



# Recruitment and Selection Policy



## Introduction

The recruitment and selection process is of paramount importance to ensure suitable people are employed by the Company in relation to the safeguarding of children and that staff possess the necessary qualifications, skills and attributes and safeguarding knowledge required to work with young children. This policy aims to provide clear guidance in relation to both the selection and appointment of staff, including managers. It should be read in conjunction with MSCP Safer Recruitment, Selection and Supervision of Staff [www.proceduresonline.com/kentandmedway/chapters/contents.html](http://www.proceduresonline.com/kentandmedway/chapters/contents.html)

Regard to also be had to safer recruitment procedures outlined in the DfE 2016 statutory guidance: Keeping Children Safe in Education. Also, Guidance for Safer Working Practice for Those Working with Children and Young People in Education Settings (2015) and the Equality Act 2010.

This policy applies to all people employed by the setting, including students, volunteers & people attending work experience.

## Aims

To recruit staff/volunteers/students etc. with the appropriate skills, both technical and personal to meet the company's current and future needs and that staff are both suitable and qualified to carry out such duties or are working towards an appropriate qualification.

- To ensure that all staff appointed by the Company are suitable to work in close proximity to young children, ensuring appropriate safeguarding.
- Work to a fair and effective recruitment procedure, which is consistent with employment legislation and the Company's Equal Opportunities Policy.
- Develop and enhance the public image of the Company, both as an employer and as a quality provider of childcare services.

## Filling a Vacancy

All requests for recruitment must be made to the Director and approved before recruitment commences.

## Advertising

It is normal practice that all vacancies are advertised, both internally and externally. However, where it is considered that existing staff have the prerequisite skills,

consideration may be given to advertising posts internally only. Staff who have been identified to be 'at risk' may be considered for vacant posts prior to internal / external advert if they meet all the essential criteria of the vacancy.

There may be occasions when the Company deems it appropriate to interview candidates for a post without advertising. This may be through CVs being received, local knowledge, or for example, a student completing their training. It is desirable for candidates to have completed an application form as well as submitting a CV for consideration in line with safer recruitment guidance.

A list of Essential Criteria and Desirable Criteria should be drawn up for each vacant post. Internal candidates or others personally known to the interview panel must be treated in exactly the same way as all other candidates.

### **Shortlisting**

Candidates will only be shortlisted for interview if they meet all the essential criteria required of the post. If the number of candidates meeting the essential criteria is excessive, further selection must be undertaken utilising the desirable criteria to achieve a workable shortlist.

Shortlisting must be undertaken by at least two individuals (managers or deputy manager) who are experienced in the recruitment process and trained in safer recruitment practices and who will go on to be involved in the interviewing process. It is best practice to attempt to obtain references before interview where possible and with the permission of the candidates.

### **Interviewing**

The interview must be conducted by at least two managers or a manager and a deputy manager. At least one of the people interviewing must have completed safer recruitment training.

All candidates will be asked a standard format of questions, which will have been decided by the interview panel prior to the interviews. All questions must be related to the job requirements and the candidate's suitability to undertake the role.

Encourage applicants called for interview to provide details of any criminal record at this stage.

The managers conducting the interview must make clear to the interviewee that the Company expects them to declare at the time of the interview all convictions and/or cautions; as well as court orders which may disqualify them from working with children or

affect their suitability to do so. Use of a confidential self-disclosure form is essential before offering appointment.

### **Skills assessment**

As part of the selection process, the Company may wish candidates to partake in a short trial. This may involve a short placement within a room of children to assess their suitability for the post. At no time during this process will the candidate be left unattended with any children and they will be closely monitored by the Room Leader, who will be asked for constructive feedback.

### **DBS and Eligibility Checking**

All staff recruited to post within the setting must be eligible to work in the UK. This can be checked at [www.gov.uk/check-job-applicant-right-to-work](http://www.gov.uk/check-job-applicant-right-to-work). All new recruits must not commence work until a satisfactory enhanced DBS is obtained or, if they subscribe to the update service, that the certificate is checked. This check is completed at the setting using an online approved provider and permission is given by the applicant at the time of the application for the setting to access the results and undertake periodic 'status checks' before employment can commence. As of January 2019 all new staff will be required to sign up the DBS Update Service, it is the individual staff's responsibility to maintain this to be able to work.

If, in *exceptional circumstances*, an individual is allowed to commence work before the DBS certificate has been made available, this person *will never be left unsupervised* with children and staffing provision for this must be made. In this situation the DBS check must be completed and applied for, the barring list check must be confirmed to be clear and all other recruitment checks e.g. references are completed satisfactorily.

If an applicant has worked abroad additional criminal record checks must be obtained from each country they have worked in.

If the applicant has a valid enhanced DBS and has a current subscription to the DBS update service it is acceptable to follow the *DBS Service: Employer Guide*. This clearly sets out the procedure which includes:

- Have you seen the applicant's original certificate?
- Have you checked the applicant's ID to confirm their identity?
- Do you have the applicant's consent?
- Are you legally entitled to the same level of DBS certificate - standard or enhanced?
- Does the DBS certificate only contain the exact workforce that you are entitled to know about, for the role you are recruiting for?

If a DBS check reveals any recorded information the decision will be made by the nursery manager as to whether an individual is deemed suitable to work with children and if necessary obtain waiver. The nursery is committed to fair treatment of staff and has an equal opportunities policy and welcomes applications from a wide range of candidates, so long as we deem it would not compromise the safety and protection of children. At interview or in a separate discussion we will 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 a withdrawal of an offer of employment or termination of employment if discovered at a later date.

We will pass on details or concerns about an applicant to the police and the DBS if a candidate has relevant convictions or is barred or disqualified from working with children, or if a candidate provides false information as part of their application which we feel is worthy of reporting to the police.

The recruiting officer must refer to the Ofsted publication '*Disclosure and Barring Service (DBS) checks for Childcare providers who register with Ofsted*' for detailed information regarding DBS checks and comply with the guidelines set out in this document.

## **Appointment**

The final choice of candidate will be determined by the managers and/or the Director.

At this stage a self disclosure form will be supplied to the candidate.

A formal offer of appointment is to be made / confirmed in writing and will be made according to suitability and conditional upon receipt of:

- At least 2 references (followed up verbally) which satisfy the Company's safer recruitment requirements.
- Satisfactory evidence of identity and eligibility to work in the UK.
- A satisfactory enhanced Disclosure and Barring Service (DBS) check.
- Evidence of any qualifications required for the post.
- All breaks/gaps in employment explained and verified.

Consideration should be given to reasonable adjustments for a successful disabled candidate.

**At the point of offering a post the candidate should be informed of the need to self-fund the cost of a DBS check and any Paediatric First Aid qualification falling due within 3 years required to validate their qualifications. The cost of these can be paid for initially by the company, but on the understanding that the amount will be recouped through their first salary payment. This will be the case even if the candidate presents a current DBS, a new one will need to be applied for through the company, unless they have a current subscription to the DBS update service.**

It is an offence under Section 76 of the Children Act 2006 to employ in connection with early years provision someone who is disqualified from working with children. Details of what disqualifies people from working with children are set out in regulations made under the Childcare Act 2006.

Any candidate having a DBS check containing any police records of convictions, cautions, reprimands or warnings, no matter how insignificant, and including any waivers will be reviewed by the managers and Director and a fair decision of suitability for the post made.

Further information about responsibilities for carrying out DBS checks and about disqualifications is provided in the *Practice Guidance for Early years Foundation Stage*.

Further information on safe recruitment and safeguarding can be found in *Kent and Medway's Safeguarding of Children Procedures*. [www.msrb.org.uk](http://www.msrb.org.uk)

### **Confidentiality**

All application details and DBS checks are treated with the utmost confidentiality and the DBS Code of Practice.

### **Documentation**

At all stages of the recruitment process, it is the responsibility of the managers to ensure that notes are kept detailing the reasons for selection or rejection of candidates. These notes could be called upon as evidence of the fairness of the process; the notes should therefore be relevant to, and necessary for the process itself. It should be noted that applicants would normally be entitled to have access to interview notes about them.

### **Feedback**

All applicants attending interview are entitled to constructive feedback. This feedback should be judged against the selection criteria. It should be honest, but constructive. It is important to realise that a prospective employer can be held liable for unfair selection

by a candidate and this feedback can be used as evidence. This, however, is a rarity if the feedback is honest and appropriate to the candidate.

### **Students/Volunteers & Child Workforce**

An individual risk assessment must be undertaken for this category of person working or gaining experience in the setting. The new appointment checklist must still be applied, for example with particular regard to child safeguarding, health & safety, Whistleblowing and confidentiality.

Suitable students (aged over 17yrs) and apprentices (aged over 16yrs) appointed and employed by the company may be included in ratios at the level below their level of study if: they have been employed by us for a minimum of six months and a minimum of six months into their training/apprenticeship. They must also be deemed as competent and responsible by the manager and have agreed to this arrangement.

### **Recruitment of Managers**

Any new manager appointed at the setting in addition to obtaining a satisfactory DBS check by the registered person, will be required to meet the following criteria:

Possess either a nursery nursing qualification, such as a Council for Awards in Care, Health and Education (CACHE) Diploma in Child Care and Education, or NVQ level 3 or 4 in Children's Care, Learning and Development **or** the Level 3 Diploma for the Children and Young People's Workforce.

#### **Plus**

1. A minimum of two years' experience as a qualified nursery nurse
2. Evidence of continuing professional development
3. Between one and two years' experience in a supervisory role.

Appointment of all new managers will be subject to the standard Ofsted notification and application processes.

#### **Further information can be found at:**

<https://www.gov.uk/government/publications/dbs-update-service-employer-guide>

<https://www.gov.uk/government/publications/disclosure-and-barring-service-dbs-checks-for-childcare-providers-who-register-with-ofsted>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/474742/Code\\_of\\_Practice\\_for\\_Disclosure\\_and\\_Barring\\_Service\\_Nov\\_15.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/474742/Code_of_Practice_for_Disclosure_and_Barring_Service_Nov_15.pdf)

## New Appointment Check List

- ALL requirements must be met satisfactorily before employee commences supervised or unsupervised work with children.
- REMIND employee of requirement to self-fund DBS check and any First Aid training required to validate their qualifications falling due within first three years of employment and ongoing.

**Employee Name:**

**Position Applied For:**

**Induction Date:**

	<b>Requirements</b>	<b>Date Requested</b>	<b>Date Completed</b>	<b>Manager</b>	<b>Staff</b>
1	Self Disclosure Form completed and reviewed				
2	Two satisfactory references returned and verbally verified.				
3	Evidence of qualifications				
4	Evidence of Early Years Educator Criteria obtained for >01/09/14 Qualifications AND Paediatric First Aid for >30/06/16 Qualifications				
5	Evidence of eligibility to work in the UK.				
6	Original ID documents satisfactory and copies taken.				
7	Staff informed of need to self-fund DBS + First Aid Cost can be paid by employer but recouped through salary.				
8	DBS check completed and returned and applicant signed consent to allow access and status checks.				
9	Staff Suitability Declaration obtained.				
10	Supervision Meeting scheduled within first 4 weeks.				
11	Staff Personal Details Form completed				
12	P45 or HMRC New Starter Checklist completed.				
13	Contract of Employment Issued and Trial Period Explained.				
14	Job Description issued & understood.				
15	Staff Information Leaflets issued.				
16	Health and Safety induction issued and understood.				
17	Fire Safety and Emergency Evacuation induction.				

18	Safeguarding & Child Protection induction. Level 2 Safeguarding, FGM, Prevent Duty training recent (in last year) evidence or complete new training before start date. <b>'It could happen here' ethos explained</b>				
19	MSCP Guidance issued				
20	Online Safety Discussion and Online Safety Training				
21	Medway Council Whistleblowing Policy explained.				
22	Discuss Promoting Positive Behaviour within setting.				
23	Child Development Training for Unqualified Staff				
24	General Security Advice				
25	Company policies and procedures and Staff Information Leaflets issued <b>VIA EMAIL and explained AND understood</b> e.g. Data Protection & Confidentiality & Prevent Duty (All policies available on website).				
26	Automatic Enrolment explained.				
27	Designated Person List explained				
28	Uniform + permit issued and dress code explained + expenses allowed for trousers.				
29	Food Safety Briefing				

**ONLY WHEN ALL ABOVE CRITERIA HAS BEEN MET AND SIGNATURES OBTAINED CAN STAFF COMMENCE WORK. IN EXCEPTIONAL CIRCUMSTANCES A STAFF MEMBER CAN START WORK WHILST AWAITING DBS BUT MUST STRICTLY NEVER BE LEFT UNSUPERVISED UNTIL DBS IS RETURNED AND REVIEWED. ONLY A MEMBER OF MANAGEMENT THAT HAS UNDERTAKEN SAFER RECRUITMENT TRAINING CAN MAKE THIS DECISION.**

# Self-declaration and disclosure form

for regulated activity roles eligible for a DBS, that involve contact with children  
(under 18 years old)<sup>i</sup>

## Private and confidential

All information will be treated as confidential and managed in accordance with relevant data protection legislation and guidance. You have a right of access to information held on you under the Data Protection Act 2018.

Employee or volunteer information				
Name				
Address				
Contact number(s)				
Date of birth				
Gender <sup>ii</sup>	Female <input type="checkbox"/>	Male <input type="checkbox"/>	Non-binary <input type="checkbox"/>	Another description (please state) <input type="checkbox"/>

**Note:** As the position you have applied for involves work with children and young people it is not covered by the provisions in the Rehabilitation of Offenders Act 1974. When answering questions 1 to 4 you must declare criminal convictions and/or cautions that are not 'protected' under the Exceptions Order (as amended). This includes UK, overseas and armed forces convictions, cautions and relevant service discipline convictions where it would be considered an equivalent offence in England and Wales.

Free, confidential advice can be sought from the organisations below to help you understand whether to disclose certain criminal record information:

Nacro – Tel: 0300 123 1999, or email: [helpline@nacro.org.uk](mailto:helpline@nacro.org.uk)

Unlock – Tel: 01634 247350, email [advice@unlock.org.uk](mailto:advice@unlock.org.uk) or complete the online form on the Unlock website.

### Declaration of individual

<p>1. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?</p>	<p>No <input type="checkbox"/></p>	<p>Yes – please provide further information <input type="checkbox"/></p>
<p>2. Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?</p>	<p>No <input type="checkbox"/></p>	<p>Yes – please provide further information <input type="checkbox"/></p>
<p>3. Have you been formally charged with any other offence in any country which has not yet been disposed of?</p>	<p>No <input type="checkbox"/></p>	<p>Yes – please provide further information <input type="checkbox"/></p>
<p>4. Are you currently subject to any criminal investigations or pending prosecutions by the police in any country which may have a bearing on your suitability for this position?</p>	<p>No <input type="checkbox"/></p>	<p>Yes – please provide further information <input type="checkbox"/></p>
<p>5. Have you ever been known to any Children’s Services department or the police as being a risk or potential risk to children?</p>	<p>No <input type="checkbox"/></p>	<p>Yes – please provide further information <input type="checkbox"/></p>
<p>6. Have you been the subject of any formal action, disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards children?</p>	<p>No <input type="checkbox"/></p>	<p>Yes – please provide further information <input type="checkbox"/></p>
<p>7. Have you ever been dismissed for misconduct from any employment, volunteering, or other position previously held by you, in circumstances which may have bearing</p>	<p>No <input type="checkbox"/></p>	<p>Yes – please provide further information <input type="checkbox"/></p>

on your suitability for this position?		
8. Are you currently subject to any fitness to practise investigations or proceedings by a regulatory, governing, or licensing body in any country, which may have bearing on your suitability for this position?	No <input type="checkbox"/>	Yes – please provide further information <input type="checkbox"/>

<b>Confirmation of declaration</b>	
Please tick the boxes below and then sign this form.	
<input type="checkbox"/>	I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment may be withdrawn or dismissal may result if information is not disclosed by me and subsequently comes to the organisation's attention.
<input type="checkbox"/>	In accordance with the organisation's procedures, if required I agree to provide a valid DBS certificate* and consent to the organisation clarifying any information provided on the disclosure with the agencies providing it.
<input type="checkbox"/>	I agree to inform the organisation within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards children or young people.
<input type="checkbox"/>	I understand that the information contained on this form, the results of the DBS check* and information supplied by third parties may be supplied by the organisation to other persons or organisations in circumstances where this is considered necessary to safeguard other children.
Signature	✕
Print name	
Today's date	

<sup>i</sup> [This form can be adapted to include individuals working with vulnerable adults]

<sup>ii</sup> It is good practice for the question on gender to be optional rather than mandatory. Sometimes, software can restrict options, which will require compromising on this best practice until systems are updated. Any system or software limitations should be openly acknowledged by the organisation so that transgender people know the organisation is aware of the restrictions and is working to resolve it.