Physis Care

Safer Recruitment Policy

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Safer Recruitment Policy

1. Purpose, Principles and Scope

1.1 Physis Care (Here on in referred to as Physis, or the Company) are committed to ensuring that our recruitment process maintains staffing that promotes a safe and supportive environment for all out young people, attracts the best possible applicants through equality of opportunity and anti-discriminatory practices, while deterring, identifying, and rejecting prospective applicants who are unsuitable to work with young people or vulnerable adults.

1.2 This policy will be applied fairly, encompassing the requirements of the Equality Act 2010 ACAS guidance, The Children Act 1989 (and 2004 amendment), which provides a framework for the care and protection of children. The Rehabilitation of Offenders Act 1974, which outlines when people with criminal convictions can work with children, Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, which defines what 'regulated activity' is in relation to children, and where applicable, requirements of employment law as updated by the judicial system. Regulation 32 & 33 and schedule 2 of the Children's Homes (England) Regulations 2015 defines the standards expected for recruiting staff in children's homes Gov.uk/guidance/childrens-homes-recruiting-staff

1.3 Physis will take all reasonable steps to establish the facts to enable employment, giving applicants the ability to provide additional information where the suitability for employment is doubted, but Physis will also terminate the recruitment process, or employment, where it is found that falsified information has been provided as part of the recruitment process.

1.4 Employees leading the recruitment process will, as a minimum, be Safer Recruitment trained to ensure they understand the company's safeguarding systems and their responsibilities. This training will be updated in line with best practise procedures.

2. The Recruitment Process

2.1 The recruitment process consists of several stages (as detailed below), and throughout the Company's commitment to safeguarding and vetting of applicants will be transparent and robust. The recruitment process is the Company's first line of defence to prevent unsuitable individuals from working with the children and young people we support at Physis.

2.2 The recruitment process – **Defining the role → Advertising → Application → Selection → Interviews → Post Offer Checks**

3. Defining the role

3.1 Prior to any role being advertised the needs of the business will be considered and how this translates into the responsibilities of the post and the opportunity for the successful candidate to have contact and influence with children and young people, or access to their personal data.

3.2 A Job Description and Person Specification will be in place for each post which include clear boundaries and expectations for the role and includes statements about skills/behaviours/experience and attitude to children and young people necessary for the post.

3.3 These documents will describe what responsibility and opportunity for contact with children and young people there are in the role and will include statements about the safeguarding responsibilities of the post. They will also clearly express the need for DBS checks at the correct level and the need for any unspent conviction/cautions to be declared at the point of application. (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 should also be declared.)

4. Advertising

4.1 All adverts regardless of style or forum, will highlight Physis commitment to safeguarding and will contain a statement that successful candidates will be subject to a DBS search (most normally at an enhanced level) and that 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 should also be declared.

5. Application

5.1 All applicants *must* complete a Physis Application Form. CVs alone are *not* acceptable. If an external applicant applies using a CV, or an online portal, they will receive a 'warm call' and the application process will be explained and an application form sent for completion. Where an application for an advertised post is made from an internal candidate, they will be asked to complete an Internal Application Form, which includes a request for endorsement from their current line manager. An internal candidate will undergo the same interview process as an external candidate. If an internal applicant is applying for a completely different role within the organisation, or if it has been a significant time period since their original application, they may be asked to complete a full application as per an external candidate.

5.2 Received applications will be thoroughly checked to ensure:

- That all personal information requested is provided.
- There is a full education and employment history. Any gaps must be declared and explained and if applicable additional proof provided.
- Information is provided to obtain two professional references covering *at least* the last 5 years of employment.
- That the criminal convictions declarations are completed.
- That any professional or educational qualifications stated on the application form are supported by original certificates at interview.
- That the application is signed and dated.

Where necessary, applicants will be contacted and asked to provide more information until we are satisfied the application is complete. Received additional information will be saved electronically alongside the original application.

6. Selection

6.1 Selection of applicants for interview will be made on their suitability against the Job description and Person Specification for the post. Where several candidates apply for the same post, a Shortlisting Matrix will be completed individually by members of the interview panel. Online searches may be applied at this point to judge against the person specification. The parameters for online searches are defined by the online search template and all information found will be recorded on the template.

6.2 To ensure that discrimination does not take place and that personal bias is not influential in shortlisting (or offering applicants posts), application forms will be read and assessed by more than one person and those leading the process will have undergone equality training. The process itself will meet with the requirements of the Equality Act; for example, the application form does not require candidates to state their D.O.B, sexuality etc. All candidates will be given fair and equitable consideration and only after a decision to appoint has been made will equal opportunities monitoring, or additional information be obtained as part of the onboarding process.

6.3 Applicants are asked on their application to declare any criminal conviction (current or spent) which may show on their Disclosure and Barring check that the organisation should be aware of (self-disclosures). The

application form gives details for the applicant to find out what exactly they should declare and what aspects may be exempt. Candidates are asked to provide any self-disclosures separately to the main body of the application form and to mark it 'Confidential'. Only the HR Business Partner and Managing Director for the Company will access this information to decide whether the applicant can safely work with our children and young people. Where any disclosure is made, and the person is selected for appointment, a DBS Disclosure Risk Assessment will be completed to ensure that there is no on-going risk for our service users.

6.4 DBS checks are not part of the short-listing process and will be done after short-listing

7. Interviews

7.1 All interviews will be carried out by at least two Physis employees who have leadership responsibility, one of whom will be safer recruitment trained.

7.2 The interview process will be managed by HR, who depending on the position advertised may use a range of selection tools such as, interaction with others, role play, group discussion, written exercises, presentations, as well as a formal interview. At all stages any 'red flags' about suitability to safeguard children and young people will be reported.

7.3 The questions used in the interview will be structured with previously agreed criteria designed to ascertain the candidate's ability to meet the requirements of the post as per the job description. During the interview there will be questions which probe attitudes towards children, child protection and motives for working with children. Questions may be tailored to the individual being interviewed to address any gaps in their application, or to probe answers further.

7.4 All candidates will be asked to bring original documentation confirming identification and any educational, or professional qualifications and training relevant to the post. ID documents to prove the Right to Work in the UK will also be requested. Copies of all documentation will be taken, and the most senior interviewer will sign and date to say they have seen the original evidence. This will be evidenced on the Interview Checklist.

8. Post Offer Checks

8.1 After a successful interview process an offer will be made which is 'Subject to positive references and safer recruitment checks'. These checks include (but are not limited to):

- A DBS check at the correct level. (At all times the original DBS certificate will be checked as well as any online updates.)
- References which specifically ask for suitability to work with children and young people, any previous safeguarding concerns or actions, any previous disciplinary outcomes or investigations, and the reason for leaving previous employment.
- Identification checks (Passport, Driving Licence, National Insurance number, Birth Certificated, Change of name evidence etc)
- Right to Work in the UK checks.
- Good Character statements from relevant Embassies or the Police for time spent abroad.
- Online, social media searches (within identified parameters.)
- Medical questionnaire.

The employment offer may be withdrawn at any point where these checks are not successful.

8.2 References:

- Every attempt will be made to obtain at least two professional references preferably covering the last 5-year period. At least one reference must be from the applicant's current employer if they have one.

- As good practice, if the applicant has previously worked in residential childcare an attempt will be made to obtain a reference from their last employer if it is not already obtained via the last two professional references.
- References will only be accepted from professional email addresses, or on headed paper.
- Attempts to verify references will be made and the resulting outcome documented.
- Referees will be asked to complete the Physis Reference Request form. Where this is not completed follow up communication will ask the candidate's suitability to work with children and young people, any disciplinary warnings, or safeguarding concerns, and the reason for the employee leaving as well as the period of employment.
- If for any reason, the requisite references cannot be obtained the Ofsted Guidance 'Children's homes: recruiting staff, 15th August 2022' [updated 15 June 2023] will be consulted to determine whether the candidate is suitable to progress to employment. [Appendix 1]. Where this document is consulted, and the candidate is employed, a 'Reference Narrative' will be completed and included in the employee's personnel file to explain the decision made and that the appropriate Ofsted Guidance was followed.

It is company policy to provide a factual reference for current or ex-employees upon request. The standard reference will confirm dates of employment, job role, reason for leaving, a safeguarding statement regarding the employee's suitability to work with children or vulnerable young people / adults, and any disciplinary outcomes.

8.3 DBS: Candidates registered with the DBS Update Service will be required to present the original DBS certificate used when registering on the service, and complete/sign the Physis Care DBS update consent form. The following further checks will then be made:

- Check the applicant's identity matches the details on the certificate.
- Check the certificate is of the right level and type for the role applied for.
- Check to see if anything has changed since the certificate was issued.
- Where appropriate checks are made to ensure the candidate is not subject to a prohibition order, GTC sanction etc
- Further additional checks will be carried out, as appropriate, on candidates who have lived or worked outside of the UK, where possible.

9. Monitoring the Safer Recruitment Process

9.1 All applications will follow this procedure and the process will be recorded on the Safer Recruitment Tracker, which will be stored in the Personnel File of the employee.

10. Agency and third-party staff

10.1 Agencies that supply staff to Physis must also complete the pre-employment checks, which Physis would otherwise complete for its own employees.

10.2 Information regarding the supply worker will be sent to the Physis Recruitment Manager who will instigate of our Agency Worker Safer Recruitment Tracker procedures and document all the ID and DBS documents that the agency shares about the worker.

10.3 Physis requires written confirmation from the agency that these checks have been completed by the agency and they have provided everything we need electronically before an individual can commence work within the company. Physis also requires the agency's Terms of Business and their Safer Recruitment Policy / statement.

10.4 Before a supply worker is permitted contact with any of our children or young people, the service leader will check that the person presenting for work, is the same person as identified to HR/Recruitment electronically and that they can present original copies of the documents already shared e.g., Passports, DBS, photo driving licence etc. The service leader is responsible for signing that they have checked these documents and they are satisfied that recruitment checks have been carried out by the agency.

10.5 Physis under no circumstances will permit an unchecked worker to work within the company in any aspect.

10.6 Contractors / consultants: We will ensure that any contractor or consultant, who is to work at Physis premises has had the appropriate level of DBS check, or is not in regulated activity, or is fully chaperoned throughout their working duties.

11. Availability & Monitoring

11.1 This policy is made available to all staff online at: https://physiscare.trixonline.co.uk/ It will be made available on request to applicants, or other relevant stakeholders.

11.2 This policy will be subject to monitoring, refinement, and audit by the Managing Director.

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Appendix 1 The Children's Homes (England) Regulations 2015

Introduction

You must comply with regulations 32 and 33 and schedule 2 of the Children's Homes (England) Regulations 2015 when you recruit staff to work at your children's home.

These ensure that you can safely recruit:

- staff you intend to employ
- staff employed by someone else (agency staff) – this may include temporary or bank staff

Information you need to check suitability

Schedule 2 sets out what information you must have to check a person's suitability:

- proof of identity, including a recent photograph
- a relevant Disclosure and Barring Service (DBS) certificate
- two written references, including a reference from the person's most recent employer, if they had one
- verification, as far as reasonably possible, of the reason why their previous employment or position ended
- documentary evidence of any qualifications that the person considers relevant for the position
- a full employment history, together with a satisfactory explanation of any gaps in employment, in writing

If you are using agency staff, you do not have to obtain all of this information yourself. See the agency staff section for more details.

Exceptional circumstances

If you are recruiting a permanent member of staff, you can, exceptionally, allow a person to start working at the home if you only have the proof of identity and the DBS certificate, while you continue to make enquiries. For example, you may need to employ additional staff quickly. If you do this, the person must be supervised when working with children. You must be able to provide evidence that you have taken reasonable steps to obtain the information. There may be occasions when, despite your best efforts, you are not able to obtain some of the required information. We recognise that this might happen occasionally, but we do not expect it to happen regularly. It is not good recruitment practice to employ staff without all the required information. If you are unable to obtain all the relevant information, inspectors will want to know what additional action you took to satisfy yourself that the person was suitable and, if any relevant information was missing, what action you took to mitigate any risks you identified.

Written references

The regulations require you to obtain 2 written references, including one from the applicant's last employer. You do not have to contact the person who wrote the reference to check that they did so, although this is good practice. You should always check out a reference if you have any doubt about its quality or reliability.

You may not be able to obtain a reference from a previous employer, for example because they are no longer operating, or have died. If this happens, you should ask for another reference from another previous employer.

You must try, as far as possible, to find out why a prospective staff member's previous employment ended, if their previous jobs involved working with children or vulnerable adults. You should try to obtain this information from their most recent employer, and other employers where relevant. For example, this could be a conversation with the previous employer and you record the detail of this on the staff member's file. You do not have to contact all of their previous employers unless you have a particular cause for concern. If you do have a concern, then we expect you to obtain as much information as you can to make sure that the person is suitable.

Recruitment records

If you do not keep full recruitment records at the home, inspectors will look at your list of staff or electronic records that summarise the vetting and recruitment checks. They will discuss with you how you have satisfied yourself that all staff working at the home are fit to do so and that your recruitment arrangements comply with the regulations. These records could be maintained in checklist or spreadsheet formats.

An inspector may ask you to provide a small sample of full recruitment records, even if they are not held at the home.

If you use the DBS update service to check the status of an individual's DBS certificate, you should be able to demonstrate how you manage and record details of any check you carry out.

Using agency staff

You will need to check the identity of any agency staff before you allow them to work at your home, to ensure that you have the correct person. However, you do not have to obtain all the other information yourself. For example, it is acceptable for you to see evidence of a clear DBS certificate and references, rather than apply for these yourself. You should be able to demonstrate the steps you took to satisfy yourself that the person was suitable.

If you need to use an agency member of staff at short notice, and you have not previously used this person, we expect you, as a minimum, to check their identity and obtain written confirmation from the agency that it has carried out the relevant suitability checks. You should review the evidence that the person is suitable as soon as possible, for example the next working day. In these circumstances, the agency staff member must not be in sole charge of the home.

Inspectors may discuss with you the arrangements you have made with the agency or agencies you use to satisfy yourself that you can safely allow the staff they send to you to work at the home. Inspectors may ask to see the evidence you have used to make your decision.

Prospective staff spending time in the home

As part of your recruitment process, you may invite prospective employees to do a short ‘shadow shift’. This is so that they can experience what working in the home may be like and meet your children. We would expect you to manage this carefully and sensitively so that it is not overwhelming or unsettling for children and fits into the routine of the home. The prospective employee cannot be counted in staffing numbers during the ‘shadow shift.’

The prospective employee must be supervised at all times during the shift because they are not yet employed by you, so the relevant regulations do not apply to them. You may introduce them to the children, but they should not have access to children’s detailed personal information.

Carrying out interviews

If you carry out interviews for prospective employees at the setting, candidates must be supervised.