



# **Children's MARS Policy and Procedures**

## **Standards for Safer Recruitment**

**November 2020**

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## Introduction

This guidance has been produced by North Lincolnshire Children's MARS Board in line with Disclosure and Barring Service Guidance, the Allegations Management Guidance and best practice guidance from North Lincolnshire Council's Human Resources Service.

The standards for safer recruitment have been developed in accordance with statutory guidance Working Together to Safeguard Children 2018, Keeping Children Safe in Education 2020, Disclosure and Barring Service guidance.

The aim of these standards is to:

- ensure that recruitment processes are robust and in line with legal and statutory requirements
- ensure the standards instil confidence and reassure parents, carers and families that workers appointed to provide services to children are suitably checked prior to commencement in their role
- support agencies in recruiting suitable and safe professionals to work in their organisations
- to try and reduce the possibility of those people who are unsuitable to work with children entering into the children's workforce

The term unsuitable can refer to applicants who:

- do not take their responsibilities seriously
- question the need for stringent health, safety and welfare requirements
- fail to demonstrate respect for children and young people
- evade questions relating to safeguarding children
- have little understanding of children's rights
- have a dubious approach to the use of force

To fulfil their commitment to safeguard and promote the welfare of children and young people, **all organisations** that provide services for children or work with children need to have relevant recruitment and human resources procedures in place for staff and volunteers. These standards are not intended to replace organisations existing recruitment processes as it is acknowledged that many organisations have robust procedures in place. However, they provide guidance for safe and consistent recruitment that all organisations should meet.

This document provides a guide for organisations to the recruitment process by summarising the recommended practices and procedures together with the current legislative requirements.

The appointment and selection processes used should enable the organisation to gain a full picture of the suitability of prospective candidates. It will also enable the candidates themselves to decide whether the particular organisation is a place they would wish to work.

Whenever an organisation is engaged in the appointment of staff and volunteers, the organisation is also presenting an image to the community at large of the principles it stands for and the standards it maintains.

This document should be read in conjunction with the organisation's policies on Recruitment and Selection, Diversity, Rehabilitation of Offenders, Disclosure and Barring Service Checks and Child Protection.

It is also important to recognise that safeguarding goes beyond recruitment and to ensure on-going vigilance robust procedures need to be in place in the workplace regarding Managing allegations against people who work with children and code of conduct procedures. All procedures are available on the [Children's MARS website](#).

## **The recruitment process**

There are many potential pitfalls to be avoided in the recruitment process to ensure fair and safe appointments, especially in the context of child protection and discrimination. The steps that should be taken are explained below and can if necessary be summarised into a checklist. An example is shown at [appendix 1](#).

The provisions that follow emphasise good recruitment practice. They will also help organisations ensure that suitable candidates are appointed and that equal opportunities are offered to all potential applicants.

It is very important to plan the whole recruitment process from the outset so that sufficient time is left between each stage (e.g. appearance of advertisement, shortlisting and selection) to enable a professional and thorough approach to be adopted.

The single most important principle to apply in any appointment decision is to search for and appoint the best person. The decision to appoint needs to focus on the essential criteria to undertake the role measured against the person specification. All roles, working with children, should require an application form, role description and person specification.

## **Assessing the post**

The first part of the recruitment process is to risk assess the post against DBS guide to eligibility. The level of Disclosure and Barring Check will depend on the role and duties of the applicant.

The post will need to be assessed against the DBS Eligibility Guide which can be found at: <https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>

This will ensure the correct Disclosure and Barring Service check is completed, should one be required. It is an offence for anyone barred from working with children to apply to work in regulated activity. It is also an offence to appoint anyone to a post if they are barred.

## **Job description**

A job description is a management document which sets out the main features of the position. The agency's commitment to safeguarding children should be prominent on this document.

All aspects of the role description must comply with equal opportunities principles e.g. Use Handyperson and not Handyman.

It should contain the following:

- **Title**  
The title should clearly reflect the nature of the role.

- **Overall purpose**

This should provide a short accurate statement of why the role exists. For example, 'to coach children in modern dance', or 'to supervise small groups of children during activities'. Although it can sometimes be difficult to capture the full extent of the impact of a role in one sentence, it should be possible, with careful analysis, to do this.

- **Main responsibilities**

These are statements of the continuing and end results required of a role. They answer the question "What are the main areas which the role must undertake in order to achieve it's purpose?"

The characteristics of main responsibilities are:

- Taken together, they represent all the key outputs of the role.
- They focus on results, not duties or activities. They tell the 'what', not the 'how'.
- They are timeless, standing permanently unless the job itself is changed in a fundamental way.
- Each one is distinct from the rest and describes an explicit area in which results must be achieved by the role holders action.
- They suggest specific measures or tests, which would determine whether they are being met.
- They relate clearly and realistically to the job and not to the manager's job or to the organisation as a whole.

- **Contacts**

For roles working with children it is also useful to describe the nature of the relationships with the children, families and carers.

- **Discolure and Barring**

Reference to the post being part of the Disclosure and Barring Scheme must be made if applicable.

## **Person specification**

The person specification is a statement of the attributes and characteristics necessary to do the role. It aims to provide a clear picture of the person required and is drawn up from a critical examination of the role description. The factors within the specification should be recognisable and measurable. All candidates must be assessed consistently against this specification during the selection procedures.

Details within the specification should be reflected within the advertisement, the specification therefore needs to be completed prior to advertising.

The person specification must include an essential requirement for a DBS check to be undertaken where appropriate.

## **Advert**

The advert must include:

- A clear message about the importance of safeguarding children

- A clear message about the organisations safer recruitment processes, including pre-employment checks
- The requirement for references

Where the post has been risk assessed as requiring a DBS check, the advert will state this must be completed prior to appointment. The advert will also state that it is an offence for anyone barred from working with children to apply to work in regulated activity.

Where the position is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 & 2000, an explanation is needed as to why it is covered and as such that a DBS is required. It will also need to state the level of check required.

Sending out the right messages at this stage in the process should deter inappropriate people applying for the position.

## **Application forms**

Application forms need to be comprehensive and information completed thoroughly particularly the applicant's history.

The application form should include the following information in respect of the applicant as a minimum:

- Name and previous names
- Current address
- Date of Birth
- Relevant education/ training/qualifications
- Registration with professional bodies
- Details of present/last employer or education/voluntary association if not previously employed
- Previous roles held, detailing the organisation, nature of the role(s), dates, and reason(s) for leaving
- Experience; relating to the person specification
- Details of 2 referees (not relatives) both of which should cover the last 5 years and at least one should be from the current or most recent role e.g. from an employer; teacher, professional colleague etc
- Details of time not covered by education or work

As with the advert the application form will need to include additional information stating that a standard or enhanced DBS check maybe required for the post; and an explanation of why the post is covered by the Rehabilitation of Offenders Act 1975 (Exception) Order 1975. Application packs should also include the organisations child protection policy and if available their code of conduct.

Additional information gathered with the application form such as diversity data and date of birth must be used only for monitoring purposes and checking identity, it must not form part of the selection process.

## Shortlisting

At least one member of the panel undertaking the shortlisting process should have completed Safer Recruitment training. The Children's MARS recommended Safer Recruitment training is available to all organisations and agencies including the voluntary and community sector in North Lincolnshire visit [www.northlincscmars.co.uk](http://www.northlincscmars.co.uk) for information. Application forms will need to be checked carefully for any omissions or ambiguities and a note made to follow these up with the candidates called to interview. References should be requested prior to interview.

## Employment history

The application process needs to gather full information on the applicant's history, whether that is employed, in training, undertaking voluntary work, unemployed etc. The organisation needs to gather sufficient information to satisfy that it is genuine. Wherever possible this should be backed up with evidence such as references.

Any gaps in employment, inconsistencies or unusual career moves need to be identified and explored further at the interview. These are not reasons to not to shortlist an applicant.

## Professional and character references

References should always be taken up and should be obtained directly from the referee. They should be obtained from the current or most recent role (not relatives) and should cover at least the last 5 years. Any offer of work must be subject to satisfactory references.

Referees should be sent the role description, person specification and reference proforma to ensure that you receive the most detailed reference possible for each shortlisted candidate.

There is no legal obligation to provide a reference, if the referee is unhappy about providing one. Some employers have a policy of not providing references, however all attempts must be made to encourage the employer to provide as much information as possible about the person's suitability to work with children. If a current employer declines to provide a reference it is possible that an employee could complain that the employer is breaching their "duty of care" in not, at least, confirming the work history of an employee. Agreed references or open testimonials must not be accepted in isolation.

References are most useful when they are structured to comment on areas in the person specification. Reference details need to include information on:

- the length of time the person has known the applicant and in what capacity
- the person's skills strengths and weaknesses/suitability for the post and for working with children and young people
- details of any known investigations, disciplinary action or concerns.
- details on probationary periods of employment where applicable
- reasons for leaving employment
- details as to whether employer would re-employ
- details of any disciplinary procedures that the applicant has been subject to involving issues relating to the safety and welfare of children or young people including any in which the disciplinary sanction has expired and the outcome of those
- details of any allegations or concerns which have been raised about the applicant that relate to the safety and welfare of young people or behaviour towards children or young people and

the outcome of those concerns (e.g. whether the allegations or concerns were investigated, the conclusion reached and how the matter was resolved). This should not include unsubstantiated, malicious or false allegations

- whether the referee is completely satisfied that the applicant is suitable to work with children and if not to provide specific details of any concerns and the reasons why they believe the applicant may be unsuitable

Any information given about previous experience should be scrutinised to ensure that it is consistent. Satisfactory explanations should be obtained for any gaps in employment. If the candidate is not currently employed, it is also necessary to check with the organisation by whom they were most recently employed/student/volunteer to confirm details of their status and their reasons for leaving.

All references should be verified by a telephone conversation with the referee.

## **Interview**

The panel should confirm that relevant identity documentation has been seen and references received. Arrangements for the interview must be clarified with candidates beforehand and any communications need to specify that the interview will be in line with safer recruitment and therefore safeguarding will be discussed as part of the interview.

The interview panel should be made up of more than one person and it is mandatory that at least one member of the panel is accredited in Safer Recruitment training.

The selection process must be an objective assessment of each candidate, made through selection methods, appropriate to the position, and measured against the essential criteria in the person specification. A range of methods can be used from interviews, observations with children and/or aptitude tests. It can also be valuable to involve children as part of the selection panel.

The use of written notes will enable accurate records to be maintained of shortlisting and selection decisions. It is useful to have pre-populated templates of criteria and interview questions to ensure consistency in approach. Where the positions involves particularly vulnerable children and young people the candidates' knowledge of increased vulnerability and additional safeguarding requirements around their needs, should be explored.

Ideally safeguarding questions should be asked by one member of the interview panel whilst the other members observe the candidate's responses and behaviour.

Without a proper structure in place and objective criteria being applied there is a far greater risk of an inappropriate decision being taken and a risk of unsuitable persons being appointed to work with children.

As well as asking standard interview questions the application form will need to be scrutinised for any inconsistencies in information, gaps in history or ambiguities. These will need to be clarified as part of the interview process.

## **Non-conditional offer of appointment**

Prior to making a non-conditional offer of appointment all pre-employment checks need to be satisfactorily completed and verified.

## **Pre-employment checks**

The following pre-employment checks must be carried out before an applicant takes up a position.

- Evidence of the right to work in the UK (employees only)
- DBS check
- Overseas criminal records check
- Proof of Identity
- Evidence of relevant qualifications/accreditation
- Medical clearance
- Employment history

Any offer made to the applicant must be subject to the completion of satisfactory checks.

## **Asylum and Immigration (employees only)**

In accordance with the Asylum and Immigration Act 2006, employers have a duty to check whether candidates are entitled to live and work in the UK. When applicants are invited to interview, they should be asked to bring with them evidence of their right to work in the UK. It is important to be sure that the person is who he or she claims to be. The employer must ask to see documentary evidence of identity (ideally photo) and British or European Economic Area citizenship, e.g. a British birth certificate, documentary proof of National Insurance number or valid British or EEA passport. Documents should be checked to see that they are a likeness of the person in terms of age/gender etc.

Depending on the country of birth and the nature of the employment there are different requirements in relation to the right to work of overseas applicants. Further information can be found on the [Border and Immigration Agency website](#).

*It is a criminal offence to employ a person who does not have permission to live and work within the UK. The employer or other person(s) making the appointment would be liable to prosecution in such cases.*

## **Disclosure and Barring Service (DBS) checks**

Regulated activity is work that a barred person must not do. The definition of regulated activity is found in [Regulated activity in relation to children: Scope - Factual note by HM Government](#). This document must be referred to as part of this guidance.

## **Frequency of activity**

Organisations need to consider the frequency or intensity of activity with children and young people. Frequently or intensively means carried out by the same person frequently (once a week or more often) or on four or more days in a thirty day period (or in some cases overnight between 2am and 6am where there is opportunity for face to face contact).

## **Overseas workers in the past 5 years**

Where a worker has lived overseas in the past 5 years there is a need to complete an Overseas Conviction Assessment.

## **Breaks in employment**

If the person has a break from the role for a period of three months or more, or a period of less than three months where their activities during this period cannot be substantiated it will be necessary to undertake a new DBS check.

## **Positive DBS check**

In cases where the DBS disclosure contains prosecutions, cautions or similar information it is the responsibility of the organisation to carry out a risk assessment to determine whether the person is suitable to work with children.

## **Proof of identity**

Identity checks should be conducted at the time of the interview. Best practice guidance around how to verify and authenticate documents provided can be found through the [Revised and Enhanced Identification Checking Guidelines](#).

## **Evidence of relevant qualifications/accreditation**

Organisations should always verify that the candidate has actually obtained all academic or professional qualifications essential for the work. You need to have sight of the relevant certificate or diploma, or a letter of confirmation from the awarding institution and should insist on seeing original documents or properly certified copies. Photocopies should not be accepted.

Where it is unclear of the nature and level of qualifications, particularly those obtained in a different country, a range of organisations offer advice on comparability e.g. Learning Skills Council or [www.naric.org.uk](http://www.naric.org.uk) (for overseas qualifications).

*For many professionals, confirmation of professional qualifications must be established before being allowed to practice. Many also have to be registered with their professional association.*

## **Medical clearance**

The organisation must be satisfied that anyone engaged in a position that involves regular contact with children or young people is medically fit to undertake the role. Regard will have to be given to any reasonable adjustments that may need to be made to take account of a disability.

Successful applicants must be asked to complete a medical assessment form when the offer of employment is made. An offer will be made subject to medical clearance.

Employees or volunteers should not start work until a medical clearance is received. If a medical assessment highlights any conditions which may impact the individual's ability to carry out the role, a risk assessment will be undertaken to determine whether the individual will be able to

work in that role. Due consideration will be given to any reasonable adjustment which has been recommended.

## **Visitors**

You will need to conduct a risk assessment on all individuals who are undertaking work in your establishment to ascertain whether they should be subject to a DBS check and the level. In respect of visitors to your establishment good practice would be as described below.

### **DBS**

Visitors may carry some form of ID that will give information of the number and date of their DBS check. It is not recommended that visitors carry their original DBS certificate, if they do, you should not copy this as it is contrary to GDPR and DBS policy to retain copies of DBS certificates.

### **Identity**

If the visitor does not carry a photo ID card you will need some other form of evidence to ensure they are who they claim to be, ideally this should be some form of photo identity. You will need to check that it is a true likeness of the person and that it appears to be a genuine document, if in doubt please contact their organisation.

### **Organisation checks**

You need to be satisfied that the organisation, which has recruited the visitor, has recruited them in-line with safer recruitment, if their role requires it. It would be good practice to have evidence of this from having sight of their relevant policies and procedures, the appendices in this document provide a guide on the documents you may want to ask for.

### **Staff induction**

Guidance on safeguarding inductions for staff is detailed in [appendix 2](#).

## Appendix 1: Standard checklist for safe recruitment for workers providing services to children

Pre-interview	Initials	Date
<p><b>Planning</b> Timetable decided: role specification and description and other documents to be provided to applicants reviewed and updated as necessary. Application form seeks all relevant information and includes relevant statements about references, level of DBS check required, gaps in employment etc.</p>		
<p><b>Advertisement</b> Includes reference to safeguarding policy, i.e. statement of commitment to safeguarding and promoting welfare of children, and need for successful applicant to be DBS checked if required.</p> <p>If a DBS check is required the advert must state that it is an offence for anyone barred from working with children to apply to work in regulated activity.</p>		
<p><b>Application</b> Scrutinised – any discrepancies/anomalies/gaps in employment noted to explore if candidate considered for shortlisting.</p>		
<p><b>Shortlist prepared</b></p>		
<p><b>Invitation to interview</b> Includes all relevant information and instructions.</p>		
<p><b>Interview arrangements</b> At least 2 interviewers: panel members have authority to appoint, have met and agreed issues and questions/assessment criteria/standards beforehand. At least one panel member to have been trained in safer recruitment. It is a legal requirement for at least one member of the panel for appointments to schools to have been accredited in safer recruitment.</p>		
<p><b>Interview</b> Explore applicant's suitability for work with children as well as for the position.</p>		
<p><b>Identity and qualifications</b> Verified on day of interview by scrutiny of appropriate original documents: copies of documents taken and placed on file; where appropriate applicant completed application for DBS check.</p>		
<p><b>Conditional offer of appointment:</b> Offer of appointment is made conditional on satisfactory completion of the following pre-employment checks.</p>		
<p><b>References requested</b> Sought directly from referee on candidate given a conditional offer of appointment: ask recommended specific questions: include statement about liability for accuracy.</p>		

<b>References received</b> Checked against information on application; scrutinised; any discrepancy or issue of concern noted to take up with applicant and verified with the referee.		
<b>Identity</b> (if that could not be verified straight after the interview)		
<b>Qualifications</b> (if not verified on the day of the interview)		
<b>Permission to work in UK if required</b>		
<b>DBS</b> – where appropriate satisfactory DBS received		
<b>Health</b> – the candidate is medically fit		
<b>Professional registration</b> – where an essential requirement of the role e.g. Teaching Regulation Agency or Social Work England		
<b>QTS</b> – (for teaching posts in maintained schools) the teacher has obtained QTS or is exempt from the requirement to hold QTS (for teaching posts in FE Colleges), the teacher has obtained a Post Graduate Certification of Education (PGCE) or Certificate of Education (Cert. Ed) (or equivalent) awarded by a Higher Education Institution, or the FE Teaching Certificate conferred by an Awarding Body – paragraph 4.40		

## **Appendix 2: Guidance on safeguarding induction for new staff**

### **Introduction**

This section provides guidance on the level of safeguarding induction to support new staff who may or will come into contact with children and young people in their role.

Formal induction is designed to help individuals within their roles, and ensure that staff have access to the specific areas of knowledge that will support them within their role of safeguarding children.

Individual employers and agencies have responsibility to ensure that employees/ volunteers have the appropriate level of induction relevant to their post/position so that they can act to safeguard children.

It does not matter what role staff have in their organisation/ service, if they are working in an arena that provides a service/ support to children, young people and/or their families, their responsibility to safeguard children is something they must be aware of.

The standards in this document should achieve a position where staff or volunteers:

- understand the principles and values that apply when working with children, young people and their families
- understand what safeguarding children is
- understand what they need to do if they are worried about the safety and/or welfare of a child
- have some understanding of the role of the Children's MARS Board

This appendix sets out basic minimum standards of induction for all staff who may come into contact with children and young people and enhanced minimum standards for the children's workforce.

### **Organisational responsibilities**

Individual agencies are responsible for ensuring that their staff paid or unpaid are competent and confident in carrying out their responsibilities in safeguarding and promoting the welfare of children.

Agencies are responsible for ensuring that their staff paid or unpaid;

- have a clear understanding of their individual and their agency's roles and responsibilities and are competent to undertake these in an effective manner
- have a clear understanding of the roles and responsibilities of the staff and agencies they need to work collaboratively with
- have an awareness of how to recognise and respond to safeguarding concerns, including signs of possible maltreatment

## **Induction training**

The Children's MARS Board have a number of eWorkbooks that cover topics at a basic awareness level including, safeguarding, Child Criminal Exploitation and Child Sexual Exploitation. These are available to download from the training page on the [Children's MARS website](#).

The Children's MARS Education and Training programme outlines a selection of partnership training courses, national eLearning and practice guidance that professionals can access.

## **Basic minimum standards**

### **Principles**

- All organisations must have an induction process/policy
- The safeguarding of children should be a core feature of the induction process for all staff

### **Values**

- The needs of children must remain a focus of any practitioners work irrespective of whether their prime focus is on adult or family issues.

### **Core content of Induction**

Induction should have a focus on safeguarding and safe practice. It should clearly define the expectation, commitment, individual and collective responsibility to safeguard, through adherence to the organisation's safeguarding policy and procedure, and link to any relevant conduct codes or practice guidance.

This should include being explicit about:

- role boundaries and professional propriety
- individual safeguarding responsibilities, including what to do if concerns about a child's welfare arise and whistleblowing
- policies and procedures to follow if worried about a child or young person's welfare
- provision of the name, contact details and responsibilities of named safeguarding lead within the organisation
- provision of a copy/access to any code of conduct practice standards available to workers within the organisation
- undertaking a training needs analysis for future safeguarding/role related training

### **Areas that must be covered**

- organisational duties to safeguard and promote the welfare of children
- organisation duties to cooperate to improve the welfare of children
- recognition of child harm including the different ways children can be harmed
- the definition and signs and symptoms of physical, emotional and sexual harm and neglect
- it should refer to other types of harm including Contextual, Safeguarding, Child Sexual and Criminal Exploitation, radicalisation, domestic abuse including Forced Marriage and Honour Based Abuse and Female Genital Mutilation
- recognition of harm caused as a result of adult issues including domestic abuse, mental health and substance use

- handling disclosures from children (and adults)
- information sharing
- the role of other agencies in safeguarding children

## **Enhanced Minimum Standard**

### **Principles**

- All organisations must have an induction process/policy
- The safeguarding of children should be a core feature of the induction process for all staff
- The welfare of the child/young person is paramount

### **Values**

- The needs, rights and views of the child are at the centre of all practice and provision
- Diversity is valued
- Equality of opportunity, anti oppressive and anti discriminatory practice are actively promoted
- Children's health and well-being are actively promoted
- Children's personal and physical safety is safeguarded
- Self esteem and resilience are recognised as essential to every child's development
- Confidentiality and information sharing agreements about confidential information are adhered to as appropriate

### **Core content of induction**

Induction should have a focus on safeguarding and safe practice. It should clearly define the expectation, commitment, individual and collective responsibility to safeguard, through adherence to the organisation's safeguarding policy and procedure, and link to any relevant conduct codes or practice guidance.

This should include being explicit about:

- role boundaries and professional propriety
- individual safeguarding responsibilities, including what to do if concerns about a child's welfare arise and whistleblowing
- policies and procedures to follow if worried about a child or young person's welfare
- provision of the name, contact details and responsibilities of named safeguarding lead within the organisation
- provision of a copy/access to any code of conduct practice standards available to workers within the organisation
- undertaking a training needs analysis for future safeguarding/role related training

### **Areas that must be covered**

- The role of the Children's MARS Local Arrangements and Board
- Key documents, policies and procedures including Helping Children and Families in North Lincolnshire 2020/24 document
- Ensure staff are aware of Children's MARS policies and procedures
- Awareness of what contributes towards a safe environment for the children and young people the agency/service work with
- organisational duties to safeguard and promote the welfare of children
- organisation duties to cooperate to improve the welfare of children
- recognition of child harm including the different ways children can be harmed

- the definition and signs and symptoms of physical, emotional and sexual harm and neglect
- it should refer to other types of harm including Contextual, Safeguarding, Child Sexual and Criminal Exploitation, radicalisation, domestic abuse including Forced Marriage and Honour Based Abuse and Female Genital Mutilation
- recognition of harm caused as a result of adult issues including domestic abuse, mental health and substance use
- handling disclosures from children (and adults)
- information sharing
- the role of other agencies in safeguarding children