



Knowsley Council

Knowsley Safer Recruitment Good Practice Guidance

Organisations who work with adults with care and support needs must be vigilant in their recruitment and selection of staff. Abusers will target these organisations and be extremely adept at presenting themselves as caring and trustworthy individuals. Some indicators of abusive behaviour can emerge through inappropriate attitudes or inconsistent reactions and a vigorous recruitment and selection process provides important opportunities to deter and prevent unsuitable people from gaining access to adults with care and support needs through their work.

Safe environments do not happen by accident. They are purposely built and carefully maintained. Safer recruitment and selection processes are essential if organisations who work with or on behalf of adults with care and support needs are to attract the best staff and deter or reject those who may pose a risk or are unsuitable to work with them.

This Guidance is intended to offer support to organisations in ensuring they operate safer recruitment practices which take account of the need to safeguard and promote the wellbeing of adults.

All organisations who work with or on behalf of adults in Knowsley are expected to ensure:

- Compliance with the requirements of the Health and Social Care Act 2008 (regulated Activities) Regulations 2014: Regulation 19 employers must employ 'fit and proper' staff who are able to provide care and treatment appropriate to their role. For more information go to: [CQC Guidance for providers](#)
- There is a management team or identified individual who ensures that all recruitment and selection systems, processes and procedures are scrutinised from a safeguarding perspective
- The organisation makes explicit its commitment to the provision and maintenance of a safe and supportive environment for the people using the service, staff, volunteers and visitors
- The organisation makes explicit its commitment to the provision and maintenance of a safe and supportive environment in which the people using the service, staff, volunteers and visitors are treated with dignity and respect
- All applicants and short-listed candidates are subject to robust recruitment and selection practices which are fully documented

- Employees are advised about personal and professional boundaries, are clear about what is appropriate and expected behaviour, and managers are vigilant in addressing inappropriate, disrespectful, unprofessional or abusive behaviour
- An applicant's right to work in the UK is checked before they are employed. Read the guidance at:
<https://www.gov.uk/check-job-applicant-right-to-work>
- Disciplinary procedures deal effectively with those staff who fail to comply with the organisation's policies to safeguard adults
- There are appropriate and effective arrangements for safeguarding adults in place
- There is an effective recruitment and selection policy in place, which is regularly reviewed and is in line with the guidance contained in this document and compliant with the national guidance for that setting. See chapter 19 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 at:
[H&S Care Act 2008 Fit and proper persons employed](#)
- This guidance will include any member of staff who currently works in the service including agency workers, bank staff and volunteers

Recruitment and Selection Policy

All organisations should have a Recruitment and Selection policy (the content of this document can be adapted for this purpose.) This should make explicit the commitment of the organisation to building and maintaining a safe environment which safeguards and promotes the wellbeing and dignity of adults with care and support needs. This commitment should be widely publicised and may be similar to the suggestion below.

"This organisation is committed to safeguarding and promoting the wellbeing of people using our services and expects all staff and volunteers to share this commitment"

This commitment should be made explicit in statements included in:-

- All publicity and information sites
- Advertisements
- Information pack for applicants
- Person specification
- Job description
- Letter of appointment
- Induction Training

Supervision and appraisal
Competence Frameworks

a) Person Specification

The Person Specification should include the qualifications and experience, and any other requirements needed to do the job especially as it relates to adults with care and support needs. It should include the competencies and qualities that the successful candidate will be able to demonstrate and explain how these requirements will be tested and determined during the selection process.

The Person Specification should stipulate how the candidate's suitability for the post will be assessed including their motivation for this type of work; their ability to make and sustain professional relationships within clear boundaries and their attitudes to authority, challenge and discipline. Person Specifications should always be reviewed and agreed for each vacancy.

b) Job description

The Job Description (or Role Description in the case of voluntary employment) should clearly set out the extent and nature of the contact the candidate will have with vulnerable people. All adults working in the organisation in either a paid or unpaid capacity have a responsibility for safeguarding adults, although the extent of that responsibility and the contact involved will vary according to the nature of the post. Job descriptions should reflect this. Job Descriptions should therefore always be reviewed and agreed for each vacancy, including where staff apply to move to another role within the organisation as this may need to include greater responsibility (carer to senior, senior to manager and reporting requirements/conducting enquiries).

c) Advertising

Organisations should ensure that advertisements for posts include a statement about its commitment to safeguarding; the following statement, or one similar, may be used:

'This organisation actively safeguards and promotes the wellbeing of people using its services.'

d) Application Form

The organisation should use a standard, structured application form which is used to obtain a common set of data from all applicants. Curriculum Vitae (CV) drawn up by applicants in place of an application form should not be accepted because these will only contain the information the applicant wishes to present and may omit relevant details.

Applicants should be asked to detail **full** employment history and time spent in any other activity e.g. caring role, or voluntary work; they should be asked to include relevant experience, whether paid or unpaid, and to provide information about the *month and year* in which they were employed or engaged in other activity. This includes satisfactory written explanations for any periods when the applicant was not engaged in employment/other activity and this needs to be fully recorded (as required under Schedule 3 of The Health & Social Care Act 2008 (Regulated Activities) Regulations 2014.) These records need to be stored safely.

Application forms should include a declaration that all information is true and correct and this can be considered should the information be called into question at a later stage and should include a request for disclosure of unfiltered convictions

Application Forms should state the requirement to disclose any ‘unprotected’ criminal convictions or cautions in line with advice from the DBS and reference to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2014). There should be a statement that the applicant will not necessarily be excluded from employment if they have a caution or conviction. The information will be treated as strictly confidential and will only be taken into account if relevant to the role. Guidance can be found at:

<https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>

e) Information Packs for Applicants

An information pack should be sent to all prospective applicants. This should make reference to the organisation’s safeguarding adults and recruitment and selection policies. The pack should include relevant information about the organisation and its policies and a statement of the terms and conditions of the post. The contents of the pack will vary depending upon the vacancy.

The form should make clear that any offer of employment will be subject to satisfactory checks, including those supplied by the Disclosure and Barring Service (DBS). The check will include any cautions, reprimands or final warnings as well as convictions.

f) Scrutinising and Shortlisting

All application forms should be scrutinised to ensure that they are fully and properly completed, the information provided is consistent and does not contain any discrepancies, and any gaps in employment are identified. Where there are gaps in the employment history of a shortlisted candidate these must be explored with the candidate at interview and they should be asked to provide a satisfactory written explanation of any gaps in their employment.

All candidates should be assessed equally by the members of the interview panel, against the criteria contained in the person specification without exception or variation.

References

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They should **always** be sought, and obtained directly from the referee. References should be requested after the applicant has been shortlisted, but before the interview.

Referees should be sent the job description and person specification and asked to comment upon the applicant's strengths and weaknesses in relation to their suitability to work with adults with care and support needs. They should be asked about performance history and disciplinary offences *including those which have expired* where these relate directly to working with vulnerable people.

The request for a reference should advise referees that the reference should contain no material mis-statement or omissions. Referees should be advised that their reference may be discussed with the applicant at interview.

Interview Panels

It is common practice for there to be at least two people on the interview panel. In those circumstances where this is not practicable the interview process should be scrutinised by a member of the management team. Each member of the interview panel should have copies of the job description and person specification and broad agreement should be reached prior to the interview as to how answers from the candidate will be assessed.

Scope of Interviews

The interview should assess the merits of each candidate against the job requirements, and explore their suitability to work with adults. The selection process for people who will work with vulnerable people should **always** include a face to face interview in which the identity of the candidate is checked against photographic evidence. A value-based interview process which can identify the personal attributes and attitude of candidates is essential in order to have a caring and compassionate workforce. The interview process should enable the employer to ensure the interview candidates have the necessary language, literacy and numeracy skills to do the job they have applied for and any other cores skills required such as digital experience and team work.

Conditional Offers of Appointment

Following interview an offer of appointment can be made but only on a conditional basis, subject to all pre-employment checks being carried out. Checks should include Disclosure and Barring Service (DBS) check at the appropriate level, right to work in the UK, a minimum of two references, (one from present/most recent employer) professional registration or relevant qualification for a role which requires this e.g. Nursing and Midwifery Council if the person is to be employed in the role of a nurse.

A criminal record should not necessarily mean a candidate needs to be excluded from working in a health or social care setting, but this should be considered on a case by case basis. If any incident is disclosed on a DBS check, a robust risk assessment process needs to be followed to inform the decision making process as to whether to appoint the person.

Follow the link below for further guidance on DBS checks:

<https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers>

When assessing DBS information employers should refer to guidance on the GOV.UK website and are advised to read the 'Sample policy on recruitment of ex offenders' at:

Recruitment of ex-offenders

If you are employing someone to work with adults in regulated activity you must request an Enhanced DBS with an adult Barred List check, this means that you are a regulated activity provider which brings obligations under the Safeguarding Vulnerable Adults Group Act 2006. A person on the Barred List cannot work in regulated activity.

An offer of appointment should be confirmed only when all references have been received, verified and approved. The organisation should provide guidance about expected codes of behaviour for all staff and volunteers working in, and on behalf of the organisation. This should be sent with the letter of appointment and candidates advised they will be expected to work to this code and sign to indicate their agreement and commitment to it.

Post Appointment Induction

All newly appointed staff or volunteers should receive induction into the organisation and be advised about their job and related duties and responsibilities. The guidance about safe working practices sent to the successful candidate with their letter of appointment should be discussed on the first day and staff/volunteers asked to sign the document indicating their commitment to it. Staff should be clear that they must only work within the scope of their qualifications, competence, skills and experience and should be encouraged to seek guidance when they are being asked to do something that they are not prepared or trained for. A signed copy of the induction should be kept in the staff/volunteer's personnel file, and they should also retain a copy for themselves.

Maintaining a Safer Culture

All staff should be made aware of, and understand the need for, the organisation's policies which relate to the wellbeing and safety of adults with care and support needs. This includes policies on Safeguarding Adults, Safer Recruitment, Dignity at Work and Whistleblowing. These policies should be regularly reviewed.

Training should be offered on a regular basis in respect of the contents and implications of these policies. Staff should be made aware of the support structures available both within the organisation, and where appropriate within the local authority. Staff are expected to attend appropriate Safeguarding Adults training commensurate with their roles and responsibilities; they may take up multi-agency training provided by Knowsley Council and training provided by their own organisation. The organisation's management team should ensure that all allegations against staff, referrals to social care, disciplinary hearings and their respective outcomes are consistently monitored and recorded and that lessons learnt are communicated across the staff team and discussed within supervision where appropriate.

When an employee resigns from a post within the organisation, the management team should ensure that the reasons for leaving are fully explored and exit interviews undertaken in order to explore any potential areas of concern. Job descriptions and person specifications should be reviewed at this stage where appropriate.

Where an employee is dismissed following a disciplinary procedure (including when the employee fails to attend disciplinary hearings, or resigns prior to a disciplinary investigation being completed) and there is evidence that they pose a risk of harm to adults or children then the employer has a **legal duty** to make a barring referral to the Disclosure and Barring service. For further guidance visit:

<https://www.gov.uk/government/collections/dbs-referrals-guidance--2>

Safer Recruitment Checklist

Pre-interview	Signature	Date
Planning: Timetable decided: job specification, job description and other documents to be provided to applicants are reviewed and updated as necessary. Application form seeks all relevant information and includes relevant statements about references etc.		
Vacancy advertised Advertisement includes reference to safeguarding policy i.e. statement of commitment to safeguarding and promoting the wellbeing of adults and the need for successful applicant to be DBS checked.		
Applications - on receipt scrutinised - any discrepancies/gaps/ anomalies in employment are noted and to be explored at interview if applicant is shortlisted as a 'full employment history' should be obtained		

Shortlist Prepared An equal opportunities form should be completed by the candidate and stored separately from the application form (Equality Act 2010) Declaration of health and medical fitness		
References – requesting Two written references requested <i>directly</i> from referees - do not accept copies from applicant. One reference should be from the immediate or most recent previous employer. Employer references need to be on official or headed paper, within a returned reference request/suitability form or on a company email. A telephone call must be made prior to employment to confirm the identity of the company and the individual to check the authenticity of the reference.		
Additional checks Some positions will require the candidate to be registered with an appropriate authority such as the General Medical Council (GMC) or Nursing and Midwifery Council (NMC) and checks will need to be made with the relevant registration body.		
References - on receipt Checked against information on application form. Contact one referee directly to verify information; if any discrepancy/ issue of concern is noted take this up with applicant.		
Invitation to interview Includes all relevant information and instructions.		
Interview arrangements At least 2 interviewers who have authority to appoint, have met and agreed questions and criteria for appointment applied equally across all people being interviewed for the advertised post whether internal or external.		
The Interview Explore applicant's suitability for work with adults with care and support needs. There is a legal requirement to		

check that all employees and prospective employees have the right to work in the UK. Check the applicant's documents are valid and genuine and record what you checked and the date of the check. It is a statutory offence to knowingly employ an illegal worker and could lead to fines and/or imprisonment. For more information refer to the guidance at:

<https://www.gov.uk/check-job-applicant-right-to-work>

A full employment history should be provided, including an explanation for any periods of non-employment.

Proof of identity needs to be confirmed. Recent photo ID needs to be provided such as a passport or driving licence but if the applicant cannot be recognised from this then an alternative needs to be provided.

N.B The identity (photo I.D.) and qualifications of successful applicant to be verified on the day of interview by scrutiny of appropriate *original* documents.

Include a Safeguarding question at interview to check the applicant's awareness.

Conditional offer of appointment: pre appointment check

An offer of appointment is made conditional on satisfactory completion of the following pre-appointment checks

- DBS - Enhanced with Barred List check. No one working with adults with care and support needs should start work without a satisfactory Barred List check. DBS / recruitment records are updated to include the new recruit's DBS certificate reference which, although the property of the employee, is shared with the employer who will record the date the certificate was issued, consider any information contained within the certificate regarding any disclosures, consider any necessary action and record the next renewal date. A risk assessment should be completed in relation to any offences disclosed.
- References – if not previously obtained and scrutinised. It is good practice for employers to provide a detailed reference in order to safeguard vulnerable groups. Reference advice can be sought via ACAS at:

<ul style="list-style-type: none"> • http://www.acas.org.uk/index.aspx?articleid=5072 • Identity – if not verified at interview • Qualifications – if not verified at interview 		
---	--	--

On commencement of employment checklist

	Signature	Date
Induction – All staff receive a comprehensive induction that takes account of recognised standards within the sector and is relevant to their workplace and role. Induction to include: <ul style="list-style-type: none"> • Aims and objectives and purpose of the service • Information on the needs of the people whose care, treatment and support they will be providing, and specific communication needs Induction programme schedule is agreed including safeguarding training and an introduction to Safeguarding Policy and Procedures, Whistleblowing Policy and other relevant policies informing staff how to raise concerns.		
Care Certificate is included in induction for staff new to the care sector, agree time scales for completion.		
Assess the skills and knowledge of experienced workers and tailor their induction and training appropriately.		
Contract of employment to be issued within eight weeks of commencement of employment (Employment Rights Act 1996).		
Working Time Regulations 2008 - opt out agreement if applicable.		
Regular supervision agreement and appraisal.		
Induction/probationary period - if staff haven't evidenced competence at the end of this period, arrange additional training and support.		

Post appointment - During Employment Checklist

	Signature	Date
Supervision includes competency outcomes and conduct, on-going training, professional development, safeguarding, lessons learnt from incidents, welfare		

Measures to assess on-going competencies are achieved		
Disciplinary investigations are thorough and any actions are implemented and monitored		
DBS renewals are processed and applied for in-line with company policy at regular intervals e.g. every 3 years. Any information contained within the certificate regarding any disclosures, consider any necessary action e.g. risk assessment, and record the next renewal date		
Staff are informed of the requirement to disclose any cautions, reprimands, final warnings or convictions during their employment. The employer will need to gather all the facts and complete a risk assessment to determine the employee's suitability to continue to hold their position within the organisation. For more information refer to the employment of people with criminal convictions at <u>Recruitment of ex-offenders</u>		
Annual Declaration Staff are required to sign an annual declaration to state that they have not received any cautions, reprimands or final warnings as well as convictions since their last DBS certificate was received, or their last signed declaration.		
As a regulated activity provider you have a legal duty to refer an individual to the DBS Barred List where there is a concern that an employee or ex-employee poses a risk to an adult or child. Please refer to the following guidance for further information. <u>Barring referrals</u> or call: 03000 200 190		

Knowsley Safeguarding Adults Board October 2010 V1

Reviewed and updated June 2014 V2

Up-dated to include KMBC Logo April 2017 V3

Reviewed and updated May 2020 KMBC V4

Relevant Legislation

[The Care Act 2014](#)

[The Health and Social Care Act 2008 \(Regulated Activities\) Regulations 2014](#)

[The Health and Social Care Act 2008 \(Regulated Activities\) \(Amendment\) Regulations 2015](#)

Employment Rights Act 1996

Equality Act 2010

Nursing and Midwifery Council (NMC) Legislation

Safeguarding Vulnerable Groups Act 2006

Protection of Freedoms Act 2012