

Dedham Therapy Farm CIC

Safer Recruitment Policy

Review – September 2023

Introduction

Safer recruitment is a set of safe practices to help make sure that the staff and volunteers of Dedham Therapy Farm CIC (also mentioned as the Farm in this document) are suitable to work with children, young people and vulnerable adults. The safe recruitment of staff and volunteers at Dedham Therapy Farm CIC is a vital part of creating a safe and positive environment, making a commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults and keeping them safe from harm.

As an employer Dedham Therapy Farm CIC expects all staff and volunteers to share this commitment.

Definitions

Children: Biologically, a child is a human being between the stages of birth and puberty, or between the developmental period of infancy and puberty. The legal definition of child refers to a minor, otherwise known as a person younger than the age of majority.

Young Person: The definition of a youth is a young person who has not yet reached adulthood and refers to the time period before you become an adult between 14 and 18 years old.

Vulnerable Adult: A vulnerable adult is any person above the age of 18 who may struggle to take care of or protect themselves from harm and exploitation. Adults who may be considered vulnerable include: Those who lack the mental capacity to make decisions about their life. Those who have suffered a stroke or have dementia. Elderly adults.

Aims and Objectives

The aims of the Safer Recruitment policy are to help deter, reject or identify people who might abuse service users or are otherwise unsuited to working with them by having appropriate procedures for recruiting staff.

Our aims:

- To ensure that the best possible staff are recruited for roles on the basis of their merits, abilities and suitability.
- To ensure that all applicants are considered equally and consistently.

- To ensure that no applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.
- To ensure compliance with all relevant legislation, including the Equality Act 2010, Working together to safeguard children (Department of Education, 2018), Safeguarding Adults Guidelines, and any code of practice published by the Disclosure and Barring Service (DBS).
- To ensure that Dedham Therapy Farm CIC meets its commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults by carrying out all necessary pre-employment checks.

All employees involved in the recruitment and selection process must make themselves familiar and comply with this policy.

Dedham Therapy Farm CIC will seek to recruit the best person for the role advertised through a selection process. This process should ensure that the applicants' abilities, qualifications, experience and merit are all measured against the job description and person specification to identify the best applicant.

The recruitment and selection process will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance. Dedham Therapy Farm strives to include children and young people that access the farm in the recruitment of staff, where possible or appropriate.

If a member of staff involved in the recruitment process has a close or personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

Dedham Therapy Farm CIC aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies advertised by themselves.

Roles and Responsibilities

It is the role of the Directors (Amy Boyce, Megan Dack and Sara Marshall) to ensure that:

- Dedham Therapy Farm has effective policies and procedures in place for the recruitment of all staff and volunteers in accordance with the Safeguarding Children Policy, Safeguarding Vulnerable Adults Policy and any legal requirements.

- It is also their responsibility to ensure that Dedham Therapy Farm CIC complies with them.

It is the responsibility of the manager and administration staff involved in the recruitment to:

- Ensure that Dedham Therapy Farm CIC operates safe recruitment procedures and makes sure all appropriate checks are carried out and satisfied on all staff and volunteers working at the Farm.
- Promote the welfare of children, young people and vulnerable adults at every stage of the procedure.

Regulated Activity and Frequency

Regulated activity refers to set activities which entitle an individual to an enhanced DBS check, and barred list checks. This means any member of staff spending time with a service user (child, young person or vulnerable adult) will require a DBS check.

Any time spent with a service user whilst at or on behalf of Dedham Therapy Farm CIC once a week or more, or more than 4 days in a 30 day period, or provides the opportunity for contact with children, young people or vulnerable adults is classed as “Regulated Activity”.

Roles which are carried out on an unpaid/ voluntary basis will only amount to regulated activity if, in addition to the above , they are carried out on an unsupervised basis.

Dedham Therapy Farm is not permitted to check the Children’s Barred List unless an individual will be engaging in “regulated activity”. Dedham Therapy Farm CIC are required to carry out an enhanced DBS check for all staff and volunteers who will be engaging in regulated activity. However, Dedham Therapy Farm CIC can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

The Recruitment and Selection Procedure

Advertising

To ensure equality of opportunity all vacant posts will be advertised externally to attract as wide a field of applicant as possible.

Any advertisement will make clear Dedham Therapy Farm CIC’s commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

Application

Dedham Therapy Farm CIC requires candidates to supply a full CV and covering letter, detailing a full academic and employment history. Dedham Therapy Farm makes candidates aware through a Job description and Person specification that an Enhanced DBS will be required.

Self-Disclosure

The application also includes a self-disclosure form for the applicant to complete declaring any unspent criminal convictions (including unprotected spent convictions and cautions if the role requires an enhanced criminal record check), child protection investigations or disciplinary procedures that they have on their record. The form makes it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

The self-disclosure form must be completed before interview stage. Applicants are asked to bring this form to the interview in a sealed envelope marked 'Confidential' and will only be opened once a candidate has accepted a conditional offer to be reviewed as part of the vetting checks. All unopened self-disclosure forms are disposed of securely.

It is unlawful for Dedham Therapy Farm CIC to employ anyone who is barred from working with children, young people, and vulnerable adults. It is a criminal offence for any person who is barred from working with children, young people or vulnerable adults to apply for a position at Dedham Therapy Farm CIC. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected and referral to the police and/or DBS.

Job Descriptions and Person Specifications

All roles must have a job description and person specification that has been reviewed and agreed by the Directors before the recruitment process for the role can begin.

The job description will clearly set out the duties and responsibilities of the role and the person specification will detail the skills, experience, abilities and expertise required to do the job. The job specification will include specific reference to suitability to work with children, young people and vulnerable adults.

Interviews

All shortlisted applicants will be required to attend a face-to-face interview with a minimum of two interviewers. The interview process consists of set questions referring to the job description and person specification. Each candidate reaching interview stage will be asked the same questions to ensure a fair and equal interview to all and will allow the recruiting staff to assess their suitability for the role and assess whether they meet the person specification. At this point the recruitment staff will gain information and explanations on any anomalies, or gaps that have been identified in order to ensure that the applicant can meet the safeguarding criteria.

Prior to interview candidates will be asked if they have any access needs so that we can meet their requirements.

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has not been disclosed on the application form.

At least one member of the interviewing staff will have undertaken Safer Recruitment Training or refresher training as applicable.

Proof of Identity and Right to Work in the UK

All applicants invited to interview will be required to bring evidence of their identity, Legal Right to Work in the UK, address and qualifications. These must be original documents, the recruitment staff will take a photocopy of this documentation. Checks will be carried out alongside the Government Right to Work checks.

Where an applicant has a different name on their identity documentation (e.g marriage, adoption, statutory declaration) they will need to provide further documentation as evidence to show that this is a legal change of name through deed poll.

Unsuccessful applicant documents will be destroyed six months after the recruitment process for the role applied for has been completed.

Certificates of Sponsorship (CoS)

If an applicant is a national of a non-EEA country and is being considered for employment a CosS may be required before any offer of employment is made. The government website should be consulted to ensure that the company, applicant and meet the criteria for Sponsorship.

In addition to the CoS the applicant must apply for entry clearance/ leave to remain through the UK Visas and Immigration (UKVI) and comply with the UKVI requirements.

This process can take up to three months and staff cannot, under any circumstances, be employed until permission is given.

References

References will be sent for once a suitable candidate has been identified unless the applicant has indicated that they do not wish for their current employer to be contacted. In these circumstances the reference will be gained as soon as possible and before any offer of employment is made. A standard reference request form is used to request all employment references.

All offers of employment will be subject to the receipt of two employment/ educational references or if not applicable the current/ most recent employment/ educational reference and a personal reference. If the current / most recent employment does/ did not involve work with children, young people or vulnerable adults an additional reference will be gained from their last employment where the applicant worked with children. Young people or vulnerable adults. The

referee should not be a relative. References will always be sought from the referee or HR Department, their purpose is to provide objective and factual information to support recruitment decisions.

Referees will be asked if the applicant is suitable for the job which they have applied for and will be asked if they have any reason to believe that the applicant is unsuitable to work with children, young people or vulnerable adults. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of “extremism”.

The applicant will not be asked prior to the offer of employment being made any questions regarding health or medical fitness.

Any discrepancies or anomalies will be investigated until satisfied. On the receipt of references direct contact by phone will be made to the referee to verify the reference.

Open references, testimonials or references from relatives are not accepted by Dedham Therapy Farm.

Making an Offer of Employment

When offers of employment are made, it is made clear to the applicant that this is subject to satisfactory pre-employment checks being carried out. This should be written in writing.

DBS (Disclosure and Barring Service) Certificate (formerly known as CRB Disclosure)

Many of the roles at Dedham Therapy Farm CIC involve work with children, young people or vulnerable adults and to ensure applicants have nothing on their record that makes them unsuitable to work or volunteer in roles of that nature a Criminal Record Check or DBS will be carried out on the applicant if the role requires it.

If the role involves “regulated activity” an enhanced DBS check with barred check list will be carried out.

Overseas Checks

If a candidate has been a resident overseas for 3 months or more over the past 5 years a criminal record check will be required on that person from the country in which they resided.

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to children, young people or vulnerable adults. Therefore, any convictions and cautions that would normally be considered ‘SPENT’ **must be** declared when applying for any position at Dedham Therapy Farm CIC.

Disqualification from Working with Children

Dedham Therapy Farm CIC makes it their responsibility to make sure that people employed by themselves as staff or volunteers have not been disqualified from working with children, young people or vulnerable adults. This includes ensuring they have not been disqualified by association (in England and Wales) because they live in the same household as someone who has been disqualified.

To ensure that we comply the Statutory Guidance published by The Department for Education (DfE) will be consulted.

Dealing with Convictions

If a DBS certificate is returned detailing convictions the following procedure will be followed including consideration being given to the Rehabilitation of Offenders Act 1974 and the below:

- The nature, seriousness, and relevance of the offence.
- How long ago the offence occurred.
- The history of offences, one off or repeated
- Changes in circumstances.
- Decriminalisation and remorse.

A formal face-to-face meeting will take place with the hiring manager and/or the Directors to establish the facts, a decision will then be made following this meeting. If relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained during the recruitment process the Directors will evaluate the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained within a disclosure, they need to contact the DBS. In cases where the applicant would have been successful in gaining the role had it not been for the disputed information, Dedham Therapy Farm CIC may, where practical and at its discretion, defer a final decision about the offer of employment until the applicant has had a reasonable opportunity to challenge the disclosure information.

If references, vetting, disclosure and barring checks reveal concerns about a person's history, your organisation needs to assess whether or not they are suitable to work with children and young people.

You may need to put any formal offer of an appointment on hold to make sure you've got time to consider everything thoroughly.

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

People on the barred list must not be given a role that requires them to work or volunteer with children or young people in regulated activity.

It is illegal for an employer to knowingly employ somebody to carry out regulated activity whilst they are on the barred list.

If you find that someone who has applied to work with children is barred, you should notify the police.

You cannot use 'spent' or 'protected' convictions as a reason not to employ somebody (unless the conviction makes them unsuitable to work with children).

If the applicant has not been barred from working with children but the checks have raised concerns (for example if they have a criminal record), you need to carry out a risk assessment to ascertain whether the applicant is suitable to work with children and young people.

Offers of Employment

Once all pre-employment checks have been satisfied an unconditional offer of employment will be made to confirm this in writing.

Induction

All new starters at Dedham Therapy Farm CIC will go through an induction. The induction will take the employee through the Farms policies and procedures, including Safeguarding Children, Safeguarding Vulnerable Adults and Code of Conduct, this will make the expectations of the Farm clear to the employee and their roles and responsibilities.

Records and Retention

It is a legal requirement for Dedham Therapy Farm CIC to complete Pre-employment Vetting checks on all suitable applicants for a role.

All documentation is kept on file. For any unsuccessful applicants, the data is held confidentially for up to three years before being securely destroyed. Successful employees' documentation and data will be held for the length of the employment and then for a further six years before deleting or destroying it.

Ongoing Employment

Ongoing training will be provided to staff to ensure they and Dedham Therapy Farm CIC continue to comply with this policy and the Safeguarding of Children, Young People and Vulnerable Adults.

Leaving Employment with Dedham Therapy Farm CIC

Despite the best efforts to recruit safely, there will be occasions when allegations of serious misconduct or abuse against children, young people or vulnerable adults are raised. This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be carried out prior to employment being confirmed. Dedham Therapy Farm CIC also has a legal duty to make a referral to the DBS in circumstances where an individual:

- Has applied for a position at Dedham Therapy Farm CIC despite being barred from working with children, young people and/or vulnerable adults.
- Has been removed by the Farm, from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to a child, young person or vulnerable adult.

Students and Volunteers

Dedham Therapy Farm will request an enhanced DBS disclosure and Children's Barred List information on all students and volunteers undertaking any regulated activity with service users at or on behalf of the Farm (definition of regulated activity is explained above).

Under no circumstances with the Farm permit an unchecked student or volunteer to have unsupervised contact with pupils.

It is Dedham Therapy Farm CIC's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the Farm for three consecutive months or more. Those students or volunteers who are likely to be involved in activities with the Farm on a regular basis may be required to sign up to the DBS update service as this permits Dedham Therapy Farm to obtain up to date criminal records information without delay prior to each new activity in which a student or volunteer participates.

In addition, the Farm will seek to obtain such further suitability information about a student or volunteer as it considers appropriate in the circumstances. This may include (but is not limited to) the following:

- Formal or informal information provided by staff, parents and other students or volunteers.
- Character references from the student's or volunteer's place of work or any other relevant source; and
- An informal safer recruitment interview

Update service

Dedham Therapy Farm CIC funds the cost of a DBS for staff, it then becomes the responsibility of the staff member to register their own DBS onto the update service. This is non-negotiable.

Monitoring and Evaluation

The Directors' will be responsible for ensuring that this policy is monitored and evaluated throughout Dedham Therapy Farm CIC. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit.