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SAFEGUARDING: SAFER RECRUITMENT AND RE- CRUITMENT OF THOSE WITH EXPERIENCE OF OF- FENDING POLICY

September 2022

Policy	Safeguarding at OneBodyOneFaith: Safer recruitment
Date approved	17/09/22
Next review	17/09/24
Approving body	Trustee Board
Policy lead	Designated Safeguarding Lead
Lead trustee	Safeguarding Lead Trustee
Who should read this policy	Line Managers, Safeguarding Officers and Designated Safeguarding Leads

Please also read

Purpose and scope of this policy statement

- To outline the steps OneBodyOneFaith takes to ensure our approach to recruitment of staff, contractors, volunteers and trustees is in line with our commitment to keeping children and adults at risk safe and to respond to concerns appropriately
- To clarify which roles within OneBodyOneFaith require Disclosure and Barring Service (DBS) checks
- To confirm OneBodyOneFaith's policy in relation to employment of those with experience of offending.



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- To outline OneBodyOneFaith's policy and procedure for storing and retaining the results of DBS checks.

Safer recruitment

Safer Recruitment is the approach of designing recruitment processes for those who work with an organisation to **deter** unsuitable applicants from applying for roles with children and adults at risk and to **identify**, risk assess and in some instances, where appropriate, **reject** applications.

- All adverts that require DBS or barred list checks refer to this fact and link to our safer recruitment policy
- All job descriptions refer to the responsibility to comply with OneBodyOneFaith's Safeguarding procedure
- All applicants invited to interview are required to bring proof of ID, right to work in the UK and qualifications (where relevant) with them
- All interview panels will include at least one member of staff/trustee who has undergone safer recruitment training
- If a member of staff or trustee involved in the recruitment process has a close personal or familial relationship with an applicant then they are required to declare this as soon as they are aware of the individual's application. The Safeguarding Lead will then determine whether it is appropriate for them to be part of the process depending on the relationship.
- A minimum of two references are taken up before a successful candidate can take up their position
- Where a DBS check (basic or enhanced) or barred list check is required, no successful candidate can start work for OneBodyOneFaith until a satisfactory check is complete. For a role that is not in regulated activity, in the event that the time taken to receive a DBS check is significant, the Safeguarding Lead will determine whether the successful candidate can start on restricted duties to ensure that safeguarding risk is minimised.

Recruitment and Employment of those with experience of offending

OneBodyOneFaith can only ask an individual to provide details of convictions and cautions that OneBodyOneFaith is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended) OneBodyOneFaith can only ask an individual about convictions and cautions that are not protected.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. These are:

- Those engaged with direct delivery of programmes to individuals under 18 and adults at risk
- Those with Safeguarding lead responsibility
- Trustees

OneBodyOneFaith undertakes DBS enhanced checks for the following roles within the organisation:-



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- Trustees
- Executive Director (Safeguarding Lead)
- Administrative Officer
- And other relevant post undertaking regulated activity

OneBodyOneFaith undertakes DBS basic checks for all roles that have unsupervised contact with those under 18 that fall below the frequency level of regulated activity.

OneBodyOneFaith assesses applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS). OneBodyOneFaith complies fully with the DBS code of practice.

Equality of Opportunity

OneBodyOneFaith is committed to the fair treatment of those who work with or apply to work with OneBodyOneFaith or users of its services, regardless of race, gender, gender identity, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background. OneBodyOneFaith selects all candidates for interview based on their skills, qualifications and experience alone and actively promotes equality of opportunity for all with the right mix of talent, skills and potential. OneBodyOneFaith welcomes applications from a wide range of candidates, including those with criminal records. OneBodyOneFaith will not discriminate unfairly against any person who is subject to a criminal record check on the basis of a conviction or other information revealed.

DBS Check transparency

For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position

This policy on the recruitment of those with experience of offending, is made available to all DBS applicants at the start of the recruitment process

OneBodyOneFaith makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request



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OneBodyOneFaith undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Training on evaluation of results of DBS check

OneBodyOneFaith ensures that all those in the organisation who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences

OneBodyOneFaith also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974

At interview, or in a separate discussion, OneBodyOneFaith ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment

Security, Storage and Retention of Criminal Records Information for those who work with or have applied to work with OneBodyOneFaith

The following guidelines apply to all forms of criminal records check information, including applications, the outcomes of criminal records check requests and all related documentation. These guidelines are in line with the OneBodyOneFaith's policy on Recruitment and Employment of those with experience of offending and must be adhered to at all times; failure to do so will be subject to formal investigation and may lead to disciplinary action.

Security

Criminal records check information received on behalf of OneBodyOneFaith must be kept securely and only those entitled to see it in the course of their duties should have access. It is anticipated that in the majority of cases access should be restricted to OneBodyOneFaith employees directly involved in the recruitment process. Requests to access this information from any other party, internal or external, should be approved by the Executive Director. In the case of Disclosure applications, the Disclosure and Barring Service (DBS) operates strict guidelines regarding access to this information and passing on Disclosure information in circumstances which do not conform with these requirements could be considered a criminal offence.

Usage

Criminal records check information should only be used for the specific purpose for which it was requested.

Storage

Disclosures and other confidential documents received in relation to appointee/staff/volunteer/trustee will be stored in secure conditions centrally, separately from the individual's personal file in line with DBS requirements. All data will adhere to the General Data Protection Regulations 2018 and the Data Protection Act 1998



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Retention

Once a recruitment decision (or other relevant decision, e.g. for regulatory or licensing purposes) has been made, the Disclosure and any related correspondence for applicants who are not successful will not be retained for longer than is necessary for that particular purpose. This will be for a maximum of 6 months following the date of the recruitment decision, to allow for any disputes about the accuracy of a Disclosure or a recruitment decision to be made and considered.

In the case of a dispute, Disclosure information may be retained for a longer period, but in general this should be for no longer than 6 months after resolution of the dispute. If in exceptional cases it is considered necessary to retain Disclosure information for a longer period, the DBS will be consulted.

Disposal

When the time has come to dispose of the criminal records check information, no photocopy or other image of the Disclosure may be made or kept. However, the following information will be recorded for appointee/staff checks prior to the criminal records check information being disposed of securely - the date of the criminal records check, the name of the subject, the type of check, the position in question, the unique number on the certificate, the name of the members of staff who dealt with the case, and the recruitment decision made.

Lost Criminal Records Checks

If a disclosure or related documentation is lost, the Executive Director will inform the DBS immediately.

Concerns re. Criminal Records Check activity

If anyone who works with or applied to work with OneBodyOneFaith has concerns regarding the use of criminal records checks in the recruitment process, or any element of the storage, retention or disposal of this information, they may raise this in the strictest confidence with the Executive Director, Chair of the Trustees Board and/or the Trustees safeguarding lead

In the event of concerns about suitability or allegations received

In the event of concerns about suitability to work with children, young people or families arising, or allegations being received, the Executive Director of OneBodyOneFaith will liaise with the relevant Local Authority Designated Officer (LADO). In the event of concerns arising about the Executive Director, liaison with the LADO will be undertaken by the lead Trustee for safeguarding.