presenting themselves for work is the same person on whom the checks have been made. Any information disclosed as part of the DBS check will be treated confidentially. This confirmation will be used as evidence on the Single Central Record for Ofsted.

Trainee / Student Practitioners

Where applicants for initial teacher training are salaried by the setting, the setting ensures that all necessary checks are carried out. As trainee teachers can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and barred list is obtained. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks.

The setting obtains written notification from any agency, or third-party organisation, they use that the organisation has carried out the checks on an individual who will be working at the setting. This includes, as necessary, a barred list check, prior to appointing that individual. Checks are also carried out on that the person presenting themselves for work is the same person on whom the checks have been made. Any information disclosed as part of the DBS check will be treated confidentially.

This confirmation will be used as evidence on the Single Central Record for Ofsted.

Existing Staff

If the setting has concerns about an existing staff member's suitability to work with children, the setting shall carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the setting moves from a post that was not regulated activity (we currently have no unregulated activity), into work which is regulated activity, the relevant checks for the regulated activity will be carried out. Apart from these circumstances, the setting is not required to request a DBS check or barred list check.

Checks on Volunteers

The level of checks required on a volunteer is dependent on the type of duties they will be performing, for example a supervised volunteer is not considered to be undertaking a regulated activity, but the setting may require an enhanced DBS check only.

If they are unsupervised then they will be undertaking a regulated activity and therefore will require an enhanced DBS check with a barred list check. A DBS check on a volunteer is free if the conditions below are met.

The term volunteer is defined in the Police Act 1997 (Criminal Records) Regulations 2002, as 'any individual engaged in an activity which involves spending time, unpaid (except for travel and other approved out of pocket expenses), doing something which aims to benefit some third party and not a close relative. Genuine volunteers are still entitled to a free of charge DBS disclosure.

A volunteer must not: -

- Receive payment (except for travel or other approved out of pocket expenses).
- Be on a work placement
- Be on a course that requires them to do this job role
- Be in a trainee post that will lead to a full-time role/qualification.

If a volunteer moves from a voluntary position into a paid position that requires a DBS check, then another DBS check will be required, and cost incurred.

Under no circumstances a volunteer in respect of whom no checks have been obtained is left unsupervised or allowed to work in regulated activity.

Checks on School Children Undertaking Work Placements

It is not necessary to obtain a DBS Disclosure for secondary pupils undertaking voluntary work or work experience. However, as good practice we ensure they sign in and out and are not left unsupervised with children.

Induction

All staff and volunteers who are new to the setting receive information on the safeguarding policy and procedures and guidance on safe working practices and will also have to complete online Awareness of Child Abuse and Neglect training course and Prevent and Channel General Awareness course as part of their induction training. A suitability to work with children declaration form will also be signed by staff before starting employment.

All successful candidates undergo a period of monitoring and:

- Meet regularly with their line manager;

- Attend any appropriate training.

Peripatetic Staff

Little Wonders Nursery requires that all necessary checks and DBS checks have been satisfactorily completed for peripatetic staff.

Ofsted and Disclosure and Barring Service

Ofsted and LADO will be immediately informed if any staff member is 'disqualified' or is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm. Under the Safeguarding Vulnerable Groups Act 2006, a referral will also be made to the Disclosure and Barring Service.

NOTE: Any changes to this policy must be reflected in the Safeguarding Policy and the Staff Handbook.

Appendix 1 Flowchart of Disclosure and Barring Service Criminal Record Checks and Barred List Checks



