

Cherwell Theatre Company  
Safer Recruitment Policy  
Developed with



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### **Introduction**

Cherwell Theatre Company (CTC) is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

In order to safeguard and promote the welfare of its participants and ensure that risk of harm is minimised, the company employs a Safer Recruitment Policy which complies with national and local guidance. CTC's recruitment procedures take every precaution to ensure that we are satisfied that the applicant is a fit and proper person to work with children.

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims to:

- attract the best possible applicants to vacancies
- deter prospective applicants who are unsuitable for work with children or young people
- identify and reject applicants who are unsuitable for work with children and young people
- observe employment law and is fair
- be consistent with CTC's commitment to equality.

### **Identification of Recruiters**

At least one recruiter on any appointment team must successfully have received accredited training in safer recruitment procedures.

### **Inviting Applicants**

When a post is identified, an appropriate timeline will be drawn up that allows for all processes to be conducted safely. Advertisements for posts, whether in newspapers, journals or online will include a safeguarding statement.

Prospective applicants will be advised, as a minimum, of the following:

- Job Description
- Person Specification
- An application form
- Safer Recruitment Policy
- Safeguarding Policy

NB. some of this information might be supplied electronically or via reference to CTC's website.

All prospective applicants must complete the application form in full and return it. Incomplete Application Forms will be returned to the applicant if the deadline for completed forms has not passed.

### **Short-listing and References**

Where many fully completed applications are received (10 plus) a long listing will occur soon after the application closure date against the person specification for the post. Where possible, references will be taken up before the short-listing selection stage, so that any discrepancies can be probed during the selection stage.

References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted. All school references must always be signed by the Head/Principal (or member of the Senior Leadership Team in their absence).

Where a current employer has not been given as a referee, CTC will seek permission from the applicant to approach the current employer. Where the current employment does not involve working with young people, and a previous employment has done, CTC will seek a reference from that employer. Where necessary, referees will be contacted by telephone or email to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

Where necessary, previous employers who have not been named as referees will be contacted to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

Referees will always be asked specific questions about:

- Referee's relationship with the candidate
- The candidate's suitability for working with children and young people
- Details of any allegations or concerns that have been raised about the applicant to the safety/welfare of children or behaviour towards children and young people and the outcome of those concerns – conclusions reached and how the matter was resolved
- any disciplinary warnings, including time-expired warnings, that relate to safeguarding
- the candidate's suitability for this post.

A copy of the job description and person specification should be circulated with the reference request. School employees are entitled to see and receive, if requested, copies of their employment references. Appointments can only be confirmed when all references have been correctly scrutinised unless a risk assessment is carried out and signed by the Head/Principal. The referee should be reminded that they have a responsibility to give accurate information and not give misstatements or omissions and that they may discuss factual content with the applicant before-hand. Shortlisting of candidates will be against the person specification for the post. At shortlisting, applications are checked for discrepancies, inconsistencies, and gaps in employment (cross reference with the application form) - note, enquire further and consider if questions at interview are required.

### **The Interview and Selection Process**

The invitation to interview will provide basic details and a programme of the day, including details of how the interview will be conducted and the areas it will explore – including suitability to work with children and young people. Interviews will always be face-to-face. Telephone interviews may be used at the shortlisting stage but will not be a substitute for a face-to-face interview.

Candidates will always be required to:

- provide proof of identity, including photo ID
- Explain satisfactorily any gaps in employment
- Explain satisfactorily any anomalies or discrepancies in the information available to recruiters
- Declare any information that is likely to appear on a DBS disclosure
- Demonstrate their capacity to safeguard and protect the welfare of children and young people
- Bring sufficient documentary evidence to complete the DBS disclosure immediately on being offered the post.

The Interview Panel should comprise of at least one member of staff who has successfully completed training in Safer Recruitment within the last 5 years.

Safeguarding questions in interview will:

- Explore attitude towards children and young people
- Explore candidate's ability to support safeguarding and promoting the welfare of children
- Explore gaps in employment history
- Address any concerns/discrepancies arising from references and application forms
- Candidates asked if they wish to declare anything in light of the DBS check.

### **Employment Checks**

All appointments will be conditional upon:

- A satisfactory reference
- Proof of identity, including photo ID
- Completion of a DBS disclosure application and receipt of satisfactory clearance
- Proof of eligibility to live and work in the UK- Overseas Police Checks for any individual who within the last 5 years has lived or worked outside the UK, whether they are a British Citizen or not

Staff and volunteers working with CTC on an on-going basis will be required to refresh their DBS check every three years, in the instance that they are not registered with the DBS central update system.

### **Induction**

All employees who are new to CTC will receive induction training that will include the CTC's Safeguarding Policies and guidance on safe working practices. Regular meetings will be held during the first 3 months of employment between the new employee(s) and the appropriate manager(s).

All employees will receive an appropriate level training in:

- Child protection/safeguarding and promoting welfare of children/anti-bullying/anti-racism/physical handling/intimate care/internet safety/Prevent duty
- Safe practice and standard of conduct and behaviour advice for staff
- Whistle blowing policy

### **Role and Responsibilities**

The Artistic Director and Outreach Director have the responsibility for ensuring the integrity of the system overall; for providing checks and balances and ensuring concerns in relation to the

policy are addressed immediately. The Artistic Director and Outreach Director have oversight of the process and should ensure that all steps outlined in this policy are completed and will ensure that the timeline for appointments is followed.

All employees involved in recruitment have the responsibility to be aware of its contents; to act in accordance with it and to use CTC's Whistle Blowing Policy if there are any concerns regarding its implementation.

- If, one week prior to the commencement of employment a DBS has not been received, a risk assessment must be undertaken to allow that person to start work prior to receiving a satisfactory DBS check. As per CTC's standard working practices that person will never be left alone with young people.
- If that person has a valid DBS check from a previous employer (with no break in service) then that will be accepted until a satisfactory DBS check is obtained on CTC's behalf.
- All checks will be confirmed in writing and copies of the relevant documents retained on file.
- Any discrepancies thrown up by the above checks will be discussed with the Designated Safeguarding Lead before a final decision on employment is made.

The DfE Children's Safeguarding Operations Unit will be informed of any candidates:

- Whose names are found on List 99/PoCA or whose DBS check shows that they have been disqualified from working with children by a court
  - Who have given false information to support their application
  - Who are found to have serious concerns about working with children
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- It is our policy that all volunteers are required to undertake an appropriate enhanced DBS check before commencing service.
  - All agency staff and facilitators in training must bring evidence of enhanced DBS clearance prior to commencing work for CTC.

### **Guidance Notes**

This form must be used to assess and record the risks of allowing someone to start work or volunteering before an enhanced DBS (Disclosure and Barring Service) check is received or where an enhanced DBS certificate shows relevant convictions or other relevant information. The completion of this risk assessment form is the responsibility of the Artistic Director, Outreach Director and Designated Safeguarding Lead for the new employee. It must also be approved by the board of trustees before the individual can commence work.

In very exceptional circumstances, staff (but not volunteers) who work with young people may work without a clear enhanced DBS certificate if they are closely supervised (within sight and sound of someone with a clear enhanced DBS check). However, this will normally only be permissible when not to allow them to work, would disrupt the care or learning of participants, e.g. where there is a regulatory requirement to have a ratio of staff to number of students or vulnerable adults.

People may only work in these circumstances when the following applies:

- The appointment is necessary to allow the service provision to continue.
- An enhanced DBS check has been applied for.
- The person has no unsupervised contact with young people.
- They have no access to sensitive records, particularly information about individual participants.
- This risk assessment and risk management plan has been completed and signed off by the Designated Safeguarding Lead.

Please note that candidates may be able to carry out induction, training and supervised tasks whilst waiting for the DBS certificate to be returned.

### **Appendix 1: Risk Assessment**

#### **Risk Assessment Part A:**

To be completed by (staff member) of employee to be appointed on (Date)

Enhanced DBS check requested

Position

Right to Work checks completed & date

Date of previous enhanced DBS check & status (full copy to be attached)

Reference: Date received back & satisfactorily represents their suitability for this post

Start date working towards

#### **Part B: To be completed by the Artistic Director, Outreach Director and Designated Safeguarding Lead**

Please present the business case to support your recommendation that employment commences prior to the return of a satisfactory enhanced DBS disclosure:

Does the position involve working directly with young people (under 18)? Yes / No

Does this post involve working unsupervised with young people (under 18)? Yes/ No

Does this post involve working unsupervised with young people (under 18) on a one-to-one basis? Yes/ No

Is there any further information relevant to this Risk Assessment regarding the candidate, the work itself or the location/environment where the activities will take place?

Actions that will be put in place to mitigate risks before the enhanced DBS clearance is received (please delete all those that do not apply)

- Individual will not be in 1:1 situations with participants
- Individual will be regularly supervised by other facilitator
- An appropriate staff member has been assigned to monitor and supervise the individual at all times
- Where feasible, work in studios or other areas will be open or have the door left open
- Individual has been briefed on the expectations on them under safeguarding rules
- Individual has/will attend relevant safeguarding training
- Individual has signed the Staff Code of Conduct
- Individual will not have access to student records or sensitive data
- Enhanced DBS has been applied for
- Barred list check has been completed
- Prohibited from Teaching list has been checked.
- The risk assessment will be updated, and issues raised regularly until the enhanced DBS is received

Any others (please detail)

#### **LEVEL OF RISK**

Please indicate the level of risk posed by appointing the individual in this job.

Please give reasons for your assessment in the space provided. Level of Risk (insert number):

Can protective measures be put in place to render the risk low? Yes/No

## **Risk Assessment Tool**

Before assigning a risk level you must first decide, based on the position in question, how likely it is that young people will face any difficulties as a result of the individual taking up the role.

Likelihood ratings are described below (1-5)

Rare This will probably never happen

Unlikely Do not expect it to happen but it is possible

Possible

Might happen occasionally

Likely

Will probably happen but is not a persisting issue

Almost Certain Will undoubtedly happen, possibly frequently

Then you must decide on how severe you consider this to be. Severity ratings are described below- ratings 1-5

Negligible: Participants will have no contact with the individual, therefore there is no need for concern

Minor: Participants may meet the individual in a supervised environment so concern for danger is minor

Moderate: Participants may be exposed to some contact with the individual that may need to be supervised

Major: Participants could be in direct, one-to-one contact with the individual that may present a risk to student safety

Risk Assessment Completion and Authorisation

## **Risk Assessment Record of Completion**

Is this person, in your view, suitable to start work before the enhanced DBS certificate is returned or to continue working under the conditions proposed above? Yes/ No

Do you accept your responsibilities for monitoring and supervising the individual in line with the risk assessment? Yes/ No

Comments: Risk Assessment Authorised by:

Signed (Artistic Director)

Print Name (Head/Principal):

Date:

## **Authorised by the Designated Safeguarding Lead:**

Is this person, in your view, suitable to start work before the enhanced DBS certificate is returned or to continue working under the conditions proposed above? Yes/ No

Are you satisfied that identified risks have been reduced and that robust supervision arrangements are in place? Yes/ No

Comments:

Risk Assessment Authorised by:

Signed:

Print Name:

Date:

## **Part C: To be completed by the employee**

Safeguarding – Employee Self Disclosure Form

Please include a copy of your last DBS form if you have one. I understand that it is a fundamental part of my terms and conditions of employment with Cherwell Theatre Company that I have a valid enhanced DBS in place at all times and that whilst my enhanced DBS disclosure is being processed then it is necessary to declare the following:

Statement from employee:

I can confirm that there have been no changes since my last disclosure was issued (a copy of which is attached to this notice) and I understand that if this statement is proven to be incorrect and there are new convictions or cautions on my renewed enhanced DBS, irrespective of the nature, this will be investigated by Cherwell Theatre Company under the Disciplinary Procedure and will be considered as Gross Misconduct which may result in dismissal.

Name:

Job Role:

Date:

In October 2015, the Department for Education (DfE) issued an update to its Statutory Guidance "Keeping Children Safe" to ensure that staff are not disqualified under the Childcare (Disqualification) Regulations 2009.

A person may be disqualified through:

- Having certain orders or other restrictions placed upon them
- Having committed certain offences
- Living in the same household as someone who is disqualified by virtue of 1 or 2 above (this is known as disqualification by association)

A disqualified person is not permitted to continue to work in a setting providing care for children unless they apply for and are granted a waiver from Ofsted. You are therefore required to complete this self-declaration form confirming that you are not disqualified under the Regulations stated above from working at Cherwell Theatre Company. Please answer the questions and sign the declaration below to demonstrate that you are suitable to work with children. If there are any aspects of the declaration that you are not able to meet, you should disclose this immediately to the Artistic Director, Outreach Director or Designated Safeguarding Lead.

If you fail to complete and return the form, this will be regarded as a disciplinary matter for staff, which may result in dismissal.

Please circle yes or no against each bullet point below:

SECTION 1: Questions Relating to You:

Are you disqualified for caring for children and young people? YES/NO Are there any restrictions in place preventing you from undertaking such work? YES/NO

Have any court orders or other determinations related to childcare been made in respect of you? YES/NO

Have any court orders or other determinations related to childcare been made in respect of a child in your care? YES/NO

Have your children (if applicable) ever been taken into care? YES/NO Have any orders or other determinations been made which prevents you from being registered in relation to child care, children's homes or fostering? YES/NO A

re there any other relevant orders, restrictions or prohibitions in respect of you as set out in the Schedule 1 of the Regulations?

Available from <http://www.legislation.gov.uk/ukxi/2009/1547/schedule/1/made> YES NO

Have you been barred from working with children by the Disclosure and Barring Service (enhanced DBS)? YES/NO

Are you prohibited from Teaching? YES/NO

## SECTION 2: Questions relating to Specified and Statutory Offences:

Have you been cautioned (including a reprimand or warning) or have you ever been convicted of: Any offence against or involving a child? (a child is a person under the age of 18) YES/NO

Any violent\* or sexual offence against an adult? \*a violent offence in this context is murder, manslaughter, kidnapping, false imprisonment, ABH or GBH YES/NO

Any offence under the Sexual Offences Act? YES/NO

Any other offence? Please see the following links:

<http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made>

<http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made> YES NO

Do you have knowledge of any pending prosecutions in respect of alleged criminal offences (excluding road traffic offences not involving injury to a third party) or a sentence of imprisonment? YES/NO

Have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country? YES/NO

## SECTION 3: Disqualification by Association

To the best of your knowledge, is anyone in your household\* disqualified from working with children under the regulations? This means does anyone in your household have an Order or Restriction against them as set out in Section 1 or have they been cautioned, reprimanded, given a warning for or convicted of any offence in Section 2.

\*Household – includes family, lodgers, house-sharers, household employees and means anyone residing permanently with you or for a temporary period of time YES/NO

If a disclosure is made, what is the relationship of the person to you?

## SECTION 4: Further Information

If you have answered YES to any of the above questions you should provide details below in respect of yourself, or where relevant, the member of your household.

You may supply this information separately if you wish but you must do so without delay.

Details of the order, restriction, conviction, caution etc

The date(s) of these The relevant court(s) or body(ies)

You should also provide a copy of the relevant order, caution, conviction etc. relating to cautions/convictions a DBS Certificate may be provided.

## SECTION 5: DECLARATION

In signing this form, I confirm that the information provided is true to the best of my knowledge and that: I understand my responsibilities in terms of safeguarding YES/NO



I understand that I must notify the Group Director HR & OD immediately of anything that affects my suitability including any pending court appearances, cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that may render me disqualified from working with children/young people. YES/NO

Are you eligible to work in the UK? YES/NO

Would there be anything detrimental to the employer in you taking up the vacancy if offered the role? YES/NO

Please supply any comments in relation to the above:

Signed

Date

Name in BLOCK CAPITALS