HO 4.3 Safe Recruitment Policy (CAFOD)

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| **inTitle**:  | **Safe Recruitment Policy** |
| **Key contact** | HR Services Officer |
| **Audience** | All staff |
| ***Variations*** | *All national offices should check local employment law to confirm requirements.* |
| ***Next review*** | *January 2020* |

## Safe Recruitment Policy

These guidelines are intended to enable managers to check the safeguarding procedures for recruiting a new member of staff to a post that involves contact with children or vulnerable adults.

If you have any questions about these guidelines, please speak to your HR Adviser

The guidelines cover the following areas:

* Definition of a Safeguarding-vetted post
* Establishing if a post is a Safeguarding-vetted post
* Creating a new Safeguarding-vetted post
* Type of check
* Job description, person specification and advert
* Application form
* Shortlisting
* Selection interviews
* Offer of appointment
* Requesting references
* Disclosure & Barring Service checks and police checks
* Induction
* Volunteers

Definition of a Safeguarding-vetted post:

 A ‘Safeguarding-vetted post’ is a CAFOD post which requires regulated work with children and/or vulnerable adults. Or those that may be required over the length of the time they are in post:

* To have contact with children (people under 18) or vulnerable adults in the course of their work;
* To see the same child more than once or otherwise to have the chance to build a rapport with a child through their work;
* To work in a school or youth club setting or equivalent

For UK-Based posts, please see [‘DBS Eligibility Guidance’](https://www.gov.uk/government/collections/dbs-eligibility-guidance) for further details on definitions and eligibility.

Definition of children: People under 18

Definition of Vulnerable Adult (international development context): This is an individual aged 18 years or over who is at greater risk of significant harm due to factors such as gender, age, mental or physical health, or as a result of poverty, inequality or experience of displacement or crisis. In an international development context an example might be a person with reliance on humanitarian aid with another intersecting vulnerability such as a disability or their ethnicity. Safeguarding vulnerable adults is the process of protecting adults from abuse or neglect, enabling adults to maintain control over their lives and make informed choices without coercion.

Definition of Vulnerable Adult (UK context): This is an individual aged 18 years or over who has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and; as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

**Establishing if a post is a Safeguarding-vetted post:**

Firstly, if the post:

* Will definitely not have contact with children or vulnerable adults in the course of their work
* Will not manage anyone who does
* Will not have access to under 18s’ data

Then no Criminal Record Check will be required. If the post falls into any of the above, then it is likely a check will be required. Below sets out the process for determining which type of check is required.

**Posts based in the UK**

If the post does need a check then, where post-holders have already been living in the UK for 3 years or more, a UK ‘DBS check’ will apply. There are different levels of DBS check. To find out which level of DBS check is required, the manager should carry out the questionnaire on Gov UK entitled ‘[Find out which DBS check is right for your employee’](https://www.gov.uk/find-out-dbs-check/y)**, in liaison with their HR Adviser.** They should be aware that if the post in question requires an enhanced DBS check, they may also need this check as their line manager. The DBS questionnaire results will indicate this.

The HR Adviser will support the manager in answering these questions in the context of the specific post. If there is any uncertainty about the result of the questionnaire then this should be discussed with the relevant Safeguarding Adviser. All posts requiring an Enhanced or Enhanced with Barred Check will then be agreed with regulating body CSAS who then administer the checks. If posts require an Enhanced or Enhanced with Barred Check then it will be either a ‘child only’ check, an ‘adult only’ check or a ‘child and adult’ check. For all UK-based posts requiring a check who don’t travel, it is expected they will require a ‘child only’ check.

If the result states a ‘basic’ check then the HR Adviser and manager should discuss whether a basic check is required or whether no check is necessary (e.g. if they have some supervised contact with children or vulnerable adults, but are not eligible for a higher level check). This process is not conducted via CSAS and legally any UK post-holder can have a basic DBS check.

N.B. if the post-holder has been living in the UK for less than three years, then a police check will also be required where possible, from the country of the post-holder’s previous country of residence.

**Non-UK police checks**

N.B. most countries do not have different levels of police checks. However, CAFOD still breaks down the level of risk each post has. Managers should discuss the level of Risk of each post with their HR Adviser and use the table below.

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| **Level of check (CAFOD terminology)**  | **More Info** (this table applies to non-UK post-holders only – UK post-holders should complete the above **DBS questionnaire**)  |
| High Risk (police check and self declaration required)  | * Works directly with children over 3 times a month, face to face, unsupervised
* Works directly with children in the context of moderating an online chatroom or online media over 3 times a month
* Works in a child friendly space where children are present, over 3 times a month
* Adult or Child Social worker
* Working unsupervised with vulnerable adults once a week or more, or 4 times a month or more
* A manager of a post-holder who is involved in one or more of the above
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| Medium Risk (police check and self declaration required)  | * Works directly with children less than 3 times a month and not overnight
* Works directly with children over 3 times a month but always supervised
* Works with children in the context of moderating an online chatroom or online media less than 3 times a month
* Works in a child friendly space where children are present – less than 3 times a month
* Inspects child friendly spaces
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| Low Risk (police check and self declaration required)  | * Carries out elements of the above work but not to the same extent (e.g. working directly with children, supervised, once every 6 months)
* Access to under 18 data and actively communicate with under 18s through this as part of their role.
 |
| No risk of note  | * None of the above

(post-holder definitely has no contact with children or vulnerable adults and does not manage anyone who does) |

#####  For jobs that don’t require a check, CAFOD’s standard recruitment procedures apply (see [The Recruitment and Selection Toolkit](http://cafodportal/sites/rec/Pages1/Recruitment_Toolkit.aspx))

For those roles that require a check, safeguarding procedures apply. For further guidance on safeguarding procedures please see:

* [Addressing Safeguarding in Interviews](http://cafodportal/sites/rec/Recruitment%20Toolkit%20Documents/Addressing%20Safeguarding%20in%20Interviews.docx) within [The Recruitment and Selection Toolkit](http://cafodportal/sites/rec/Pages1/Recruitment_Toolkit.aspx)
* Attend the Safeguarding Induction session and attend the refresher training (required every 3 years).

**Creating a new Safeguarding-vetted post:**

Whether or not a post will require a check should be decided at the time the job description is agreed. during the post creation process on SIMBA. As a manager, please speak to your HR Adviser about this when creating a post.

All existing posts should have already had their Safeguarding status approved (check with the HR Services Team against the list of **Identified posts requiring a safeguarding check**).

The requirement for a DBS/police check for vacant posts should be decided by reference to the definitions above. Previous decisions about level of contact with children or vulnerable adults for existing posts should always be reviewed when the post becomes vacant, to ensure that the previous decision remains valid.

**(N.B. Staff member’s Police Checks and DBS Checks should be renewed every three years.)**

#### Job description, person specification and advert

The line manager prepares the job description, covering the general description of the post and person specification. For all posts that require a check (known as “identified posts”) the job description must include the following statement:

CAFOD recognises the personal dignity and rights of children and vulnerable adults, towards whom it has a special responsibility and a duty of care and respect.  CAFOD, and all its staff and volunteers, undertake to do all in our power to create a safe environment for children, young people and vulnerable adults and to prevent their physical, sexual or emotional abuse.  CAFOD is committed to acting at all times in the best interests of children and vulnerable adults, seeing these interests as paramount.  Any candidate offered a job with CAFOD will be expected to adhere to CAFOD’s Safeguarding policy and sign CAFOD’s Code of Behaviour as an appendix to their contract of employment and agree to conduct themselves in accordance with the provisions of these documents. This post involves responsibility for people who will have contact with children, young people and vulnerable adults and applicants will be subject to specific checks related to safeguarding issues.  If based in the UK the post holder is required to present or obtain a Disclosure from the DBS (Disclosure & Barring Service).  If the post is based outside the UK the post holder will be subject to a different checking process.’

For ***all other*** job descriptions the following statement must be included:

CAFOD recognises the personal dignity and rights of children and vulnerable adults, towards whom it has a special responsibility and a duty of care and respect.  CAFOD, and all its staff and volunteers, undertake to do all in our power to create a safe environment for children, young people and vulnerable adults and to prevent their physical, sexual or emotional abuse.  CAFOD is committed to acting at all times in the best interests of children and vulnerable adults, seeing these interests as paramount.  Any candidate offered a job with CAFOD will be expected to adhere to CAFOD’s Safeguarding policy and sign CAFOD’s Code of Behaviour as an appendix to their contract of employment and agree to conduct themselves in accordance with the provisions of these documents. And

‘CAFOD is an equal opportunities employer. Recruitment and selection procedures reflect our commitment to safeguarding children and vulnerable adults.’

***All*** adverts must include the following statement:

‘CAFOD is an equal opportunities employer. Recruitment and selection procedures reflect our commitment to safeguarding children and vulnerable adults.’

The aim of the statement is to deter potential abusers from applying for positions and to reassure other applicants of CAFOD’s commitment to the protection of children & vulnerable adults and the prevention of abuse.

**Application Form**

The application form asks for a confidential disclosure of convictions, as shown:

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| Do you have any unspent criminal convictions under the Rehabilitation of Offenders Act 1974?  Telling us about a criminal record may not necessarily prevent you from being offered a job by CAFOD.  We may consider the type of offence, the time since it happened, your age at the time and any other relevant factors when we make a decision on whether to offer you a job.What is a spent criminal conviction?Some criminal convictions can become ‘spent’ after a set length of time from the date of the conviction. If this length of time has not passed, the law states that you must tell us now about any criminal convictions you may have which is ‘unspent’. If you do not tell us about your ‘unspent’ criminal convictions this may result in an unsuccessful application or dismissal at a later date. We do not expect you to tell us about speeding offences or parking violations. |

On occasions when the recruitment process for safeguarding-vetted posts requires applicants to send in a CV only, then the HR Services Officer/HR Focal Point will ask the appointed candidate to complete a self-declaration form in place of the above.

The completed application form or self-declaration form will be treated confidentially and only disclosed to those involved in the recruitment and selection process. The application form for the successful candidate will be retained in a secure file; all other forms will be destroyed six months after the interview.

#### Shortlisting

The confidential disclosure should be checked during short- listing to determine if there is sufficient reason to reject the application at that stage.

Any gaps in the applicant’s employment history should be identified through the application form. These and the confidential disclosure should be considered when preparing questions for the first-round interview.

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#### Selection interviews

#####  First-round interviews

Specific questions should be asked at the first interview to clarify the reason for any gaps in employment history. If the interview panel is not satisfied that the reasons given for gaps are acceptable or believable, this is sufficient reason to reject the application. This decision should be made in consultation with the relevant HRA.

For posts that require regular contact with children or vulnerable adults, the interview will include a discussion of the individual’s previous work with children and young people, with questions designed to explore the person’s approach, attitude and experience. If any answers give cause for concern, the candidate must be pressed further on that point until all the interviewers are satisfied with the answer. (See [Addressing safeguarding children in interviews](http://cafodportal/sites/rec/RecruitmentTookitDocs2017/Addressing%20Safeguarding%20Children%20in%20Interviews.docx)).

If necessary, explore with the candidate any queries arising from the confidential disclosure on the application form.

#####  Second-round interviews

#####  *Checking identity*

All candidates invited for a second-round interview are required to provide proof of identity if they have not already done so. As part of the recruitment process, applicants are given a list of documents which will be acceptable as proof of identity should they be offered employment. The HR Services Team will administer this request.

* **For UK nationals**: the forms of proof should be in line with the requirements of the Asylum and Immigration Act 1996 (see [The right to work in the UK](http://cafodportal/sites/rec/RecruitmentTookitDocs2017/Right%20to%20Work.docx)).
* **For non-UK nationals:** a valid photo ID (e.g. passport).

The original document should be brought to the second-round interview. A copy will be made and a record kept on file by the HR Services Team. The passport or identity document will be returned to the candidate by the end of the second-round interview.

#### Offer of appointment

For posts that work with children or vulnerable adults, an offer of employment will always be subject to reference checks and positive clearance from a Disclosure and Barring Service (DBS) check or police check. Where it is not possible to obtain a police check (for example for some non-UK nationals, or UK or other nationals living or working outside the UK) then the self-disclosure from the application form will be deemed a self-declared police check. In some cases, the individual may be asked to complete a more comprehensive self-disclosure form. However, in such cases a minimum of three references must be taken.

Employment should not commence until satisfactory clearance is received.

In exceptional circumstances only (e.g. during approved rapid recruitment), approval may be given to commence employment before receipt of a DBS clearance or police check, with the post-holder having limited duties until the check comes through. This will be where there is a delay in receiving the DBS clearance or police check, and all other checks have been satisfactorily completed.

The post may be offered to the candidate subject to a satisfactory DBS disclosure. Where appointments are made in this way, the offer letter should confirm the conditional status of the appointment. This means the appointee will not have full contractual rights until the offer is confirmed: in particular, if the offer is rescinded the appointee would not have right to notice or to any accrued holiday pay. The Safeguarding Officer (CPO), in consultation with the line manager and HR Services Officer, is responsible for approving such appointments. The line manager is responsible for informing the head of section and the head of group.

The duties of the post must be limited to ensure that the post holder is allowed only supervised access to children and young people until satisfactory clearance is received. This applies to both rapid recruitment and regular recruitment.

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#### Requesting references

* + For full information on the references please see the [**Requesting References Guidance.**](http://cafodportal/sites/rec/Recruitment%20Toolkit%20Documents/Requesting%20References%20Guidance.docx)
	+ Reference request forms are available on the Recruitment and Selection toolkit and in the job recruitment workspace.
	+ For all posts at least two references are required, one of which should be from the current or most recent employer.
	+ Both satisfactory written references must be received by the Recruiting Manager prior to the candidate commencing employment with CAFOD. The only exceptions for this are for level 2 & 3 rapid recruitment/emergency response situations. In this instance, at least one satisfactory reference will need to be obtained before deployment and the rest by the end of the probation period.
	+ References should cover the last two years of a candidate’s employment (so more than two references might be required).
	+ Referees should not be contacted without the candidate’s consent and the information provided should be treated as confidential.
	+ Telephone references cannot be in lieu of a written reference, and written references must be from a verified source. Employer references must be received in writing with a company stamp or from a legitimate company email address. A telephone conversation can happen, but not instead of, a written reference.
	+ Recruiting Managers will need to complete a References checklist when they receive references to confirm they are satisfactory. Managers must use this checklist and if they are unable to tick every box, then they must obtain advice from their HR Adviser, who will guide them on obtaining further information, and the risks involved in their decision-making. If they can tick every box, then they simply return the signed checklist by email along with the completed references to the HR Services Team.

See section on [Requesting References](http://cafodportal/sites/rec/Recruitment%20Toolkit%20Documents/Requesting%20References%20Guidance.docx) for further information.

#### Disclosure & Barring Service checks and police checks

Disclosure & Barring Service checks

DBS checks are an important aspect of safeguarding children and vulnerable adults. They are carried out for all identified posts. It is the responsibility of the designated HR Services Officer to obtain the check.

The successful candidate for the post will be required to provide, or apply for, a *Standard, Enhanced or Enhanced with list Disclosure* form. In the UK CAFOD obtains these from the Catholic Safeguarding Advisory Service (CSAS). CAFOD will accept DBS disclosure provided by the candidate, if it has been carried out within the last 12 months and is on the DBS online database. Candidates will need to give CAFOD access via CSAS.

Some staff will be unable to apply for a DBS disclosure. In such cases a police check will be sought from the country where they currently live or work and an additional reference will be taken up (three in total). Police checks in local countries will be the responsibility of the Country Representative and/or HR Focal Point contact.

The DBS offers an overseas helpline (phone +44151 676 9390 or email customerservices@dbs.gsi.gov.uk) to help you identify whether a check can be carried out in a particular country (this is limited to some Commonwealth countries). You can find out more at the [Disclosure and Barring Service](https://www.gov.uk/government/organisations/disclosure-and-barring-service).

#### Reviewing the results of checks

Information obtained from the records check remains highly confidential, so access to it should be limited to as few people as possible.

Information will be returned via CSAS to the designated HR Services Officer, who is responsible for reviewing the results in the first instance based on the following approach:

1. **Clear check:** The check indicates nothing has been found on the individual’s record. The HR Services Officer will confirm the satisfactory outcome to the line manager and the selection process or confirmation of appointment will continue.
2. **Minor offences:** When the check reveals minor offences that are not relevant to the post or to the requirement to have substantial unsupervised access to children, this would normally result in satisfactory clearance. Such offences include: one-off spent convictions for shoplifting, one-off minor juvenile convictions and traffic or driving offences (unless the post involves driving). Where minor offences are revealed, the HR Services Officer will refer the report to the Safeguarding Officer, who will make a decision on the implications for the post.
3. **Significant offences:** The check reveals offences that are of concern to CAFOD because of the nature of the post. Further consideration of the circumstances and discussion with the individual will be required. The SO will discuss the results of the check with the line manager and arrange to discuss the findings with the applicant. The final decision to reject the application or dismiss the member of staff will be taken by the Head of Group responsible for the vacancy in consultation with the SO.

#####  Informing the applicant

Applicants who are rejected or appointees who are not confirmed in post because of the results of a Disclosure and Barring check will be informed of the decision as soon as possible in writing. They have the right of appeal to the DBS. Candidates should contact the DBS dispute line on 03000 200 190, requesting Option1.

#####  Records of criminal checks

Information relating to individual criminal record checks will be stored securely and confidentially by the HR Services Team for use during the selection process.

The HR Services Team is responsible for maintaining a current record of checks requested and received for each person. However, once satisfactory clearance has been confirmed, all individual records relating to the checks will be destroyed immediately.

DBS checks and moving roles

If staff or volunteers already have DBS check with CAFOD and are either becoming an employee or they are already an employee but moving roles, then it is likely CAFOD will need to conduct another DBS check as part of the vetting process for the new role. This is because it is likely that the new role will require a different type of DBS check. HR will advise staff and managers on this.

#### Induction

As part of the CAFOD corporate induction, all staff are required to attend an internal safeguarding and Code of Behaviour training. Staff based overseas should receive a one-to-one safeguarding briefing before taking up their assignment, from either a member of the People Team or the in-country safeguarding focal person.

UK based staff **will not** be allowed to undertake overseas travel until they have completed their safeguarding briefing IF the person is going on a trip where they might have access to children or vulnerable adults and/or are not travelling with someone who has undergone the briefing.

Staff in posts that will require a check will be offered support to develop skills in safeguarding.

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#### Volunteers

For all volunteers in CAFOD’s UK regional offices who work in schools, etc. the recruitment procedures currently in place will be used, as they cover safeguarding requirements comprehensively (see volunteer recruitment procedures).

There are no specific safeguarding recruitment procedures for volunteers working in London, as these volunteers do not have contact with children. However, should contact with children become part of a volunteer’s remit the procedures for staff members should be used. Because it takes time to complete the checks, any contact with children must be planned well in advance.