

Safe Staff Recruitment and Selection Policy

Policy Statement

This policy is intended to set out the values, principles and policies underpinning our approach to recruitment and selection of our staff to comply with Regulation 19: Fit and Proper Persons Employed of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, and other applicable legislation.

We will comply with all current legislation and registration requirements by:

- basing our recruitment and selection procedures on equal opportunities and the involvement of residents and their representatives wherever possible
- focusing our recruitment and selection procedures on the protection and safeguarding of residents
- following stringent procedures for recruiting volunteers, which include appropriate checks with the Disclosure and Barring Service (DBS) if the eligibility requirements are met and decisions based on the outcomes of the checking
- obtaining (after a job offer, but before an appointment is confirmed, and the person starts work) a minimum of two written references, one of which will be from the applicant's most recent employer, and the other a character reference. With some applicants, we may seek additional references from previous employers
- offering the job subject to a completed medical check that is acceptable to the employer and prospective employee (see separate policy on [Obtaining Medical Reports](#))
- obtaining a full employment history and examining gaps in the appointee's employment record with the applicant, and seeking additional information or references if needed
- confirming new staff in their post only after the completion of satisfactory criminal records checks (enhanced or standard check, depending on the post), and of checks made against the current DBS barred lists if the post involves regulated activity
- making clear that staff are expected to comply with the current codes of conduct or Codes of Practice for their respective professions or occupations, and any "house rules" included, for example, in a staff handbook
- providing staff with contracts of employment that state all terms and conditions.

Procedures

Job Vacancies

1. The aim of the selection procedure is to ensure that the most suitable candidate is chosen for the job and that all applicants receive fair and equitable treatment.
2. We provide our existing staff with an opportunity to indicate their interest in vacancies as they come up and to advance within the service according to their

skills and experience. In general, notices of all regular, full and part-time job vacancies are posted internally as well as being advertised externally.

3. To be eligible to apply for a vacancy, an existing staff member must be performing competently in their present position and have held it long enough to make a significant contribution to the new role.
4. We encourage staff members to talk with their supervisors about their career plans and supervisors are encouraged to support staff members' efforts to gain experience and advance within the organisation.
5. An applicant's supervisor may be contacted for an account of an employee's performance, skills, and other factors relevant to any application they may make. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

Selection

1. All applicants whether responding internally or externally are sent an application form and a job description. Only applications made using the proper form and received by the advertised deadline are considered.
2. Applicants are shortlisted by comparing their application form with the person specification for the job.
3. Shortlisting is carried out by people who have the required experience, competence and qualifications so that all due processes are followed.
4. All shortlisted candidates are offered an interview and given details of the care service, the position for which they have applied and the terms and conditions of employment.

Equality, Diversity and Inclusion Policy

1. We follow an equal opportunities policy and wish to recruit and employ those people who are best suited for the vacancies for which they have applied, regardless of sex, sexual orientation, age or perceived age, religion, ethnic origin, race, disability or union membership (or lack of it). All applications (and their ultimate selection or rejection) are reviewed against equality and diversity criteria.
2. All employees and applicants are required to complete a sex and ethnic origin form. Brief details of every application are recorded on the form and the reason for inviting some and not other applicants for interview are also recorded on it.

Job Interviews

1. Job interviews provide us with an opportunity to get the information we need about applicants to decide which is most suitable for the position in question.
2. Interviews are not conducted until a completed application form has been received.
3. Every attempt is made to ensure that interviews are conducted under conditions which are favourable to interviewees giving their best.

4. Interviewers must ensure that they have all the appropriate documentation before the start of the interview. The assessments made by interviewers must be formally recorded on an interview assessment form. Interviewers must not make offers of employment or suggest variations to standard terms and conditions of employment at the interview.

References

1. All offers of employment are made on condition that a minimum of two satisfactory written references are obtained in respect of the applicant, one of which will be from the person's most recent employer, where this is applicable.
2. A request for a reference will always ask that the applicant is of "good character" and meets the "fit person" test required by the care regulations. If the references prove to be unsatisfactory, the offer of employment may be withdrawn without us being in breach of contract.
3. Applicants should confirm in writing that their present employer may be approached for a reference.
4. If a reference is deemed unsatisfactory, the appointee should be told and given written confirmation that the offer of employment is withdrawn since the condition to which it was subject has not been fulfilled.
5. We always take the necessary corrective actions, if it is found, for example, from an internal audit or an inspection, that references are incomplete, or that the records show that gaps in employment have not been accounted for.

Criminal Records Disclosures and Barred List Checks

1. Before confirming someone's appointment, we are required to carry out checks with the DBS, which are based on eligibility for the type of checks required for certain positions in care service work.
2. For staff who work in regulated activity as defined by the Protection of Freedoms Act 2012, the organisation must apply for an enhanced criminal records check and barring list check.
3. Staff in non-care roles, who have some but not regular contact with residents, e.g. office staff, cleaners, laundry and maintenance staff, and volunteers, will have either a standard or enhanced criminal records check, depending on the amount of contact involved, and the assessed risks to residents.
4. We are committed to following the current guidance on criminal records and barring list checks issued by the DBS, and review our policies according to any new guidance that we issue.
5. A person who has applied for a care role whose name appears on one of the barring lists will clearly not be eligible for appointment. [As all employees are likely to have some contact with residents it is highly unlikely that a barred applicant would be accepted for a non-care role, which does not involve regulated activity. There might be exceptions made to this general rule]

depending on the reasons for their being on a barred list, and the non-regulated activity post for which the person has applied. Such issues would need to be fully investigated and a decision would be made on the outcomes of the investigation and a risk assessment.]

6. A person who has applied for either a care or a non-care role, who has an unspent criminal conviction as shown by the DBS check (but in the case of care role applicants is not on a barred list) will not automatically be rejected for the post for which they have applied. A decision to appoint or not will take into account the details of their convictions and the outcomes of a risk assessment, which will ensure that no-one is put at risk from their appointment.
7. In cases where it is not possible to obtain full criminal records check before a person is due to start work, and to maintain adequate staffing levels, we may apply for an Adult First clearance. It will then monitor and supervise the person in line with official guidance until full clearance is obtained. Employees are made aware of the provisional nature of their appointment until all checks have been completed.
8. Where it is not possible to make use of or access the DBS updating service, we retain criminal records checks in secure conditions, observing access to records and data protection protocols like any other personal information we hold on our staff members.
9. We keep all copies of criminal records checks obtained at the recruitment stage until after our next inspection so that it can provide evidence that we are complying with our legal requirements for making these checks. This could mean that it will sometimes keep these checks for longer than the usual six-month period established in the Criminal Records Code of Practice as they must be available to inspectors whenever they visit.

Foreign Workers

1. We employ foreign workers only after confirming their legal status and entitlement to work in this country and after making equivalent checks on their criminal records and fitness to work with vulnerable people.

Offers of Employment

1. We always confirm in writing new staff members' terms of appointment and employment. Verbal offers are always followed up as quickly as possible by a letter of confirmation.
2. Formal offers of employment are made in writing only after all short-listed candidates have been interviewed.
3. Confirmatory letters will include terms and conditions of employment, pay, dates of starting, periods of notice, references to our codes of conduct and contents of the staff handbook, etc.

Training

Staff involved at any stage or in any way with our safe recruitment and selection procedures will be adequately trained and qualified to carry out their duties in line with this policy.

Review

Signed: _____

Date: _____
