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QfL Safer Recruitment Policy

1. Policy statement

Quest for Learning is committed to safeguarding and promoting the well-being and welfare of children, and all others who come into contact with the Charity. Quest for Learning requires all individuals who are involved or associated with the Charity – including trustees, employees, and volunteers – to share this commitment.

By having an open culture which is committed to safeguarding and promoting the well-being and welfare of children, and all others who come into contact with the Charity, Quest for Learning aims to support all individuals who are associated with the Charity to fully understand their roles and responsibilities.

Quest for Learning wishes to attract the best possible applicants to vacancies and is committed to safe recruitment, selection, and pre-employment vetting, as outlined in this Safer Recruitment Policy.

2. Introduction

Safer recruitment is the first step to safeguarding and promoting the well-being and welfare of children in the Charity's care. Quest for Learning wishes to recruit and retain the highest calibre individuals who are involved or associated with the Charity – including trustees, employees, and volunteers – who will support its commitment to safeguarding.

The Charity and its trustees are committed to ensuring consistency of treatment and fairness, and will abide by all relevant equality legislation. This Policy applies to those in both paid and unpaid roles – whether on a full- or part-time basis, as well as to individuals who are associated with the Charity who do not have direct responsibility for children, but who will have contact with them within the Charity and will be seen as safe and trustworthy, and/or have access to confidential and sensitive information.

The Safer Recruitment Policy forms part of the Charity's wider commitment to safeguarding and promoting the well-being and welfare of children in its care. This Policy should be read in conjunction with the Charity's Safeguarding Policy.

3. Aims and Objectives

The overarching aim of this Safer Recruitment Policy is to help deter, reject and identify applicants who might pose a risk to children, or who are otherwise unsuitable to work with them.

Other aims of the Charity's Safer Recruitment Policy are as follows:

- to ensure that the best possible applicants are recruited on the basis of their skills, abilities, and suitability for the position;
- to ensure that all applicants are treated 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, sexual orientation, gender reassignment, marital or

- civil partner status, pregnancy or maternity; disability or age; and
- to ensure compliance with all relevant legislation, statutory requirements, Government and Charity Commission guidance, and best practice – including guidance and the Code of Practice issued by the Disclosure and Barring Services (DBS).

Individuals involved in the selection and recruitment of employees and volunteers must familiarise themselves and comply with this Policy.

The Charity has a principle of open competition in its approach to recruitment. The recruitment and selection process should ensure the identification of the person best suited to the role at the Charity, based on the applicant's skills, abilities, qualifications, and experience as measured against the role description and person specification, and information on an applicant's application form.

The recruitment of employees and volunteers will be conducted in a professional, timely and responsive manner, and in compliance with current employment legislation (as appropriate), relevant safeguarding legislation and statutory guidance, and best practice.

If an individual 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 their application and avoid any involvement in the recruitment and selection decision-making process.

The Charity aims to adopt a consistent and thorough process of safer recruitment – while obtaining, collating, analysing and evaluating information from and about applicants who apply for roles at Quest for Learning – in order to ensure that those who are recruited are suitable to work with children.

4. Roles and Responsibilities

It is the role of the Board of Trustees to:

- ensure the Charity has adequate safeguarding policies and procedures in place – including for safer recruitment – that are appropriate for the Charity's particular circumstances and which reflect both the law and best practice; and
- make sure that these policies and procedures are effectively implemented and regularly reviewed.

It is the responsibility of the Executive Director and other members of the Executive Team involved in recruitment to:

- ensure the Charity operates safer recruitment procedures - including the satisfactory completion of all pre-employment checks; and
- safeguard and promote the well-being and welfare of children at every stage of the recruitment process.

The Board of Trustees has delegated responsibility to the Executive Director and members of the Executive Team to lead in all recruitment. Trustees may be involved in recruitment, but the final decision will rest with the Executive Director and members of the Executive Team.

5. Definition of regulated activity and frequency

The full legal definition of "regulated activity" is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced a factual note on [Regulated activity in relation to children](#) (2012), which provides guidance on the scope of regulated activity.

"Regulated activity" includes:

1. Teaching, training, instructing, caring for (see (3) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children;

2. Work for a limited range of establishments (known as “specified places” which include schools and colleges, children's homes and childcare premises), with the opportunity for contact with children, but not including work done by supervised volunteers.

In relation to (1) an individual will be carrying out regulated activity if they work unsupervised **frequently** – once a week or more, **intensively** – on 4 or more occasions in a 30-day period, or **overnight** – between 2am and 6am. In relation to (2), an individual will be carrying out regulated activity if they work **frequently, intensively, or overnight** (i.e. on the same basis as immediately above) **in the same "specified place"**. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not.

This includes:

3. Relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

6. Recruitment and Selection Procedure

Role descriptions and person specifications

A role description is a key document in the recruitment process and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the role. The role description should clearly set out the extent of the relationship with, and the degree of responsibility for, children with whom the person will have contact. It must also refer to the responsibility for safeguarding and promoting the well-being and welfare of children.

The person specification is of equal importance and informs the selection decision. It details the skills, qualifications and experience needed for the role; the competencies and qualities that the applicant should be able to demonstrate; and how these will be tested and assessed during the selection process. The person specification must include a specific reference to an applicant's requisite suitability to work with children. All applicants will be assessed equally against the criteria contained in the person specification without exception or variation.

Advertisements and information for applicants

To ensure equality of opportunity, the Charity will advertise all vacant posts to encourage as wide a field of applicants as possible. Normally this entails an external advertisement. The Charity will demonstrate its commitment to equal opportunities, and to safeguarding and promoting the well-being and welfare of children, by ensuring that all recruitment advertising material contains a policy statement to that effect. All recruitment advertising material will include the following policy statement:

“Quest for Learning is an equal opportunities employer and it welcomes applications from all sections of society and the communities it operates in. Quest for Learning is committed to safeguarding and promoting the well-being and welfare of children, and requires all individuals who are associated with the Charity – including trustees, employees and volunteers - to share this commitment. Successful applicants will be required to undergo child protection screening appropriate to the role, including checks with past employers and/or employers (as appropriate) and the Disclosure and Barring Service.”

All information given to an interested applicant will highlight the importance placed by Quest for Learning on rigorous selection processes. The information should stress that the identity of the candidate, if successful, will need to be checked thoroughly, and that where a DBS check is appropriate, the person will be required to complete an application for a DBS disclosure straightaway. All documentation relating to applicants will be

treated confidentially in accordance with the General Data Protection Regulation (GDPR).

Applications and shortlisting

Quest for Learning uses its own application form, which all applicants for employment or volunteering will be required to fully complete. The application form will require:

- a declaration that the applicant has been resident in the UK during the 12 months prior to the application;
- full personal information, including any former names by which the person has been known in the past;
- a full history of employment - both paid and voluntary (if applicable), since leaving school, including any periods of further education or training (if applicable);
- details of any relevant academic and/or vocational qualifications;
- two independent references;
- a declaration, as appropriate for the position, that the person has no convictions, cautions, or bind overs; or
- If they do have convictions, cautions, or bind-overs, to provide details either in a sealed envelope marked 'Private and Confidential' or as a pdf document sent to the Executive Director.

Information received will be scanned and shredded where received in an envelope, and all information received will be held in a secure online environment on the applicant's record. All information will be retained in accordance with Quest for Learning's Data Retention and Disposal Policy and Data Protection Policy.

Incomplete application forms will not be considered. A CV will not be accepted instead of an application form.

It is a criminal offence for anyone to seek or accept work in a regulated position knowing that they are barred from working with children; and for an employer to offer work to or employ a person in a regulated position knowing that the person is barred from working with children. All applicants will be made aware that providing false information is an offence, and could result in the application being rejected, or summary dismissal or the requirement for a volunteer to cease to carry out their role, if the applicant has been selected or recruited, and referral to the police and/or the DBS.

The applicant will be given an information pack including general information about the Charity and specific information on the post in which they are interested.

Applicants for volunteering vacancies will be offered an opportunity to speak with a member of the Quest for Learning team for an informal discussion about the role, and to ask any questions they may have.

Shortlisting will be carried out on the basis of a close match between the role description, person specification and information on an applicant's application form. Internal candidates will be treated no more or less favourably than external candidates.

References

Wherever possible, references will be obtained immediately after short listing and prior to the interview stage, so that any discrepancies or issues of concern can be explored further with the referee and discussed with the applicant during interview.

All offers of employment or volunteering will be subject to the receipt of a minimum of two independent references which are considered satisfactory by the Charity. One reference must be from the applicant's current or most recent employer or deployer (in respect of volunteering), if applicable. If the applicant's current or most recent role does/did not involve work with children, but the applicant has worked with children in the past, then the second reference should be from the employer or deployer of that role who can comment on their previous work with children, and their suitability to work with them. The referee should not be a relative.

References must always be supplied directly by referees. References should provide objective verifiable and factual information to support appointment decisions. In order to achieve this, a reference pro-forma with questions relating to the applicant's suitability to work with children will be provided.

All referees will be asked:

- whether they believe the applicant is suitable for the role for which they have applied, and whether they have any reason to believe that the applicant is unsuitable to work with children; and
- to confirm whether the applicant has been the subject of any disciplinary sanctions and whether they have had any allegations made against them or concerns raised which relate to either the safety or welfare of children, or about the applicant's behaviour towards children. Details about the outcome of any concerns or allegations will be sought.

Please note that no questions will be asked about health or medical fitness prior to any offer being made.

All applications will be checked to ensure that they are fully and properly completed; scrutinised for any discrepancies or anomalies in the information provided – which will be followed up; and considered with regard to any history of gaps, or repeated changes, in employment, or moves to supply work, without clear or justifiable reasons.

Direct references will be received electronically, and where considered relevant or necessary, referees will be contacted by telephone for further information about the applicant's suitability to the role, suitability to work with children, or to investigate discrepancies in their application. The Charity does not accept open references, or testimonials provided by an applicant, or references from relatives.

If the applicant claims to have specific qualifications or experience relevant to working with children which may not be verified by a reference, the facts should be verified by the provision of original qualification certificate(s) by the applicant or by contacting the relevant body or previous employer/deployer, and any discrepancy explored during the interview.

Interviews

Shortlisted applicants will be invited to attend an interview. Interviews will be with two members of the Quest for Learning Executive Team.

Questions will be set to test the applicant's specific skills during the interview, their abilities to carry out the role applied for, and whether they share the same values as the Charity. The applicant's attitude towards children in general will also be tested together with their commitment to safeguarding and promoting the well-being and welfare of children. For example, the applicant should be asked why they think safeguarding is important.

The interview panel will fully explore during the interview any discrepancies or anomalies, or gaps and changes in employment history, that have been identified from the information provided to the Charity by the applicant or a referee.

At least one member of the interview panel will have undertaken safer recruitment training, or refresher training as applicable, and both of whom will have undertaken safeguarding training.

All applicants who are invited for an interview will be required to bring documentary evidence of their identity – either a full birth certificate, passport or photocard driving licence and additionally a document such as a utility bill that verifies the applicant's name and address. Where appropriate, change of name documentation must also be brought to the interview. Applicants should also be asked to bring original or certified copies of documents confirming any necessary or relevant educational and professional qualifications. If the successful applicant cannot produce original documents or certified copies, written confirmation of their relevant qualifications must be obtained from the awarding body.

Offer of appointment to successful applicant

Any offer of appointment made to a successful applicant, including one who has lived or worked abroad, will be conditional upon satisfactory completion of the necessary pre-employment checks, including:

- verification of the applicant's identity (if this has not previously been verified straight after the interview);
- the receipt of two satisfactory independent references – if references were not obtained before the interview, it is vital that they are obtained and scrutinised before a person's appointment is confirmed;
- a DBS Disclosure appropriate to the role. An enhanced DBS certificate - including a check of the DBS's Children's Barred List, for those who will be engaging in regulated activity - must be obtained;
- a separate barred list check will need to be obtained if an individual will start work in regulated activity before the DBS certificate is available;
- verification of the applicant's right to work in the UK (for employees only);
- confirmation that the applicant is not subject to an Order under section S.79 of the Charities Act 2011 for their removal/disqualification from a charity (for trustees only);
- verification of the applicant's medical fitness for the role;
- criminal record checks and/or overseas police checks, as appropriate, for an applicant who has lived or worked overseas;
- where appropriate, sign a declaration that they are not disqualified from childcare or disqualified by association under the Childcare (Disqualification) Regulations 2009; and
- verification of any relevant qualifications and professional status, as appropriate (if not verified straight after the interview), and whether any restrictions have been imposed by a regulatory body.

Quest for Learning will use the services of a registered umbrella organisation for the processing of DBS applications for each applicant. Any information which has been provided to Quest for Learning regarding past disciplinary sanctions; allegations or concerns that relate to the safety or welfare of children, or about an applicant's behaviour towards children; or cautions or convictions will be discussed and considered in the circumstance of the individual case during the recruitment process.

Personnel and volunteer checklists will be used to track, and audit paperwork obtained in accordance with safer recruitment training. The checklist will be retained on personnel files.

Medical Fitness

If considered appropriate, the Charity may choose to verify the medical fitness of anyone appointed to a post at the Charity after an offer has been made but before the appointment can be confirmed. Applicants may be requested to complete a medical questionnaire and where appropriate a doctor's medical report may also be required. This information will be reviewed against the role description and the person specification for the particular role, together with details of any other physical or mental requirements for the role. The Charity is aware of its duties under the Equality Act 2010. No offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

Checks on overseas applicants

Applicants who have lived or worked outside of the UK for a period of three months or more in the last five years will be subject to the same pre-employment vetting checks as all other applicants. In addition, the Charity will complete any further checks that are deemed appropriate to enable any relevant events that occurred outside the UK to be considered.

These checks could include criminal records checks for overseas applicants - Home Office guidance can be found at <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>. For qualified teachers, this may include obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Including, as of 1 January 2021, those teachers who have taught in an EEA country as following the UK's exit from the EU, professional regulators in the EEA (EU, Iceland, Liechtenstein and Norway) will no longer share information about sanctions imposed on EEA

teachers with the Teaching Regulation Agency (TRA). The TRA will therefore no longer maintain a list of EEA teachers with sanctions.

Safeguarding Induction Training

All new trustees, employees and volunteers will be required to complete mandatory safeguarding induction training, regardless of whether they work directly with children. This will include an introduction to the Charity's safeguarding policies and procedures, including the Safeguarding Policy and the Code of Conduct. It will also explain the identity and specific responsibilities of individuals with designated safeguarding responsibilities. Evidence of appropriate safeguarding training is also required for all others involved or associated with the Charity, where they work directly with children.

Induction training will provide trustees, employees and volunteers with a full explanation of their roles and responsibilities – and expectations which will govern how they carry them out, and the standard of conduct and behaviour expected from them. Employees will be made aware of the Charity's personnel procedures relating to disciplinary issues, and volunteers will be made aware that any potential breach of Quest for Learning's Code of Conduct will be dealt with accordingly. Employees and volunteers will also be made aware of the Whistleblowing Policy.

Members of the Executive Team will ensure that employees and volunteers are adequately and appropriately supervised, where appropriate, and that they have ready access to advice, expertise and management support in all matters relating to safeguarding and child protection.

Probationary periods of 3 months will typically apply for new employees, during which time performance will be monitored. The Charity reserves the right to extend this period by a further 6 months at its absolute discretion. Performance will be reviewed against the role description after this time. Introductory periods will apply for new volunteers to give them an idea of the role and for the Charity to understand how the volunteer will approach their role.

Single Central Record of Recruitment and Vetting Checks

In addition to the various trustee, employee and volunteer records kept by the Charity on individual personnel files, a single central record of recruitment and vetting checks of trustees, employees, volunteers, agency and supply staff is kept by Quest for Learning – this is kept up to date by the Administrator.

Record Retention and Data Protection

All data will be processed and retained in accordance with the General Data Protection Regulation (GDPR).

The Charity is legally required to undertake the above pre-appointment checks. For successful applicants, the Charity will electronically retain all information provided as part of the application process securely on their personnel file. This will include, for example, a copy of the application form, interview notes, references, and documents used to verify identity, right to work in the UK, medical fitness and qualifications, as appropriate.

Medical information may be used to help the Charity discharge its obligations, for example so that the Charity may consider reasonable adjustments if an employee or volunteer suffers from a disability or to assist with any other workplace issue. This documentation will be retained by the Charity for 7 years after the applicant's employment or volunteering ends with the Charity. For unsuccessful applicants, the Charity will securely retain all documents electronically (including interview notes) for a period of one year, after which time the notes will be confidentially destroyed and deleted.

7. Ongoing employment and volunteering

Quest for Learning recognises that it must have robust policies and procedures in place for recruitment and selection, which should be viewed as initial measures in an ongoing commitment to create a safe organisation.

The Charity will therefore provide ongoing training and support for all trustees, employees, and volunteers, as identified through its appraisal system. The Charity will liaise with the Oxfordshire Safeguarding Children Board (OSCB) to ensure that training is up to date.

8. Leaving Quest for Learning

Despite the best efforts to recruit safely, there may be occasions when safeguarding concerns or allegations are raised in connection with individuals associated with the Charity. This Policy is primarily concerned with the promotion of safer recruitment, including the satisfactory completion of necessary pre-appointment checks prior to a successful applicant being offered a role. While these are pre-appointment checks, the Charity also has a legal duty to make a referral to the DBS in circumstances where both of the following two conditions have been met:

Condition 1: The Charity withdraws permission for an individual to engage in regulated activity with children, or it moves the individual to another area of work that is not regulated activity. This includes situations where the Charity would have taken this action, but the individual was re-deployed, resigned, retired or left. For example, an individual resigns when an allegation of harm to a child is first made.

Condition 2: The Charity thinks the individual has carried out one of the following:

- engaged in relevant conduct in relation to children, i.e. an action or inaction that has harmed a child or put them at risk of harm; or
- satisfied the harm test in relation to children e.g. there has been no relevant conduct but a risk of harm to a child still exists; or
- been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.

Further information on relevant conduct and the harm test can be found at

<https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

7. Monitoring and evaluation

Quest for Learning is committed to monitoring all recruitment procedures to ensure that the best possible procedures are in place. The Executive Team will be responsible for ensuring this Policy is monitored and evaluated with respect to its effectiveness and implementation. Members of the Executive Team will meet annually to review the effectiveness of this Policy.

Signed:



Date: September 2021

Role: Executive Director