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Safer recruitment (including ex-offenders) policy

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1. Policy statement

The purpose of this policy is to set out the minimum requirements of a recruitment process for employees, trustees and self-employed counsellors of We Hear You (WHY) that aims to:

- Attract the best possible applicants to vacancies
- Deter prospective applicants who are unsuitable for work with children, young people, or vulnerable adults
- Identify and reject applicants who are unsuitable for work with children, young people, or vulnerable adults

2. Safer recruitment process

Identification of recruiters

Subject to the availability of training, WHY will move towards a position in which at least one recruiter has successfully received accredited training in safe recruitment procedures.

Inviting applications

Advertisements for posts – whether in newspapers, journals or online – will include the statement: 'As part of our recruitment and selection process and commitment to safeguarding, we will undertake a Disclosure and Barring Service (DBS) check of all individuals in this role. Any offer of employment will be subject to a satisfactory disclose report.'

Prospective applicants will, as a minimum, be supplied with or given access to the following:

- Job description and person specification
- WHY's safeguarding policies
- WHY's safer recruitment policy
- The selection procedure for the post

All applications must be in writing (either on paper or by e-mail).

Shortlisting and references

Shortlisting of candidates will be marked against the person specification for the post.

Where possible, references will be taken up before the selection stage, so that any discrepancies can be probed during the selection stage.

References will be sought directly from the referee.

References or testimonials provided by the candidate will never be accepted.

Where necessary, referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

Referees will always be asked specific questions about:

- The candidate's suitability for working with children, young people, and vulnerable adults.
- Any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children, young people, and vulnerable adults.
- The candidate's suitability for this post.

The selection process

Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates. Interviews will always be face-to-face. Telephone interviews may be used at the short-listing

stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link). Candidates will always be required:

- To explain satisfactorily any gaps in employment
- To explain satisfactorily any anomalies or discrepancies in the information available to recruiters
- To declare any information that is likely to appear on a Disclosure and Barring Service (DBS) check
- To demonstrate their capacity to safeguard and protect the welfare of children, young people, and vulnerable adults

Employment Checks

All successful applicants are required:

- to provide proof of identity
- to complete a Disclosure and Barring Service (DBS) check and receive satisfactory clearance (see further information below)
- to complete an Employee Information Sheet to include the disclosure of existing medical conditions
- to provide proof of eligibility to live and work in the UK

Any offer of employment is conditional and will be subject to the satisfactory completion of all employment verifications and checks, and the receipt of two satisfactory references.

All staff are subject to a probationary period as a term of their contract.

Induction

All staff who are new to WHY will receive induction training that will include safeguarding policies and guidance on safe working practices. Regular meetings will be held during the first 3 months of employment between the new employee(s) and the appropriate manager(s).

3. DBS (Disclosure and Barring Service)

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, WHY complies fully with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. Every employee and Trustee of WHY will need to complete a DBS check.

WHY also complies fully with its obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

Basic and Enhanced DBS Checks will need to be renewed every three years, unless the Update Service is being used.

DBS required for the roles within WHY

Area	Role	Level
Office staff	CEO	Enhanced with Barred List Check
Office staff	Office and Finance administrator	Basic
Office staff	Finance Business Partner	Standard
Income generation	Trusts Fundraising Manager	Basic
Clinical Services	Clinical Service Manager	Enhanced with Barred List Check
Clinical Services	Clinical Service Administrator	Basic
Clinical Services	Assistant Clinical Service Manager	Enhanced with Barred List Check
Clinical Services	Counsellor - employed	Enhanced with Barred List Check
Clinical Services	Counsellor - self employed	Enhanced with Barred List Check
Income generation	Fundraising and Communications Manager	Basic
Income generation	Communications Officer	Basic
Income generation	Volunteer Coordinator	Basic
Income generation	Fundraising and Communications Administrator	Basic
Income generation	Fundraising Officer	Enhanced with Barred List Check
Volunteer	Child student placement (under 16 years of age)	None
Volunteer	Child student placement (16 / 17)	None
Trustee / Director	Charity Trustee	Enhanced and barred
Gallery	WHY Gallery Manager	Basic
Gallery	WHY Gallery Assistant	Basic
Gallery	WHY Gallery Director	Basic
Gallery	WHY Gallery volunteer / intern	Standard
Income generation	WHY fundraising volunteer	Standard
Income generation	WHY Ambassador	Basic
Volunteer	WHY clinical service volunteer	Enhanced with Barred List Check
Volunteer	WHY student counsellor (voluntary)	Enhanced with Barred List Check

Basic DBS Check

This can be done online at <https://www.gov.uk/request-copy-criminal-record>

Information required:

- all your addresses for the last five years and the dates you lived there
- your National Insurance number
- your passport
- your driving licence

The cost is £18 (July 2022) and will be reimbursed to the employee.

Renewal – Employees DBS will need to be renewed every three years.

Update Service - This is not available for Basic DBS checks. A fresh DBS check will have to be completed every three years.

Enhanced DBS Check

This is organised by our Office and Finance Administrator using our recommended 3rd party service. This has to be organised and initiated by WHY. We will accept a portable DBS, which is currently listed as clear on the DBS Update service.

Update Service

WHY would prefer everyone needing an Enhanced DBS to sign up to the update service. This will ensure the DBS is always current, and mean it is portable so can be taken to another employer. WHY will reimburse the cost (£13 per year, Feb 2021) for each year that the Counsellor/staff member is employed. The Update Service must be applied for within 30 days of receiving an Enhanced DBS certificate, or once you have an application reference number.

The Update Service can be applied for here -

<https://secure.crbonline.gov.uk/crsc/apply?execution=e1s1>

Ongoing Employment

Despite the best efforts to recruit safely, there will be occasions when allegations of serious misconduct or abuse against young people or vulnerable adults are raised. WHY has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at WHY despite being barred from working with children or vulnerable adults
- has been removed by WHY from working in regulated activity (whether paid or unpaid)
- has resigned prior to being removed, because they have harmed, or pose a risk of harm to a child or vulnerable adult

4. Recruitment of ex-offenders

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, WHY complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

WHY is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background. We have a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

Where a DBS check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process, except for certain spent convictions and cautions which are 'protected' so not subject to disclosure to employers and that cannot be taken into account. We request that any information not subject to this filtering is sent under separate, confidential cover, to a designated person within WHY and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows WHY to ask questions about your entire criminal record, except for certain spent convictions and cautions which are 'protected' so not subject to disclosure to employers and that cannot be taken into account, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in WHY who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g., the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure 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 withdrawal of an offer of employment.

We make every subject of a DBS check aware of the existence of the Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.