



SAFER RECRUITMENT POLICY

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Mission

'We will increase skills through the attainment of vocational and fundamental English and maths qualifications whilst improving learners' employability skills and life chances. We aim to increase employment levels, decrease NEET and meet the skills demands of the learners, Local Authorities, employers and LEP's that we serve.

Values

Maximising learner / customer success and achievement through innovative delivery to improve individual's life chances and / or employment opportunities, in a safe, secure and nurturing environment underpinned by our specific values of:

Respect, Honesty, Trust, Openness, Equality of Opportunity for all.

Vision

Through a socially inclusive approach, we will provide high quality learning and training support, to equip individuals with the skills for future employment, further development and or Further Education.

Nova Training are committed to delivering excellence, providing the best possible experience and effective IAG for all of our learners and staff alike; with a strong emphasis on Equality and Diversity and a commitment to Safeguarding all of our learners / customers to ensure they feel safe, and are safe. We aim to be a high-performing organisation with a passion for learning and a dedication to become the training provider of choice.

INTRODUCTION

Nova Training is committed to continuous improvement and providing a high standard of service to learners, staff and all its partners. The safe recruitment of staff into Nova is the first step to safeguarding and promoting the welfare of children in education. Nova is committed to safeguarding and promoting the welfare of all learners in its care. As an employer, we expect all staff and volunteers to share this commitment.

OUR POLICY

Our Safer Recruitment Policy is a vital part of creating a safe and positive environment and making a commitment to keep learners safe from harm. The aims of the Safer Recruitment Policy are to help deter, reject or identify people who might abuse learners or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of Nova's Safer Recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job 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, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - September 2021 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that Nova meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

All staff responsible for recruitment will be required to undertake Safer Recruitment accredited training in Safe Recruitment procedures.

Nova has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2020 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close 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.

Nova aims to operate this policy consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Nova.

THE RECRUITMENT AND SELECTION PROCEDURE

Advertising

To ensure equality of opportunity, Nova will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement. All advertisements will make clear Nova's commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA18).

Application

Nova uses its own Application Form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history) prior to interview. Applicants submitting an incomplete Application Form will not be shortlisted. The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not be accepted as formal applications but may be used for initial shortlisting purposes.

Along with the Application Form, applicants will also receive;

- a Job Description and Person Specification
- a copy of Nova's Safeguarding and Child Protection Policy (NTS717)
- a copy of Nova' Safer Recruitment Policy (NTS850)

It is unlawful for Nova to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at Nova. 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 the DBS.

Interviews

Long-listed applicants may be invited to a brief, informal initial interview (via telephone/online interview) to enable a more accurate short-listing process.

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

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 been disclosed on the Application Form.

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

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment process has ended.

Written records of all interviews, observations, skills tests will be kept on the successful applicant's HR record.

OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS

In accordance with the recommendations set out in KCSIE: Keeping children safe in education (2020) Statutory guidance for schools and colleges Update - January 2021 (Post EU Exit)" Nova carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating Nova's standard terms and conditions of employment;
- verification of the applicant's identity (if not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the Nova considers to be satisfactory;

for positions which involve "teaching work":

- being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working with Nova or which, in our opinion, renders the applicant unsuitable to work at Nova; and
- being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at Nova or which, in Nova's opinion, renders the applicant unsuitable to work with us;
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the Nova considers to be satisfactory;
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List;
- confirmation that the applicant is not subject to a prohibition order made under section 141B of the Education Act 2002.
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and

- verification of professional qualifications which Nova deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).

Whether a position amounts to "regulated activity" must therefore be considered by Nova in order to decide which checks are appropriate. It is however likely that in nearly all cases Nova will be able to carry out an enhanced DBS check and a Children's Barred List check.

A Recruitment checklist for each candidate will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on HR files.

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 pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at Nova.

DBS (Disclosure and Barring Service) Check

Nova will apply for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is Nova's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

It is Nova's policy to re-check employees' DBS Certificates every three years and in addition any employee who takes leave for more than three months (ie maternity leave, career break etc) must be re-checked before they return back to work.

Members of staff are aware of their obligation to inform the HR Department of any cautions or convictions that arise between these checks taking place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

Portability of DBS Certificates Checks

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for an annual fee, which is payable by the applicant.

This allows for portability of a Certificate across employers. Nova will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced certificate/enhanced including barred list information.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

Dealing with Convictions

Nova operates a formal procedure if a DBS Certificate is returned with details of a disclosure. Any DBS detailing a disclosure will be subject to a written risk assessment.

Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place to establish the facts with the Designated Safeguarding Lead or HR Operations Manager. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Designated Safeguarding Lead or HR Operations Manager

will evaluate all of the risk factors above before an unconditional position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, Nova may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status

All applicants invited to attend an interview will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines.

Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their Application Form.

References

All unconditional offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. A reference period of two years is required for all applicants.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied, if there have been any safeguarding issues and whether they have any reason to believe that the applicant is unsuitable to work with children.

No questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies, anomalies or incomplete references will be followed up. All references will be scrutinised and any concerns resolved satisfactorily before an unconditional offer of employment is made.

Nova does not accept open references, testimonials or references from relatives.

Medical Fitness

Nova is legally required to verify the medical fitness of anyone to be appointed to a post, after a conditional offer of employment has been made but before the unconditional offer can be confirmed.

All applicants are requested to complete a Medical Questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role.

Nova is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

Induction Programme

All new employees will be given an induction programme which will clearly identify the relevant policies and procedures, including the Safeguarding & Child Protection Policy, the Employee Handbook, and KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

Record Retention/Data Protection

Nova is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, we will retain on their HR file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help Nova to discharge its obligations as an employer, eg so that we may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the Nova for the duration of the successful applicant's employment. All information retained on employees is kept centrally by the HR department via a secure cloud based digital system called Cascade.

The same policy applies to any suitability information obtained about volunteers involved with Nova's activities.

Nova will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie shredded or permanently deleted from our systems). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR) [DPA18].

Single Centralised Register

A single centralised record of pre-employment checks will be kept for all staff providing education to children. The single central record will indicate whether the following checks have been carried out, or certificates obtained, and the date which each check was completed/certificate obtained:

- an identity check;
- a barred list check;
- an enhanced DBS check/certificate
- further checks on people who have lived or worked outside of the UK
- a check on professional qualifications where required; and
- a check to establish a person's right to work in the UK
- recording whether the applicants position involves "relevant activity" i.e. regularly caring for, training, supervising or being solely in charge of persons under 18.

Ongoing Employment

Nova recognises that Safer Recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. We will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

Leaving Employment at Nova Training

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

- has applied for a position at Nova despite being barred from working with children; or
- has been removed Nova 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.

Contractors and Agency Staff

Contractors engaged by Nova must complete the same checks for their employees that the Nova is required to complete for its staff. Nova requires confirmation that these checks have been completed before employees of the Contractor can commence work.

Agencies who supply staff to Nova must also complete the pre-employment checks which Nova would otherwise complete for its staff. Again, Nova requires confirmation that these checks have been completed before an individual can commence work.

Nova will independently verify the identity of staff supplied by contractors or an agency in and will require the provision of the original DBS certificate before contractors or agency staff can commence work.

Visiting Speakers (and Prevent Duty)

The Prevent Duty Guidance requires Nova to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by learners, are suitable and appropriately supervised. Nova is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity or perform any other regular duties for or on behalf of Nova.

All visiting speakers will be subject to Nova's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

Nova will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend. In doing so, Nova will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

"'Extremism' is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

In fulfilling its Prevent Duty obligations Nova does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

Volunteers

Nova will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with learners at or on behalf of Nova (the definition of regulated activity set out above will be applied to all volunteers). Under no circumstances will Nova permit an unchecked volunteer to have unsupervised contact with Learners.

It is Nova'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 Nova for three consecutive months or more. Those volunteers who are likely to be involved in activities with Nova on a regular basis may be required to sign up to the DBS update service as this permits Nova to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates. In addition, Nova will seek to obtain such further suitability information about a 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 volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal Safer Recruitment interview

REVIEW

This policy will be reviewed annually.