



**FIRST LIGHT**

## Safer Recruitment Policy

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<b>Document Control for Policy</b>	
<b>Supersedes</b>	Supersedes: Version 3 Significant changes: None
<b>Created / Updated by</b>	Name: Siobhan Breslin Designation: Business Manager
<b>Application</b>	All paid staff and volunteers
<b>Issue date</b>	Date: July 2017 Circulated By: Shared Drive
<b>Footer updated</b>	Yes

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## **1. Policy Statement**

This document is written in conjunction with the First Light Recruitment Policy and Safeguarding Children and Vulnerable Adults Policies.

## **2. Purpose**

The aim of this policy is to outline First Light recruitment procedures for all staff, both paid and voluntary, in line with recommended best practice to safeguard all adults/children and young people who use First Light's services. The policy is included as part of First Light's application pack for any position, and as such, is given to applicants along with a detailed job description and person specification.

This forms an essential part of the charity's efforts to safeguard children, young people and vulnerable adults. Recruitment and the checks that are undertaken as part of this process are the organisation's first chance to make robust efforts to prevent unsuitable individuals from working with children, young people and vulnerable adults.

## **3. Process**

The recruitment process consists of several stages:

- Defining the role
- Advertising
- Application
- Selection criteria
- References
- Interviews
- Reviews

This policy will go through each stage outlining key processes to ensure safer recruitment at First Light. All colleagues involved in recruitment will receive training and development on an annual basis.

## **4. Defining the Role**

- A written job description and person specification is in place for each post.
- Both documents include statements about skills/behaviours/experience and attitude to young people necessary for the post
- The job description outlines clear boundaries of role

- The job description describes what responsibility and opportunity for contact with children and young people there is in the role
- The job description includes statements about safeguarding responsibilities of the post

## **5. Advertising**

- The adverts state the charity's commitment to safeguarding and the need for DBS disclosures (using the Disclosure and Barring Service 2012 – formerly CRB)
- All candidates will be sent information about the organisation's safe recruitment policy and practices.

## **6. Application**

- All applicants must submit a CV
- A personal statement which outlines how the applicant meets the person specification should be included.
- Applicants must sign the declaration included in the application pack. If the application form is returned by email, the applicant must sign the application at interview if they are shortlisted for interviewing.
- Any qualifications shown on the application form must be supported by certificates.
- Two references will be taken up, ideally on those candidates shortlisted for interview, before the interview takes place. Where this is not feasible or where the candidate asks specifically that this is not done at this stage, any offers of employment will be conditional until satisfactory references are received.

## **7. Selection Criteria**

- Applicants are asked on their application form if there is anything that they would like to declare which may come up on their criminal record bureau check that the charity should be aware of (Self disclosures).
- DBS checks are not part of the short listing process and will be done after short listing.
- The short listing criteria will be based on the person specification and job description
- It is consistent for all candidates
- Two people always shortlist in order to identify gaps, inconsistencies or disclosures.

## **8. References**

First Light requests that two referees are identified on the application form;

- At least one reference must be from a previous employer
- All references ask about anything of concern/disciplinary action during course of employment

- Checks on the reference request form confirm details on application form such as periods of employment, reason for leaving etc.

## **9. Interviews**

- All interviews are conducted with at least 2 colleagues who are aware of the safer recruitment policy.
- Depending upon the position, there may be a range of selection tools such as interaction with others i.e. role play or group discussion, written exercise used as well as an interview
- The questions in the interview are structured with previously agreed criteria designed to ascertain the candidate's ability to meet the requirements of the post as per the person specification and job description.
- During the interview there are questions which probe attitudes towards children, child protection, safeguarding vulnerable adults and, where appropriate motives for working with children and vulnerable adults
- Where appropriate frequent changes in employment will also be probed

## **10. Areas of Potential Concern**

**These are areas that may come out in the interview which would give rise to potential concerns about a person's suitability for the position but are not limited to;**

- a) No understanding of children/vulnerable adult needs or expectations
- b) Inappropriate language when talking about children
- c) Unclear boundaries
- d) Vagueness about experiences and unable to give any examples to support what the candidates answers.
- e) Maverick, non rule following and unwilling to work with others

### **DISCLOSURE AND BARRING SERVICE (DBS) formerly Criminal Record Bureau Checks (DBS) and Independent Safeguarding Authority (ISA) Registration:**

First Light has a legal responsibility to undertake checks to identify individuals that are barred from working with children, young people and vulnerable adults, and who could pose a potential threat.

First Light as standard procedure will undertake an enhanced DBS check on all employees, volunteers, agency staff, work experience students and regular contractors. This is undertaken at the earliest opportunity after interview and no person will be appointed or gain access to First Light

service-users until the DBS has been completed and management are satisfied that the individual poses no risk to vulnerable children and adults.

## Trustee positions

### Automatic disqualification declaration

This example can be used alongside the [existing trustee declaration\[1\]](#) form by:

- Charities to satisfy themselves that individuals who hold (or who are applying for) a trustee position will not be disqualified from holding that position from 1 August. Charities can ask the individual to complete this declaration alongside the existing [trustee declaration form](#) if they have not already done so.

- Individuals who hold, or are applying for, a trustee position, to declare that they will not be disqualified from holding that position from 1 August 2018.

Charities must make sure any declaration forms are handled and processed in accordance with duties under the General Data Protection Regulation (GDPR).

From 1 August 2018 individuals will be automatically disqualified from acting as a trustee of a charity if:

- one or more of the reasons in Annex A apply; and
- they have not obtained a waiver of that disqualification from the Charity Commission.

#### Completing the declaration

Read the automatic disqualification [guidance\[2\]](#) to decide if you will be disqualified from 1 August 2018

Complete and sign this declaration to confirm that you will not be disqualified.

If one of the disqualification reasons does apply, you may be able to [apply for a waiver from the Charity Commission\[3\]](#) which will allow you to take up or continue to act as a trustee.

Pass a copy of the completed declaration to the trustees for the charity's records (the declaration should not be sent to the Charity Commission).

#### Declaration

I declare that:

- I am not disqualified from acting as a trustee; and
- I will inform the trustees promptly if, after the date of this declaration, one or more of the disqualification reasons applies to me.

Full Name:

Signature:

Date:

First Light Southwest Ltd. Charity Number 1090457

## Annex A – Disqualification Reasons

After 1 August 2018, you will be automatically disqualified from acting as a trustee if:

1. You have an **unspent** conviction for any of the following
  - a. an offence involving **deception or dishonesty**
  - b. a **terrorism** offence
    - a. to which Part 4 of the Counter-Terrorism Act 2008 applies
    - b. under sections 13 or 19 of the Terrorism Act 2000
  - c) a **money laundering** offence within the meaning of section 415 of the Proceeds of Crime Act 2002
  - d) a **bribery** offence under sections 1, 2, 6 or 7 of the Bribery Act 2010
  - e) an offence of **contravening a Commission Order or Direction** under section 77 of the Charities Act 2011
  - f) an offence of **misconduct in public office, perjury or perverting the course of justice**  
yes/no
- c. In relation to the above offences, an offence of: attempt, conspiracy, or incitement to commit the offence; aiding, or abetting, counselling or procuring the commission of the offence; or, under Part 2 of the Serious Crime Act 2007(encouraging or assisting)in relation to the offence
2. You are **on the sex offenders register** (ie. subject to notification requirements of Part 2 of the Sexual Offences Act 2003)
3. You have an unspent sanction for **contempt of court** for making, or causing to be made, a false statement or for making , or causing to be made, a false statement in a document verified by a statement of truth
4. You have been found guilty of **disobedience to an order or direction of the Commission** under section 336(1) of the Charities Act 2011.
5. You are a **designated person** for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010, or the Al Qaida (Asset Freezing) Regulations 2011.
6. You have **previously been removed as an officer, agent or employee of a charity** by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
7. You have **previously been removed as a trustee** of a charity by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
8. You have been **removed from management or control of anybody** under section s34(5)(e) of the Charities and Trustee Investment (**Scotland**) Act 2005 (or earlier legislation)
9. You are **disqualified from being a company director**, or have given a disqualification undertaking, and leave has not been granted (as described in section 180 of the Charities Act) for you to act as director of the charity
10. You are **currently declared bankrupt** (or subject to bankruptcy restrictions or an interim order)

11. You **have an individual voluntary arrangement** (IVA) to pay off debts with creditors
3. You are **subject to** a moratorium period under **a debt relief order**, or a debt relief restrictions order, or an interim order
13. You are subject to an order made under s.429(2) of the Insolvency Act 1986. (**Failure to pay under a County Court Administration Order.**)

[1] <https://www.gov.uk/government/publications/confirmation-of-charity-trustee-eligibility>

[2] <https://www.gov.uk/guidance/automatic-disqualification-rules-for-charity-trustees-and-charity-senior-positions>

[3] <https://www.gov.uk/guidance/automatic-disqualification-rules-for-charity-trustees-and-charity-senior-positions#apply-waiver>

## Senior charity manager positions

### Automatic disqualification declaration

This example declaration can be used by:

- charities to make sure that individuals who hold (or who are applying for) a senior manager position will not be disqualified from holding that position from 1 August - charities can ask the individual to complete this declaration alongside any other pre-employment checks
- individuals who hold, or are applying for, a senior manager position, to declare that they will not be disqualified from holding that position from 1 August 2018

Senior manager positions[1] have the responsibilities of a chief executive or finance director / chief financial officer.

Charities must make sure any declaration forms are handled and processed in accordance with duties under the General Data Protection Regulation (GDPR).

From 1 August 2018 individuals will be automatically disqualified from holding a senior management position within a charity if:

- one or more of the reasons in Annex A apply; and
- they have not obtained or applied for a waiver of that disqualification from the Charity Commission

### Completing the declaration

Read the automatic disqualification guidance[2] first to check if you will be disqualified from 1 August 2018.

Complete and sign the declaration to confirm that you will not be disqualified when the new rules come into force.

If one of the disqualification reasons does apply, you may be able to apply for a waiver from the Charity Commission[3]. This may allow you to take up or continue to hold the position.

Pass a copy of the completed declaration to the trustees for the charity's records (the declaration should not be sent to the Charity Commission)

#### Declaration

I declare that:

I am not disqualified from holding a senior manager position from 1 August 2018; and

I will inform the trustees promptly if, after the date of this declaration, one or more of the disqualification reasons applies to me.

Full Name:

Signature:

Date:

Charity name and number: First Light SW Ltd - 1090457

## Annex A – Disqualification Reasons

After 1 August 2018, you will be automatically disqualified from acting as a trustee or senior manager if:

1. You have an **unspent** conviction for any of the following
  - a. an offence involving **deception or dishonesty**
  - b. a **terrorism** offence
    - a. to which Part 4 of the Counter-Terrorism Act 2008 applies
    - b. under sections 13 or 19 of the Terrorism Act 2000
  - c) a **money laundering** offence within the meaning of section 415 of the Proceeds of Crime Act 2002
  - d) a **bribery** offence under sections 1, 2, 6 or 7 of the Bribery Act 2010
  - e) an offence of **contravening a Commission Order or Direction** under section 77 of the Charities Act 2011
  - f) an offence of **misconduct in public office, perjury or perverting the course of justice** yes/no
- c. In relation to the above offences, an offence of: attempt, conspiracy, or incitement to commit the offence; aiding, or abetting, counselling or procuring the commission of the offence; or, under Part 2 of the Serious Crime Act 2007(encouraging or assisting)in relation to the offence
2. You are **on the sex offenders register** (ie. subject to notification requirements of Part 2 of the Sexual Offences Act 2003)
3. You have an unspent sanction for **contempt of court** for making, or causing to be made, a false statement or for making , or causing to be made, a false statement in a document verified by a statement of truth
4. You have been found guilty of **disobedience to an order or direction of the Commission** under section 336(1) of the Charities Act 2011.
5. You are a **designated person** for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010, or the Al Qaida(Asset Freezing) Regulations 2011.
6. You have **previously been removed as an officer, agent or employee of a charity** by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
7. You have **previously been removed as a trustee** of a charity by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
8. You have been **removed from management or control of any body** under section s34(5)(e) of the Charities and Trustee Investment (**Scotland**) Act 2005 (or earlier legislation)

9. You are **disqualified from being a company director**, or have given a disqualification undertaking, and leave has not been granted (as described in section 180 of the Charities Act) for you to act as director of the charity
10. You are **currently declared bankrupt** (or subject to bankruptcy restrictions or an interim order)
11. You **have an individual voluntary arrangement** (IVA) to pay off debts with creditors
3. You are **subject to** a moratorium period under **a debt relief order**, or a debt relief restrictions order, or an interim order
13. You are subject to an order made under s.429(2) of the Insolvency Act 1986. (**Failure to pay under a County Court Administration Order.**)

[1] <https://www.gov.uk/guidance/automatic-disqualification-rules-for-charity-trustees-and-charity-senior-positions#detailed-check---what-a-senior-manager-position-is>

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[1] <https://www.gov.uk/guidance/automatic-disqualification-rules-for-charity-trustees-and-charity-senior-positions#apply-waiver>