

Safer Recruitment Policy

Fylde Community Link aims to recruit the best person for each vacancy through fair, systematic, safe, effective recruitment and selection procedures. This will ensure that the Organisation continues to deliver a high quality, professional service.

Fylde Community Link values diversity and is committed to eliminating unlawful or unfair discrimination. Appointment will always be based on merit, and within statutory obligations.

The Organisation is committed to safeguarding and promoting the welfare of vulnerable individuals, in line with statutory regulations. This includes ensuring that recruitment and selection procedures are safe and deter, reject or identify people who might abuse vulnerable individuals or are otherwise unsuitable to work with them.

Fylde Community Link recognises the importance of pre-employment safeguard checks on newly appointed employees and re-checks on existing employees, at least at a frequency in accordance with statutory regulations.

Identification of Vacancy

Fylde Community Link's policy is to recruit to 110% of commissioned hours in order to provide cover for annual leave, sickness and training. As soon as any post becomes vacant or a new post is created, the job description and person specification will be reviewed and agreed.

Advertisement of Vacancy

A decision will be made about whether the post is to be advertised internally or externally. In most instances, posts will be advertised on the Organisation's intranet and website. Job advertisements will give details of the post, salary and qualifications required and will also make reference to the level of disclosure, via the [Disclosure and Barring Service](#) (DBS), needed to undertake the post. Where applicable, advertisements may be placed in the press or on online recruitment websites.

Applicant Information Pack

The level of information to be sent to potential applicants will be dependent upon the level of the post being advertised. The pack will include an application form, a job description, a person specification, the recruitment of ex-offenders statement and the DBS statement.

Applications

Applications must be made using the Organisation's Employment Application Form. Curricula Vitae will not be accepted, unless specified in the job advertisement.

Shortlisting

All applications received will be logged by the administration department, then forwarded to Human Resources for an initial sift. Only applications which meet the following criteria will be considered:

- the application form is received before the closing date
- the application form is completed in full and signed in ink
- the writing is of a reasonable and legible standard
- names of referees are included with one being the current or last employer
- the person has the relevant qualifications and experience, and
- there is a full employment record

Applications will then be forwarded to the nominated manager who will shortlist them against the job description and person specification. Wherever possible, two people will undertake shortlisting. This should include checking all applications for gaps in the person's history, discrepancies or inconsistencies. Nominated managers will then liaise with Human Resources to arrange interviews.

Interviewing

All shortlisted applicants will be contacted by telephone to arrange an interview. The details will be confirmed in writing and applicants will be sent a Pre-interview Questions form, which they must complete and bring with them to the interview. They will also be asked to bring documentary evidence of their identity which will satisfy [Disclosure and Barring Service](#) requirements. Applicants will also be asked to bring original or certified copies of documents confirming any necessary or relevant educational and professional qualifications.

Interviews will always be held face to face. Pre-prepared questions relevant to the role are asked and these are reviewed to ensure that they comply with current equality and employment legislation. Notes of questions asked and answers given at the interview, along with scores allocated to answers, will be recorded and retained for 6 months from the date of the interview, unless the applicant is successful in which case they then form part of their employment record.

For Project Leader and non-direct support staff posts, interviews may also involve a presentation and desktop exercise.

Appointments will be made on the basis of the person's experiences, ability and suitability to perform the role and regardless of the urgency of need.

Direct Support Staff

After the interview, panel members will separately score the applicants. They will then share their scores and discuss their reasons for reaching the scores. A pre-determined minimum score must be reached in order for an applicant to proceed to stage 2.

Stage 2 interviews may take the form of a further interview at the office or an on-site visit and the purpose is to allow the people we support to actively participate in the recruitment of the staff who will ultimately

work with them. Once scores have been collated, a decision will be made as to which, if any, applicant(s) to appoint.

Non-Direct Support Staff

After the interview, panel members will separately score the applicants. They will then share their scores and discuss their reasons for reaching the scores. A joint decision will then be made as to which applicant, if any, to offer the post to. A pre-determined minimum score must be reached in order for an applicant to be successful.

Conditional Offer of Employment

Any offer of employment is conditional upon pre-employment checks being satisfactorily completed, including:

- receipt of 2 satisfactory references, one of which must be from the applicant's current or most recent employer. For direct support staff, where an applicant has not been employed in social care within the last 2 years, references may be sought from past employers
- verification of the applicant's identity
- verification of the applicant's medical fitness
- place of residence
- original copies of qualifications
- evidence of the right to work in the UK
- traceable employment history and experience
- DBS check

A Conditional Offer of Employment will be made in writing. This will include instructions related to completing pre-employment checks and the new employee starter pack. All checks will be confirmed in writing and retained on the applicant's employment record.

Under no circumstances will an applicant be permitted to commence employment without the relevant DBS check.

References

When requesting references a copy of the job description will be included. The purpose of seeking references is to enable objective and factual information to be gained and considered as part of the appointment process. References will be sought and obtained directly from the referee. The Organisation will not rely on references or testimonial provided by the applicant or an open reference i.e. "To whom it may concern". As a minimum, two references, one professional and one character, must be received, otherwise the Conditional Offer of Employment will be withdrawn.

Withdrawal of Conditional Offer of Employment

If at any point during the process of recruitment a Conditional Offer of Employment needs to be withdrawn, a letter will be sent to the applicant advising them of this. Where possible, a reason will be given e.g. where safeguard checks have not been satisfactory.

Confirmation of Offer of Employment

Once all pre-employment checks and the employee starter pack has been returned, the applicant will receive a letter to confirm their Offer of Employment and a date to commence work.

Equal Opportunities in Employment Policy

Fylde Community Link aims to ensure that no employee or candidate is subject to unlawful discrimination, either directly or indirectly, on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic or national origins, colour and nationality), religion or belief (including lack of belief), or sex and sexual orientation. This commitment applies to all aspects of employment, including:

- recruitment and selection, including advertisements, job descriptions, interview and selection procedures
- training
- promotion and career development opportunities
- terms and conditions of employment, and access to employment related benefits and facilities
- grievance handling and the application of disciplinary procedures, and
- selection for redundancy

The Organisation recognises the benefits of having a diverse workforce and will take steps to ensure that:

- everyone receives equality of treatment in recruitment and employment
- job applicants are not asked for medical information before a job offer is made; that is unless there are lawful reasons to ask for medical information which include; complying with disability discrimination law when making interview arrangements and a genuine, job related reason
- additional protection from discrimination is given to job applicants with a disability, and those with a family history of illness
- it reasonably endeavours to recruit from the widest pool of qualified candidates possible
- employment opportunities are open and accessible to all on the basis of merit
- where appropriate, positive action is taken to attract applications from all sections of society and especially from those groups which are underrepresented in the workforce
- selection criteria and processes do not discriminate unjustifiably on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic or national origins, colour and nationality), religion or belief (including lack of belief), sex and sexual orientation, other than in those instances where the organisation is exercising lawfully permitted positive action
- wherever appropriate and necessary, lawful exemptions (Genuine Occupational Requirements) will be used to recruit suitable employees to meet the special needs of particular groups,
- where recruitment agencies are commissioned to recruit to senior positions, they are made aware of the Organisation's requirement not to discriminate and to act accordingly
- all managers and employees are aware of the Organisation's [Equality and Diversity Policy](#) and the Equal Opportunities in Employment section of this policy, and are aware of their rights and responsibilities in relation to their implementation and the consequences of unacceptable behaviour
- managers and employees will be made aware of their responsibilities to further the mainstreaming of equalities in the context of their actual job
- it investigates thoroughly and promptly any allegations of discrimination, victimisation or harassment by employees of Fylde Community Link in accordance with its approved procedures. Acts of discrimination, victimisation or harassment by employees will be treated as serious disciplinary offences

- it undertakes and develops regular age, disability, ethnic and gender monitoring of the workforce profile
- it ensures accessible workplaces for all employees, making reasonable adjustments to facilitate people with disabilities to be able to work, and remain in employment, wherever possible, and for existing employees who acquire disabilities
- it supports flexible working practices to ensure that employees are supported in balancing work and other life commitments

Disclosure and Barring Service (DBS) Policy

Fylde Community Link is obliged under arrangements introduced for the protection of vulnerable individuals to check with the [Disclosure and Barring Service](#) (DBS) for the existence and content of any criminal record, prior to any person commencing employment with the Organisation.

Failure to declare any disclosable prosecutions, convictions, cautions, reprimands, warnings or bind-overs pending or otherwise at the application stage may result in a conditional offer of employment being withdrawn, disciplinary action or dismissal.

This policy applies to all employed staff, including casual staff and to volunteers and board members.

The Chief Executive has overarching responsibility for ensuring that the policy is applied consistently and fairly. Area Managers are responsible for providing assurance that this policy is implemented during the recruitment process for their service area. Human Resources are responsible for providing accurate and timely advice to managers and employees to ensure the policy is appropriately applied across the Organisation. Employees are responsible for giving due consideration to this policy when they are recruited.

Level of Disclosure

All posts within Fylde Community Link require a DBS check. Where regulated activity is carried out an Enhanced Check will be made. The Organisation will also check to see if the applicant is barred from working with children and/or adults. All non-direct staff will receive a Basic Check from Disclosure Scotland. For the purpose of this policy, both types of check will be referred to as a DBS check.

Copies of the [DBS Code of Practice](#) are available upon request.

Existing Employees

DBS checks will be undertaken as a minimum approximately every three years from the date employment commences. Fylde Community Link reserves the right to check more frequently.

It will be the responsibility of the employee to inform Fylde Community Link if they have received any prosecutions, convictions, cautions, reprimands, warnings or bind-overs pending or otherwise that are not "protected" as defined by the [Rehabilitation of Offenders Act 1974](#) during their employment with the Organisation.

Whilst in post, having a spent or unspent conviction, caution, warning, or bind-over pending or otherwise on a criminal record that are not "protected" as defined by [the Rehabilitation of Offenders Act 1974](#) will not necessarily prevent employees from continuing their employment with Fylde Community Link.

DBS Update Service

All employees are required to sign up to the DBS Update Service for a small annual subscription charge. On receipt of a new DBS Certificate employees will have 14 days from the date of issue to sign up to the service. Employees will be required to keep their subscription current throughout their employment. The subscription charge will be reimbursed by Fylde Community Link, upon receipt of a completed expense form and proof of payment. Completed forms must be forwarded to Finance for payment.

Failure to keep up an annual subscription will result in an employee becoming liable for the full cost of any disclosure renewals the Organisation may request.

All information provided will be treated in confidence.

Recruitment of Ex-Offenders

Fylde Community Link complies fully with the [DBS Code of Practice](#) and undertakes to treat all applicants for positions fairly. The Organisation undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

A written policy on the recruitment of ex-offenders is made available to all DBS check applicants at the outset of the recruitment process.

Roles within Fylde Community Link involve working with vulnerable people and as such all applicants are required to declare on their application for employment if they have any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the [Rehabilitation of Offenders Act 1974](#).

Having a criminal record will not necessarily bar someone from working with Fylde Community Link; consideration will be given to the nature of the position, circumstances and background of the offence(s).

Fair Use of Disclosure Information

Recipients of the disclosure information shall observe guidance issued or supported by the [Disclosure and Barring Service](#) on the use of disclosure information, and in particular the recipient shall not unfairly discriminate against the subject of disclosure information on the basis of the conviction or other details.

Applicants with Adverse Disclosures

If a DBS check reveals details of convictions which may render the applicant unsuitable for the applied post the Chief Executive Officer, or in their absence, the HR, Skills and Performance Manager will discuss the situation with the applicant in line with the [DBS Code of Practice](#). The manager will undertake a risk assessment to allow them to evidence their decision.

If the disclosure results are considered to be of a serious nature and prove to be correct the manager may consider the following options:

- withdrawal of the Conditional Offer of Employment
- the introduction of safeguard measures

Employees with Adverse Disclosures

If an adverse disclosure is received on re-check or via the update service, the Chief Executive Officer or in their absence, HR, Skills and Performance Manager will discuss the situation with the applicant in line with the [DBS Code of Practice](#). The manager will undertake a risk assessment to allow them to evidence their decision.

If the disclosure results are considered to be of a serious nature the manager, following a disciplinary investigation, may consider the following options:

- termination of employment
- redeployment pending the availability of a suitable vacancy
- the introduction of safeguard measures

If disclosure results are considered not to be serious and do not impinge on an employee's ability to work in their existing role the employee will be informed of this in writing.

Appeals Regarding Disclosure Information

If an applicant or employee receives a DBS check certificate which contains information which they believe to be incorrect, they can appeal this with the [Disclosure and Barring Service](#) within 3 months of the issue of the DBS check certificate. Appeals can be made if the person believes there has been a mistake in either:

- the records provided, e.g. wrong or irrelevant information on convictions
- personal information, e.g. a name or employer's details

Referral to the Disclosure and Barring Service

Fylde Community Link has a legal duty to refer information to the DBS and Local Authority if a decision is made to dismiss or remove a member of staff or volunteer from working with vulnerable people in regulated activity because they meet the referral criteria. The Registered Manager will be responsible for completing the referral.

The [Safeguarding Vulnerable Groups Act 2006](#) confers a duty to refer any employee who has:

- harmed or poses a risk of harm to a child or vulnerable adult
- satisfied the harm test, or
- received a caution or conviction for a relevant offence

Storage of Information

In line with the [Data Protection Act 1998](#) Fylde Community Link will not store personal data provided for a specific intention for longer than is necessary for the purpose of its use.

Disclosure information will be kept securely electronically via CRD UK LIMITED; access will be strictly controlled and limited to those who are entitled to see it as part of their duties. Disclosure information will be retained for no longer than 6 months, unless the employee has given written permission for it to be retained. Disposal of information will be undertaken securely and confidentially.

DBS Certificates

The [Disclosure and Barring Service](#) will not issue replacement certificates, therefore employees must retain their DBS certificate securely. Any employees requiring a replacement certificate will be required to re-register and will be liable for any charges incurred.

Staff must complete the [DBS Storage of Certificate Declaration](#) form if they wish the Organisation to store their DBS certificate safely and securely on their personnel record in the TRUCS system.

All information provided will be treated in confidence.

Compliance

Regular audits and reviews of documentation and practices take place in order to ensure compliance with this policy.

Review

This policy is reviewed at least annually or whenever there are changes to legislation or significant change to processes, procedures and circumstances.

Relevant Legislation

[Rehabilitation of Offenders Act 1974](#)

[The Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975](#)

[The Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(Amendment\) \(England and Wales\) Order 2013](#)

[Data Protection Act 1998](#)

[Employment Act 2002](#)

[Employment Act 2008](#)

[Employment Relations Act 2004](#)

[Safeguarding Vulnerable Groups Act 2006](#)

[Equality Act 2010](#)

[Protection of Freedoms Act 2012](#)

Relevant Organisational Policies, Procedures and Documentation

[Data Protection Policy](#)

[Equality and Diversity Policy](#)

[Recruitment of Ex-Offenders Policy Statement](#)

[Safeguarding Policy](#)

Further Information

DBS Code of Practice

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/474742/Code_of_Practice_for_Disclosure_and_Barring_Service_Nov_15.pdf