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## **RECRUITMENT AND SELECTION OF STAFF<sup>1</sup>: POLICY, PROCEDURES AND ASSOCIATED GUIDANCE<sup>2</sup>**

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<sup>1</sup> And Others Appointed To Work In Positions of Trust at The College

<sup>2</sup> Including Arrangements for CRB and Other Vetting

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# RECRUITMENT AND SELECTION OF STAFF POLICY

## 1. POLICY STATEMENT AND OVERVIEW

- 1.1 Recruitment and selection of high quality staff is essential to the success of the College and the delivery of its vision, values and priorities. Staff, recruitment, selection, promotion and appointment arrangements are therefore key activities for the College, ensuring that people with the necessary skills, expertise, qualifications and commitment are available to the College and that they are appointed in an effective and fair way.
- 1.2 The College wholeheartedly supports equality of opportunity in employment and opposes all forms of unlawful or unfair discrimination on grounds of gender, marital status, religion, nationality, race, colour, ethnic origin, political belief, sexual orientation, age and special needs (including disability). Equality of opportunity therefore underpins our staff recruitment, selection and appointment arrangements, ensuring that employment and promotion opportunities are made available to a wide community and that the College is in a position to recruit from a wide pool of talent.
- 1.3 Safeguarding children, young people and vulnerable adults also underpins our staff recruitment, selection and appointment arrangements. The College is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share this commitment. The arrangements described are designed to deter, reject or identify people who might abuse them or are otherwise unsuited to work with children, young people and vulnerable adults.
- 1.4 Other key aspects of the recruitment and selection arrangements include commitments to:
  - Ensuring consistency, good practice and legal compliance in recruitment and selection through the use of standardised processes, forms, job descriptions, person specifications, advertising arrangements and appointment procedures.
  - Advertising all posts internally and externally unless there are justifiable reasons for restricting competition in the first instance (e.g. job security during restructuring).
  - Guaranteeing interviews for internal applicants and for candidates with stated disabilities provided that they meet the essential criteria for an advertised post.
  - Arranging a practical teaching exercise as part of the selection process for all teaching appointments or job related practical exercise(s) for other positions .
  - Ensuring that recruitment and selection processes and decisions are free from unlawful or unfair discrimination on grounds of gender, marital status, religion, nationality, race, colour, ethnic origin, political belief, sexual orientation, age and special needs (including disability).
  - Ensuring that all appointments are made subject to all necessary identity

- and background checks.
  - Ensuring that staff involved in recruitment and selection processes are trained and familiar with their responsibilities and with the requirements of this Policy.
- 1.5 To help ensure consistency, transparency, efficiency and equity across the College, administrative services for staff recruitment, advertising, selection and appointment are provided centrally by the HR Department, from whom standard forms are available and who will also provide advice and guidance on all aspects the procedure.
- 1.6 The successful outcome of staff recruitment and selection procedures is dependent on the knowledge, skills and application of recruiters and training will be provided.
- 1.7 The successful outcome of staff recruitment and selection procedures is also dependent on the subsequent operation by line managers and others of post appointment arrangements for induction, probation, mentoring and other support in the critical weeks and months following appointment. Information relevant to the operation of these arrangements is often highlighted through the recruitment and selection process e.g. training and other support needs. Managers and HR should ensure that such information is passed on, and acted upon, as necessary.

## 2. ROLES AND RESPONSIBILITIES

- 2.1 **The Principal** has overall responsibility and is accountable to the Corporation for the selection and appointment of staff; for ensuring that the policy and procedures on recruitment and selection of staff are implemented and for ensuring that staff involved in the selection procedures understand the policy. This responsibility is exercised on a day to day basis through the Executive Director (Corporate Services) and Human Resources.
- 2.2 **Chairs of Selection Panels** are responsible for following the policy and procedures and ensuring that all persons assisting in the selection process follow them.
- 2.3 **CST members, College Heads and Managers** are responsible for the process of recruitment and selection of staff in the areas of the College which they manage, and for ensuring that staff to whom they delegate the responsibility of chairing selection panels follow the policy and procedures. Whilst other staff may be involved in the recruitment process e.g. as members of an interview panel, responsibility for chairing selection panels and making subsequent appointments cannot be delegated below Manager level for salaried staff (or Curriculum Leader level for Variable Hours Lecturers). Heads and Managers are also responsible for key aspects of the subsequent appointment including induction and probation.
- 2.4 **Human Resources** are responsible for:-

- Managing and monitoring the effective implementation of the policy and the operation of the procedures throughout the College
- Arranging administrative and advisory support to Chairs of selection panels and managers in the operation of the policy and procedures.
- General monitoring of applications for appointment e.g. to identify applicants with disabilities
- Providing administrative services such as advertising, applicant background vetting, taking up references
- Equal opportunities monitoring and reporting
- Making formal written offers of appointment
- Investigating complaints arising from the recruitment process.

**2.5 All staff** involved in recruitment and selection of staff must comply with the policy and procedures.

### **3. RECRUITMENT AND SELECTION PROCEDURES – INTRODUCTION**

3.1 This policy applies to all permanent and substantial fixed-term appointments at the College with the exception of the Principal and Senior Postholders, for which separate procedures exist in the Articles of Government.

3.2 This section details the procedures to be followed in taking the recruitment and selection process through to completion. It splits the process into a number of stages. It is necessary to ensure that the procedures are followed as described and in the order indicated as they are derived from legislation, College policy and good practice.

3.3 The stages detailed in this document are:

<b>Pre-advertisement</b>	Preparation prior to a position being advertised.
<b>Pre-interview</b>	From promotion of vacancies through to short-listing of applications.
<b>Interviewing</b>	Procedures relating to setting up interviews and selecting the most appropriate candidate.
<b>Post-selection Administration</b>	The administration required once a selection has been made

3.4 Human Resources are available to advise anyone requiring help at any stage within the recruitment process.

### **4. PRE-ADVERTISEMENT**

#### **4.1 Preparation and Planning**

Before recruiting for a new or existing position, it is important for the manager to invest time in gathering information about the nature of the job; not only the content (i.e. tasks) making up the job, but also the job's purpose, the outputs required by the job holder and how it fits into the College structure. It is also important to consider the skills and personal attributes needed to perform the role effectively. The manager should assess:

- whether the job needs to be filled
- if the work could be accommodated in other ways
- whether the role requires changes in duties and responsibilities
- what terms and conditions are being offered for the post and whether these are appropriate and consistent with the rest of the College

After consideration of these points, the recruitment process begins with four key documents:

Authorisation Form

Job Description (templates available from HR)

Person Specification ((templates available from HR)

Advertisement

## 4.2 Authorisation Form R1

No post will be recruited against without the appropriate authorisation. A **staff requisition form** (R1) and form R2 (which includes a schedule of advertising/closing/shortlisting/interview dates) must be completed by the line manager, approved by the College Head and forwarded to HR. Further authorisation may be required as appropriate (detailed in separate guidance to managers) and will be arranged via HR.

## 4.3 Job Description

A Job Description should be compiled for each vacancy, written in clear and informative language using the relevant College template. This defines the purpose, scope, principal duties and responsibilities of the role. The Job Description provides a framework that outlines the expectations, both for the College and member of staff, and forms part of the working agreement although it is not contractually binding. It can be used to communicate expectations about standards to employees and managers to help ensure effective performance in the role.

Where relevant job descriptions should make reference to the responsibility for safeguarding and promoting the welfare of children, learners and vulnerable adults.

Job Descriptions will be used to:

- provide information to potential applicants
- act as an aid in selection

#### 4.4 Person Specification

A Person Specification should also be compiled for each vacancy, written in clear and informative language using the relevant College template. A key purpose of the Person Specification is to provide criteria against which the recruitment of candidates will be carried out objectively and equality of opportunity. It defines both essential and desirable criteria and is usually prepared as a table. The Person Specification should be based upon the requirements arising from the Job Description. All criteria must be relevant, objective and measurable. The criteria will be used at relevant stages of the shortlisting and interview process. It is important not to specify unnecessary or marginal requirements that might be unfairly discriminatory.

<b>Essential criteria</b>	Requirements without which a candidate will not normally be offered an interview
<b>Desirable criteria</b>	Requirements that enhance a candidate's application or basis for consideration and may facilitate more detailed shortlisting for interview

The attributes required of the ideal candidate and the format of the Person Specification may vary, but typically could include:

<b>Qualifications</b>	Where considered appropriate and specific to a profession or trade. Equivalent qualifications must be considered.
<b>Experience</b>	Either in the type of role outlined in the Job Description, or in a preparatory, or associated role.
<b>Skills</b>	Relevant to the post
<b>Special requirements</b>	Will be specific and necessary to the job e.g. ability to lift heavy weights, ability to work with specific client groups, holding a driving licence, suitability to work with children

HR also prepares and issues a set of further particulars for applicants in conjunction with the line manager, including background information about the College, the post and the terms and conditions of employment applicable to the role.

The information contained in the Job Description and Person Specification will form the basis for the text of the job advertisement.

#### 4.5 Advertisements

Once approved, advertisements for vacancies are given as wide a circulation

as is necessary to attract a suitable field of candidates likely to possess appropriate qualifications/experience. Internal and external advertisements are placed by Human Resources. Advertisements are also paid for by Human Resources although the department may be asked for a contribution in exceptional cases e.g. where multiple advertisements or particularly expensive are requested or advertising costs can be recouped by the department e.g. by recharge to an external party.

**Internal:** Unless restricted as described below, all vacancies are advertised internally by means of a Flyer distributed weekly by email and a posting on the Intranet. Further copies are displayed on staff notice boards and managers are asked to ensure that all staff who may not have access to email receive or have access to a hard copy. Providing opportunities for career progression is an important factor for employee retention and motivation.

**External:** Unless restricted on internal only basis, all vacancies are posted on the College website and may also be advertised externally through other media. Advertisements should be designed to appeal and be accessible to all sections of the community using positive visual images and wording.

**Restricted internal advertising / ring fencing:** in some situations there may be justifiable grounds for restricting advertising or competition in the first instance to a defined set of potential internal candidates or to a specific member of staff e.g. in a potential redundancy or redeployment situation. In such cases the reasons for and basis of any ring fencing proposals should be documented on the R1 form and HR must be involved in agreeing the proposals. Where such ring fencing takes place appointment must nevertheless be subject to competitive or confirmatory interview unless agreed otherwise with HR.

Choice of advertisement media should not exclude or reduce the numbers of applications from a particular group or from one sex in comparison with the other. Advertisements and other recruitment literature should give clear and accurate information about the post and provide enough relevant information for applicants to make a realistic decision about applying. They should not use language that indicates a preference for a member of any one group (unless there is a Genuine Occupational Qualification). Under Sections 47 and 48 of the Sex Discrimination Act, an advertisement may encourage applications from one group who are under-represented in the work place, but selection must be based on merit only.

Advertisements should include a statement about the College's commitment to safeguarding and promoting the welfare of children and to the need for the successful applicant to undertake a criminal record check via the CRB, as appropriate.

Advertisements will be written by the line manager in conjunction with HR and reproduced in the most cost-effective manner in the College house style using standard border artwork.

The closing date by which applications should be received is normally two weeks after insertion of an external advertisement. The closing date for a post advertised internally only can be less where this does not unreasonably disadvantage potential candidates - usually one week.

## 5. PRE-INTERVIEW

### 5.1 Applications

All applicants are required to complete a standard **application form** and an Equal Opportunity Monitoring Form. In line with DfES guidance on safeguarding children, submission of a CV only is not acceptable. Use of a standard application form also helps to ensure that information is presented in a consistent format and it is therefore easier to assess objectively the candidate's suitability during the shortlisting process.

Applicants are asked make contact by letter, telephone, email or fax to the local HR Office who record the name, address and vacancy and despatch an information pack to each enquirer by first class post. The HR service standard is for this to be despatched within one working day. The information pack contains a set of details for applicants, job description, person specification, equal opportunities statement and monitoring form (this will be separated and will not form part of the selection process).

These procedures and forms may be modified in cases where vacancies are restricted or ring fenced on an internal only basis.

### 5.2. Shortlisting

Shortlisting should normally be carried out by a minimum of two people one of whom should be at College Manager level or above and at least one of whom should be involved in the interview panel. The shortlisters should assess suitability objectively, referring to the person specification. Application forms will be provided to the manager identified as having responsibility for shortlisting on form R2 as soon as possible following the closing date together with a set of information on the post and a shortlisting grid and instructions. Confidentiality of an applicant's details is of paramount importance. Applications should be scrutinised to ensure that they are fully and properly completed; that the information provided is consistent and to identify any gaps in employment or pattern of repeated changes of employment that need to be explored and verified.

Those responsible for shortlisting must complete a **shortlisting form**, upon which they are required to make a self declaration stating whether they have any former knowledge of any of the candidates, a process designed to avoid

potential conflict of interests. If a conflict of interest exists, the prospective interviewer must withdraw from the panel.

It is College policy to **guarantee an offer of interview for all internal applicants provided they meet the essential criteria** for an advertised post.

It is College policy to **guarantee an offer of interview for all applicants with a declared disability, provided they meet the essential criteria** for an advertised post. All disabled applicants will therefore be considered on their merits.

A record must be kept of shortlisting decisions, including reasons why candidates have and have not been selected for interview.

Invitations to attend for a selection interview are normally sent in writing from HR and will aim to provide at least one week's clear notice of an interview date. The invitation will include the details of any skills assessments and related preparatory work that may be required as part of the selection process. Candidates are asked to confirm their attendance.

Two references are taken up by HR for each candidate invited to attend for selection interview, unless a candidate has requested his/her reference/s not be taken up at this stage (see Reference Policy). Where appropriate, one reference should be from the candidate's present or most recent employer and any appointment will be subject to receipt of satisfactory references. References are an important aspect of the arrangements for safeguarding children, by checking identity and background. Where an applicant who is not currently working with children has done so in the past it is important that a reference is also obtained from the employer by whom the person was most recently employed in work with children. Any issues of potential concern in a reference should be explored at interview (or before appointment if not explored at interview). The College reserves the right to request additional references prior to making an appointment.

Human Resources will carry out a salary assessment for each shortlisted candidate. This may be revised by HR in the light of additional pertinent information obtained during the interview process.

Travel and subsistence expenses can be claimed by candidates in accordance with rates and arrangements in the Expenses Policy.

Unsuccessful applicants are informed by letter as soon as possible after shortlisting.

## **6. INTERVIEWING**

## **6.1. Preparation for Interviews**

The selection process will normally include some form of selection interview. The composition of the interview panel should be restricted to a minimum but should be at least two people and always include the person to whom the appointee will be immediately responsible, together with the relevant Manager. It is not usually appropriate to include the outgoing postholder, or a member of staff at the same or a lower level. A member of HR may be available to attend an interview panel if required.

All members of the panel must be clear as to the job description and person specification, how the criteria for both have been established and how candidates are to be measured against those criteria.

The selection process should also normally include some form of job related practical exercise e.g. assignment, test or presentation. The exercise must be applied equally to all candidates and must be appropriate to the position. A fair and consistent marking procedure must be organised. It is College policy that an assessed practical teaching exercise must form part of the selection process for all teaching appointments.

The panel should meet in advance of the interview in order to plan the framework. In framing its questions the panel must be aware of the College's Equal Opportunity policies and Interview Notes and how these apply in practice.

Each candidate should be asked the same core questions, with additional probing as necessary. Candidates should also be allowed the opportunity to ask questions

It is important that all panel members should observe College protocols and good practise. Training in interview techniques incorporating Equal Opportunities issues is available for panel members via internal development programmes and briefing is available from HR where necessary. The Chair must be familiar with the requirements of this Recruitment and Selection Policy and be trained in recruitment and selection practices before undertaking the role. Where the post involves regular contact with children it is important that at least one member of the panel should be aware of relevant internal and external guidance on Safeguarding Children in the recruitment and selection context.

## **6.2 Conduct of Interviews**

Panel members will allow sufficient and equal time to each candidate.

Time will be allowed to write notes between, during or after each interview as agreed by the panel, using the interview assessment sheet provided. Notes should be written whilst still fresh in the mind. If panel members wish to write

notes during the interview, they should tell the candidates they will be doing this, as it can be distracting.

Panel members will not ask questions that are discriminatory or which are likely to be construed as such or which imply bias of any kind, such as those concerning:

- marital status or intentions
- divorce
- parents/children/childcare
- mobility
- partner/spouse
- religious beliefs

The Chair of the panel is responsible for:

- leading the interview process
- ensuring the environment and conduct of the interview is appropriate and professional
- advising candidates on what happens next
- checking the reasons for gaps in employment
- ensuring that the candidate's attitude toward children and young people is explored where appropriate
- assessing and evaluating the candidate's ability to support the College's aims and responsibilities including safeguarding and promoting the welfare of children and vulnerable adults where appropriate
- ensuring that any identified criminal conviction is fully explored (before, during or after the interview as appropriate) in order to assess suitability for appointment
- retaining individual panel members' interview documentation and returning to HR in a confidential manner
- completing the "Result Of Interview" form

### **6.3 After the Interview**

The panel will compare each candidate in turn against the specification using the assessment grid. Notes should be made as to reasons for non-selection. Note should be taken of assignments and references (including what they might not state as well as what they do). Candidates should not be kept waiting while a decision is reached as this may imply a hasty or forgone conclusion.

Selection decisions should be the result of a majority decision and recorded on the Result of Interview form by the Chair and passed to HR.

The panel should agree reserve candidate(s) (if available) in case the selected candidate does not accept

## **7. POST-SELECTION / APPOINTMENT ADMINISTRATION**

### **7.1 Offer of employment**

An offer of appointment may be made by the Chair of the panel or by HR, using the initial salary assessment provided by HR. Any initial job offer will be conditional on the receipt of two relevant and satisfactory references, verification of identity, medical and qualifications checks, proof of the right to work in the UK and check of the DfES List 99 and CRB Disclosure (where appropriate). The offer is put in writing by HR and the appointee asked to confirm their acceptance in writing.

Unsuccessful candidates should be notified promptly in writing, or by telephone, by HR and, if required, feedback should be available from the chair of the Panel. Internal candidates should receive the courtesy of a personal phone call or meeting and the offer of constructive feedback should be made.

### **7.2 Retention of documents.**

In accordance with Data Protection guidelines, and in order to process any potential complaints, applications and other records are kept on file for one year by HR.

### **7.3 Health Clearance**

Offers of appointment are made subject to the receipt of satisfactory health clearance. A medical questionnaire will be forwarded to the successful candidate by HR together with the offer of employment. Where this identifies the need for further information relating to the candidate's medical suitability for the post, medical advice will be taken from the College's Occupational Health Advisor.

### **7.4 References**

HR is responsible for ensuring that two relevant and satisfactory references have been obtained on the successful candidate (see Reference Policy). At least one of these should be the candidate's present or last employer. Personal references from family members are not accepted.

### **7.5 Background Vetting (CRB, List 99 etc.)**

Appointments to posts which allow substantial access to children under 16, young people up to the age of 18 and those with special educational needs

are made subject to satisfactory CRB Disclosure (see Appendix 2). HR will provide the necessary paperwork to the successful candidate for completion as appropriate. The College Policy Statement on the Recruitment and Employment of Offenders and Ex-offenders provides additional information on this matter. No appointment to positions covered by the CRB requirements can commence without, as a minimum, a check (currently List 99) to establish that the applicant has not been barred from working with children and suitable supervision pending receipt of the CRB check. More detailed vetting arrangements are provided in Appendix 2 and these will be subject to periodic review and update.

Where an applicant is found to be barred from working with children (e.g. on List 99) or the CRB Disclosure indicates disqualification from working with children by a court, or an applicant has provided false information about child protection issues or there are serious concerns about suitability to work with children, this may constitute grounds for further investigation and criminal prosecution. The facts must be reported by HR to the police and/or the DfES Children's Safeguarding Operations Unit as appropriate.

## **8. PROCEDURE FOR CASUAL OR SHORT-TERM APPOINTMENTS**

It is accepted that whilst the principles embodied within this policy will apply to all recruitment, it is not always practicable to follow the procedure in every detail for all appointments, where operational needs may dictate that an appointment is made within shorter timescales e.g. for particular projects, sickness or maternity cover. Nevertheless Managers/Curriculum Leaders are accountable for ensuring that all appointments meet the following minimum standards.

Any such appointment will be made only on a casual or short-term hourly paid basis and will be funded from within the department's flexible staffing budget.

It is not necessary to obtain authorisation for the recruitment process by completion of Form R1 although HR will process any advertisement as required.

Applicants for any such casual or short-term appointment should be interviewed using the checklist attached as Appendix 3. This should be forwarded to HR as soon as any such offer of work is made to ensure that the necessary checks and minimum paperwork are completed. This will include an application form, CRB (as appropriate) and the right to work in this country checks.

Where the appointment is to a role other than that of Variable Hours/Part-time Hourly Paid Lecturer, the rate of pay will need to be agreed in advance with HR.

## **9. COMMENCEMENT, MONITORING AND REVIEW**

This policy and associated procedures supersede all predecessor documents adopted by the Corporations of Eastbourne College of Arts & Technology, Park College and Lewes Tertiary College.

This policy and associated procedures were approved by the College's Human Resource Committee, on behalf of the Corporation on 4 October 2006, to become effective from 5 October 2006.

This policy and associated procedures will be the subject of periodic monitoring and technical updating through the Human Resources Department and CST as appropriate and formal review by the Human Resources Committee within 3 years of the effective date mentioned above.

This policy was reviewed by the Head of Human Resources and updated in February 2007 to take account of updated DfES guidance and mandatory requirements as detailed in the DfES publication "Safeguarding Children and Safer Recruitment in Education" 2006 (Copy available on the U drive at <U:\Human Resources\HR Policies, Procedures & Guidelines\Guidance\Safeguarding Children and Safer Recruitment in Education Consolidated DfES Guidance Jan 2007.pdf>.)

## APPENDIX 1

**Other relevant College policies, procedures, guidelines and resources** as at September 2006 include:

Reference (Employment) Policy

Policy Statement on the Employment of Ex-Offenders

Staffing Establishment Monitoring and Approval Arrangements

Equality and Diversity Policy including Race Equality

Disability Equality for Staff Policy

Application Form

Job Description Templates

Shortlisting Forms

Interview Forms

Post Appointment:

- Probation

- Induction

- Employee Development

- Appraisal

- Mentoring

Child Protection Policy

These are all available on the College's Global U Drive. Most are also available on request from Human Resources, and in the Managers E handbook at [U:\Human Resources\Managers E Handbook \(Employment Policies & Procedures\).doc](U:\Human Resources\Managers E Handbook (Employment Policies & Procedures).doc) and on the U Drive at <U:\Human Resources\HR Policies, Procedures & Guidelines>.

## Appendix 2:

### **Safeguarding Children and Safer Recruitment in Education – Briefing on CRB Checks and other Vetting Arrangements Including the Recruitment and Employment of Offenders and Ex-Offenders**

#### **1. INTRODUCTION AND OVERVIEW**

- 1.1. The College owes a duty of care to all its students, and has extended responsibilities for those who are young and vulnerable. It is vital that the College adopts robust staff recruitment and selection procedures and other Human Resources management processes that help to deter, reject or identify people who might abuse children, young people or vulnerable adults or are otherwise unsuited to work with them. These updated guidelines have been prepared with reference to DfES good practice advice, mandatory guidance and legal requirements relating to CRB, List 99 and other vetting procedures in education, to brief and advise managers and others on the College's current arrangements for vetting job applicants and, in some cases, existing staff.
- 1.2. Because of the nature of jobs at the College, the College needs to know about any criminal convictions and/or prosecutions that are pending in relation to new and existing staff. All job applicants are therefore asked through the application form to provide information about criminal convictions and prosecutions pending. In relevant cases (i.e. jobs involving regular contact with children, young people under 18 years and vulnerable adults) the College is entitled to ask for, and job applicants are not entitled to withhold, information about convictions which, for other purposes, are "spent" under the provisions of the Rehabilitation of Offenders Act 1974. In these cases a check as to the existence of and content of a criminal record will be requested from the Criminal Records Bureau. Similarly the College requires staff (as per the terms of contracts of employment) to disclose details of any criminal charges or convictions acquired during employment with the College. The College also checks to see that appointed staff are not barred from working with children. More detailed arrangements are described below.
- 1.3. Sussex Downs College is nevertheless committed to promoting equality of opportunity and welcomes applications from candidates with criminal records where these are not relevant to employment at the College. The College undertakes to comply fully with the Criminal Records Bureau (CRB) Code of Practice and does not automatically exclude applicants on the basis of convictions or other information received (unless there is a legal bar). Candidates are selected for interview and for appointment based on their skills, qualifications and experience.
- 1.4. Recruitment and Selection procedures are therefore designed to prevent unsuitable people from gaining access to children and maintain the integrity of the teaching profession, whilst at the same time respecting human rights

and privacy issues and complying with the requirements of the data protection legislation.

- 1.5. Ongoing awareness during the course of employment is also important. Recruitment checks can only pick up the small percentage of abusers who have been convicted, come to the attention of the Police or who have been listed. The majority of individuals who are unsuited to work with children will not have any previous convictions or appear on List 99 or the PoCA List. The College's Child Protection Policy gives details about the arrangements for receiving and passing on concerns.
- 1.6. The College's HR Department maintains a central record of identity, CRB, List 99 and other checks in accordance with DfES requirements.

## **2. CRIMINAL RECORDS BUREAU (CRB) CHECKS**

- 2.1 CRB checks are mandatory for staff new to the College and who are appointed to work with children, young people up to the age of 18 and vulnerable adults. They are also mandatory for staff transferring from a post not covered by CRB checks to a post covered by CRB checks, or where there is a cause for concern in relation to an existing member of staff. All offers of employment to these posts are conditional upon the College receiving a satisfactory check. The HR Department is registered with the to process CRB checks subject to strict confidentiality and data protection arrangements. CRB checks are initiated by HR, sent to the CRB via HR and returned from the CRB to HR. HR will liaise with managers on a confidential basis to jointly assess the relevance of any convictions or other matters revealed and determine whether an appointment can be confirmed.
- 2.2 A CRB Disclosure will reveal court convictions (including spent convictions) and cautions that have not been the subject of court proceedings. It will also involve cross checking with List 99, the Sex Offenders Register and the Protection of Children Act (PoCA) List. List 99 is a strictly confidential register of men and women who are barred (or restricted) from working with children in schools or colleges by the Department of Education and Skills (DfES). In Enhanced Disclosures the Police may also provide additional concerns about the subject that they may have, or currently be investigating.
- 2.3 A CRB Disclosure is only requested where it is considered to be proportionate and relevant to the position concerned (see section 3). For those positions where a Disclosure is required all application forms, job adverts and further details will contain a statement that a Disclosure will be requested in the event of an individual being offered the position.
- 2.4 Where a Disclosure is to form part of the recruitment process the College encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. It is requested that this information is sent under separate, confidential cover, to a designated person within Sussex Downs College and it is guaranteed that this

information is seen only by those who need to see it as part of the recruitment process.

- 2.5 At interview, or in a separate discussion, the College ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment or the termination of employment if an appointment has already taken place.
- 2.6 The College makes every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and makes a copy available on request.
- 2.7 The College undertakes to discuss any matter revealed in a Disclosure with the person seeking the position before confirming or withdrawing a conditional offer of employment.
- 2.8 A new CRB Disclosure is not required when someone moves from a school, local authority or FE College post covered by CRB arrangements within 3 months. HR will determine and advise in individual cases.
- 2.9 CRB Disclosure arrangements also apply for Supply Staff where there are used (.in exceptional cases). HR will make the necessary arrangements.
- 2.10 **It is not always possible to complete the CRB checking arrangements prior to the projected starting date, and therefore all appointments are made on a conditional basis. Where it has not been possible to complete the CRB checking arrangements, a List 99 check will be undertaken by HR and no candidate appointed to a post for which a CRB Disclosure is required will be allowed to commence work without a List 99 check having been carried out. Additionally, appropriate interim arrangements e.g. supervision and restricted duties, must be put in place to manage any risk to children, young people and vulnerable adults.**
- 2.11 List 99 checks are also carried out prior to commencing appointment for any newly appointed teaching staff who are not covered by CRB Disclosure arrangements i.e. those only teaching adults.

### **3. CRB/LIST 99 CHECKS FOR NEW APPOINTMENTS AND FOR PEOPLE CHANGING ROLES**

- 3.1 The following arrangements for CRB and List 99 checking are based on current DfES and CRB guidance, and may be subject to periodic review and change.
- 3.2 Positions at the College are classified into four main categories for the purposes of CRB and List 99 checking procedures:

- **CRB Enhanced Checks** – for people in positions providing education and who regularly (see 3.3 below) care for, train, supervise or have sole charge of children, young people under 18 or vulnerable adults. Such posts are excepted from the Rehabilitation of Ex-Offenders Act. These Enhanced CRB checks incorporate List 99 checks.
  - **CRB Standard Checks** – for people in positions where the criteria for Enhanced Checks as above are not met but in which people are nevertheless involved in working with children, young people under 18 and vulnerable adults and where people are likely to be perceived as safe and trustworthy because of their regular presence and position. Such posts are excepted from the Rehabilitation of Ex-Offenders Act. These Standard CRB checks incorporate List 99 checks.
  - **List 99 Checks (standalone)** – for people in other positions providing education but who are not covered by CRB Disclosure criteria above – e.g. teachers contracted to work exclusively with adult students.
  - **CRB Checks not required** – people in positions which do not meet the criteria for CRB checking as described above. Such people may work on the same site, but do not have a position of trust, or regular contact, or supervision in relation to children, young people up to the age of 18 or vulnerable adults.
- 3.3 The term “regular” has been defined as meaning “three or more times in a 30 day period, or once a month or more, or overnight”.
- 3.4 **People who have lived outside the UK:** Additional background checks must be considered and may be required for new staff and others in positions covered by the CRB checking criteria who have lived outside the UK within the previous five years.

The table on the following page identifies the type of check required for different categories of staff and others in non employed positions:

**CRB/LIST 99 CHECKS FOR NEW APPOINTMENTS AND FOR PEOPLE CHANGING ROLES**

<p><b>ENHANCED</b></p>	<p>For people in positions providing education and who regularly (see 3.3 below) care for, train, supervise or have sole charge of children, young people under 18 or vulnerable adults. e.g.</p> <ul style="list-style-type: none"> <li>• Teachers of children, young people up to the age of 18 and vulnerable adults</li> <li>• Most staff in Learner / Student Services</li> <li>• Learning Resource Assistants,</li> <li>• Classroom Assistants,</li> <li>• Learning Centre Assistants</li> <li>• Learner Assistants</li> <li>• Personal Tutors</li> <li>• Childcare / Nursery staff</li> <li>• Minibus drivers</li> <li>• Prison education staff working with young people or vulnerable adults</li> <li>• Examiners and Invigilators</li> <li>• Technicians, Instructors, Demonstrators</li> </ul>
<p><b>STANDARD</b></p>	<p>For people in positions where the criteria for Enhanced Checks as above are not met but in which people are nevertheless involved in working with children, young people under 18 and vulnerable adults and where people are likely to be perceived as safe and trustworthy because of their regular presence and position e.g.</p> <ul style="list-style-type: none"> <li>• Support staff in relevant curriculum support teams</li> <li>• Some staff in Student / Learner Services</li> <li>• Premises Wardens</li> <li>• CST</li> <li>• Network Services</li> <li>• Learner Services</li> <li>• Catering Staff</li> </ul>
<p><b>LIST 99 Only</b></p>	<p>All teachers not covered by CRB checks i.e. working exclusively with non-vulnerable students over 18</p>
<p><b>To Be Determined In Individual Cases (on a basis of relevance and proportionality) e.g.</b></p>	<ul style="list-style-type: none"> <li>• Assessors</li> <li>• Governors</li> <li>• Volunteers</li> <li>• Freelance trainers</li> <li>• Independent contractors and consultants</li> <li>• Visiting Sports Instructors</li> <li>• Work Experience Placements at the College</li> <li>• Other visitors<sup>1</sup></li> </ul>

<sup>1</sup> Colleges can assume that teachers and other visiting professionals from schools, LAs, the NHS and other FE Colleges have been CRB checked and do not need to see the checks, but do need to check identity.

- 3.3 For new staff these checks are carried out by HR staff following notification of the outcome of interview. Managers are asked to notify HR of the need for CRB checking using the check box on the standard result of interview form. In cases of uncertainty or query HR will check with the appointing manager to help determine the type of vetting required.
- 3.4 For new staff all offers of employment are made on a conditional basis, subject to satisfactory checks.
- 3.5 For others e.g. staff changing roles, volunteers etc – managers in charge should notify HR so that the relevant CRB checking arrangements can be initiated.

#### **4. CRB CHECKS FOR EXISTING STAFF, VOLUNTEERS ETC**

- 4.1 Checks on existing staff and volunteers etc will only be required *either* if there is a change of role e.g. a transfer to from a post not involving regular contact with children to a post in one of the categories above involving regular contact, *or* where there is a “cause for concern”.

#### **5. STAFF AND VOLUNTEERS ETC WORKING WITH 14 – 16 YEAR OLDS ON INCREASED FLEXIBILITY AND OTHER COLLEGE PROGRAMMES**

- 5.1 The College recognises that 14 – 16 year old children on Increased Flexibility and other programmes are especially vulnerable. It is thus particularly important that stringent security procedures are in place in relation to appointment to posts within this area.
- 5.2 No staff (new or existing) or volunteers etc are be permitted to start work in roles within this area for which an Enhanced Disclosure would be required without checks having been completed. To facilitate this all recruitment (either to salaried or short-term posts) will be carried out through HR and only full application forms will be acceptable. Requests for references will be made prior to interview.
- 5.3 The interview panel will take particular care to stress the College’s commitment to Child Protection and the need to obtain CRB Disclosure and satisfactory references prior to the commencement of employment. Candidates will be specifically encouraged to declare the existence of any convictions at the interview stage.
- 5.4 Candidates will be asked to bring completed Asylum and Immigration documentation to the interview and in selected instances completed CRB forms in order to speed up the process.
- 5.5 Managers should ensure that cover arrangements are in place that utilise staff who have already obtained CRB clearance.

## **6. SECURE STORAGE, HANDLING, USE, RETENTION AND DISPOSAL OF DISCLOSURE INFORMATION**

- 6.1 Disclosure information will be kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those entitled to see it as part of their duties.
- 6.2 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. The College will maintain a record of all those to whom Disclosure information has been revealed and recognises that it is a criminal offence to pass this information to anyone who is not entitled to receive it.
- 6.3 Disclosure information is only used for the specific purpose for which it is requested and for which the applicant's full consent has been given.
- 6.4 Once a recruitment decision has been made the College will not retain Disclosure information for longer than is absolutely necessary. The usual conditions regarding safe storage and strictly controlled access will prevail.
- 6.5 Once the retention period has elapsed, the College will ensure that any Disclosure information is immediately suitably destroyed by secure means i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle. The College will not keep any photocopy or other image of the Disclosure or representation of the contents of a Disclosure. However, notwithstanding the above, The College will (as required by law) keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure the details of the recruitment decision taken, and the name of the person recording the Disclosure.

## **7 ONGOING EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS**

- 7.1 Ongoing awareness during the course of employment is vitally important in order to protect children, young people and vulnerable adults.
- 7.2 The College requires employees to disclose to the Head of Human Resources, details of any criminal charges or convictions acquired during the period of employment with the College. The College undertakes to treat any information so provided on a confidential basis.
- 7.3 Failure to disclose any such criminal charges or convictions may be deemed to be gross misconduct and lead to summary dismissal. The College undertakes to discuss any such criminal charges or convictions with the employee before reaching a decision about any action to be taken.
- 7.4 Any action deemed necessary by the College as a result of an employee receiving a criminal charge or conviction will be pursued under the College's Disciplinary Policy.

### APPENDIX 3

#### RESULT OF INTERVIEW FORM/RECRUITMENT CHECKLIST FOR CASUAL OR SHORT-TERM APPOINTMENTS

Please complete and return to Human Resources. Please note that no appointment can be finalised and no payment will be made until HR have received this completed form.

Job Title:	Cost Centre:
Full Name of Successful Candidate:	
Previous Surnames:	DOB:
Address:	
Application Form attached: YES <input type="checkbox"/> NO <input type="checkbox"/>	Candidate recruited from:
Does the post involve regular contact with under 18's and/or vulnerable adults? YES <input type="checkbox"/> NO <input type="checkbox"/>	CRB check/List 99 Check required: Yes/No/*Unsure (*refer to HR)
FOR APPOINTMENTS TO POSTS INVOLVING WORK WITH CHILDREN/VULNERABLE ADULTS	
Do you have any concerns regarding the candidate's suitability to work with young people/vulnerable adults? YES <input type="checkbox"/> NO <input type="checkbox"/> If yes, please provide details:	
Have you explored and satisfactorily explained any gaps in employment history? YES <input type="checkbox"/> NO <input type="checkbox"/> If there are gaps, please provide details:	

Are there any concerns/discrepancies arising from the information provided by the candidate that need to be investigated further or discussed with HR?

YES  NO

If yes, please provide details:

Have you asked the candidate if they wish to declare any cautions/convictions/prosecutions prior to us seeking a CRB check?

YES  NO

Has the candidate declared any further information: YES  NO

If yes, please provide details:

Any other further information:

Signed:  
Manager/Chair of interview panel)

Date:

Please ensure any other interview paperwork/notes are attached

FOR HR USE ONLY:

Starter pack issued:	List 99 Check
Starter pack returned:	YES <input type="checkbox"/> NO <input type="checkbox"/>
CRB Form & supporting documents received: YES <input type="checkbox"/> NO <input type="checkbox"/>	CRB Check Obtained: YES <input type="checkbox"/> NO <input type="checkbox"/>
Reference requested: YES <input type="checkbox"/> NO <input type="checkbox"/>	Reference received: YES <input type="checkbox"/> NO <input type="checkbox"/>
Eligibility to work in UK: YES <input type="checkbox"/> NO <input type="checkbox"/>	
Evidence provided:	

Any further action required:

Candidate suitable for employment

YES  NO

If 'no', please provide details:

Signed:

Dated:

HR Manager/Officer