



22 February 2018

FREEDOM OF INFORMATION REQUEST – 204/18

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request:

I'm writing to request copies of any current policies, procedures, guidelines, training materials or similar documents relevant to the Local Authority's interviews and criminal records checks of children's and adults' social workers who apply to work for you.

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Local Authorities often have a policy for job applicants as well as guidelines for the managers who recruit them, I am requesting both.

Within Children's Services, this might form part of arrangements for safe recruitment pursuant to the "Working Together to Safeguard Children" statutory guidance:- "[Local Authorities] should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, including: safe recruitment practices for individuals whom the organisation will permit to work regularly with children, including policies on when to obtain a criminal record check;" (page 53).

Within Adults' Services, the "Care and Support Statutory Guidance" (14.230) recommends Local Authorities to use a recruitment and retention toolkit called "Finders Keepers" which is produced by the Skills for Care organisation. The toolkit includes "Creation of a standardised interview and scoring process".

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The reason for my request is to establish if the Local Authority has previously stated, unequivocally, that it considers it necessary for social workers:-

- (i) to be interviewed face-to-face, rather than via a video link (or similar)
- (ii) to be interviewed by interviewers with particular qualifications, training, or experience (e.g. Warner training)
- (iii) to be interviewed by interviewers who are employees of the Local Authority
- (iv) to be interviewed by the person responsible for the recruitment decision
- (v) to be interviewed by the person who would manage them if they were appointed
- (vi) to have their identity checked for their DBS face-to-face, rather than using posted original documents and a video link likeness (or similar)

These matters are normally addressed in recruitment agencies' contracts with hirers, but with statutory guidance underpinning this.

During the latter part of 2017, both the Home Office and DBS identity checking guidelines were updated, meaning we need to identify more precisely what hirers consider necessary.

Response:

The Council has a Safer Recruitment Policy – copy attached.

Our DBS policy is currently under review but Council 'policy' is that we undertake a further DBS check 3 years after appointment – both in Adults and Children's Social Care. We also have a policy for how we manage positive disclosure – attached.

You are free to use any documents supplied for your own use, including for non-commercial research purposes. The documents may also be used for news reporting. However, any other type of re-use, for example by publishing the documents or issuing copies to the public will require the permission of the copyright owner, where copyright exists. Such a request would be considered separately in accordance with the relevant Re-use of Public Sector Information Regulations 2005 and is not automatic. Therefore, no permission is implied in the re-use of this information, until such a request to re-use it has been made and agreed, subject to any appropriate conditions. Any request to re-use the information should be made to me at the address below.

If you are dissatisfied with the handling of your request please contact the Head of Corporate Governance, Rutland County Council, Catmose, Oakham, Rutland LE15 6HP
You can also complain to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House, Water lane
Wilmslow, Cheshire
SK9 5AF
Tel: 01625 545700

Yours faithfully

FOI Administrator
Corporate Support Team, Rutland County Council

CHECKLIST – POSITIVE DBS DISCLOSURE

NAME	
DIRECTORATE	
RECRUITING/LINE MANAGER	
DATE COMPLETED	

Please provide a summary against each factor

(a)	Nature of the role and level of independence/minimal supervision/no supervision whilst working with and providing a care service to children, young people or adults.
(b)	How frequent were the offences – how many and over what period of time? <i>(comment regarding serious nature of offence(s))</i>
(c)	What is the nature and circumstances of the offence(s)? Have any offences been committed against another person?
(d)	When did the offence(s) occur?
(e)	How has the individual responded? Do you consider they have been honest and provided you with full responses? Do they take responsibility for their convictions without seeking to minimise them? Do you have any doubts about their motivation and commitment to work for the Council? Have they had regular employment history since their last offence (NB. This can be supported by employment references).



RUTLAND COUNTY COUNCIL INTERVIEW PAPERWORK & GUIDELINES

Dear [],

Please find the attached interview pack for the post of [], included in this pack are the following documents:

- i. Completed interview arrangements form
- ii. Interview assessment form
- iii. Interview questions & responses sheets
- iv. Interview expenses claim form
- v. Reference request record sheet
- vi. Current pay scales
- vii. Job description
- viii. Statement of written particulars
- ix. Authorisation of appointment
- x. DBS documentary evidence checklist
- xi. Proof of Right to work in the UK checklist
- xii. Documentary evidence checklist
- xiii. Reference verification checklist

Please ensure that each member of the interview panel has a copy of each application form, an interview assessment form and a questions and response sheet for each candidate.

INTERVIEW

As per the safer recruitment guidelines please ensure that you verify and copy evidence of (please complete the attached documentary evidence checklist):

- I. Qualification certificates
- II. Professional Registration documents (if applicable for the post)
- III. Proof of right to work in the UK
- IV. Documents required as part of the DBS check

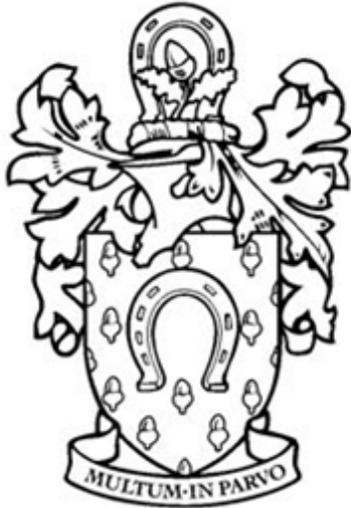
Please be advised that the following applicants have not signed their application form and this will need to be signed off at the interview:

- i.

POST INTERVIEW

Please ensure that the following paperwork is returned to Human Resources post interview:

- i. Completed interview assessment form from each panel member
- ii. Completed interview questions and responses sheets from each panel member
- iii. Copies of presentations or tests for each interviewee (if applicable)
- iv. Application forms that have been signed off at interview
- v. An authorisation of appointment form must be completed for each successful candidate and signed by the departmental head **(please be advised that conditional offer letters will not be processed without this completed form)**
- vi. Upon submission of the authorisation of appointment to HR you will be given the references for the successful candidate, you must verify one of the references by telephone. This is to confirm the identity of the referee and to pursue any pertinent issues contained within the reference that is relevant to the role – please complete the attached Approval of References checklist.

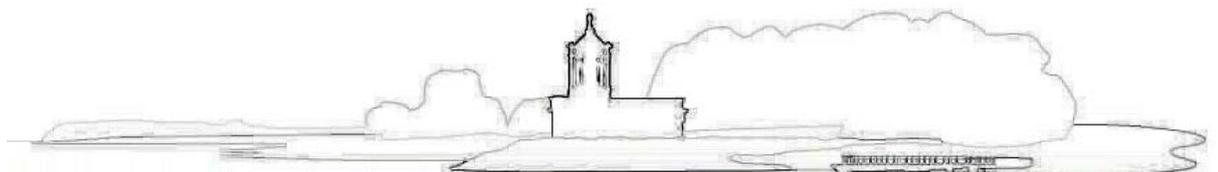


Rutland County Council

RECRUITMENT AND SELECTION POLICY

Version & Policy Number	Version 3
Guardian	HR
Date Produced	June 2017
Next Review Date	February 2020

Approved by Resources DMT	May 2017
Approved by LJC	May 2017
Approved by Employment and Appeals Committee	July 2017



Summary of document

This policy sets out the Council's aims and objectives to ensure we are able to recruit, attract and appoint across all roles within our workforce – hence enabling services to be delivered and maintained to a high standard. One of our objectives is to be an 'employer of choice' and ensure that we can attract and retain good quality staff.

We know that we are competing in a challenging labour market both from the private and public sectors, it is really important for Rutland to keep pace and ensure we can resource the organisation to deliver our services and achieve strategic aims and objectives.

The policy is designed to ensure that the recruitment and selection process is fair, open and transparent and promotes equality of opportunity to all groups throughout the local community.

This policy is supplemented by practical guidance for managers on the specific stages within the process.

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1.0 Purpose and Scope

- 1.1 Our Vision is to ensure that Rutland is a great place to live, learn, work, play and visit. In order to successfully achieve our Strategic Aims and Objectives, the Corporate Plan and deliver a high quality service to the Rutland community, we need to ensure that we have the right staff in the right place at the right time. An efficient and effective recruitment and selection process is key to ensuring a diverse workforce.
- 1.2 The aim of this process is to recruit the person who is most suited to the particular role, on the basis of their abilities and individual merits, measured against the job description and job requirements.
- 1.3 This policy should be read in conjunction with the Council's Equality Statement. The Council recognises that a diverse workforce is better equipped to represent the community it serves and will make decisions on recruitment, training, selection, promotion and career management solely on objective and job related criteria. We are signed up to 'Disability Confident' and this demonstrates that we meet key criteria around supporting individuals with a disability to both join the council and to be supported through their employment.
- 1.3 This document applies to direct employees of Rutland County Council and does not apply to individuals employed by schools or colleges.
- 1.5 Our Workforce Development Strategy provides an essential framework to support the development of all our employees.

2.0 Policy Statement

- 2.1 It is essential that all recruitment activities undertaken make a positive contribution to the provision of quality, accessible services both in the short and long term.
- 2.2 The Council recognises that the principles of open access to vacancies and equality of employment opportunities, assists in the reflecting the cultural diversity of the local population in the Council's workforce. Rutland County Council puts great importance on ensuring that every stage in the recruitment process is fair and conducted in accordance with the Equality and Diversity Policy. The Council is committed to the principle of equal opportunities in all aspects of its recruitment, operation and service provision.
- 2.3 The safety and well-being of children young people and vulnerable adults is of paramount importance to the Council. Appropriate measures will be taken throughout all parts of the recruitment and selection procedure in order to prevent unsuitable people from gaining access to children, young people and vulnerable adults.
- 2.4 The recruitment and selection process represents a significant investment in terms of time and financial resources - the costs of making the wrong selection

decisions can be very high. It is essential that all recruitment decisions are based solely on objective, job related criteria. The Human Resources Department provides officers with clear guidance on the recruitment and selection process and sets out a systematic way of recruiting and selecting people. The aim is to follow good practice and provide a consistent approach to recruitment and selection, which is understood by everyone.

- 2.5 Recruitment exercises are essentially a two way process and, as such, the Council will encourage applicants to express any views, comments or concerns they have about their treatment of experiences of the process. This feedback will be monitored and the Council will act accordingly to improve and address the issues raised. The Council will regularly monitor the workforce and the application and effects of its recruitment and selection procedures.
- 2.6 In cases where a fixed term post is approved as permanent, the employee undertaking that post may be considered for appointment on a substantive basis without any further advertising or interview process. Pre-conditions are:
 - (a) The post is approved as permanent
 - (b) There are no other staff who are at risk of redundancy who should be considered on a redeployment basis
 - (c) The individual has successfully completed their 6 month probationary period
 - (d) They have not been subject to formal proceedings during their time with the Council eg. sickness absence, capability, conduct.
 - (e) They meet the essential requirements of the role.
- 2.7 The Council will have in place an appropriate approval process before advertising a post.

3.0 Safer Recruitment

- 3.1 Rutland County Council has a responsibility for, and is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and for ensuring they are protected from harm.
- 3.2 We are committed to robust recruitment and selection procedures to ensure that all staff and volunteers have been appropriately screened prior to appointment. Ensuring we do everything we can to prevent appointing people who may pose a risk to our most vulnerable service users is an essential part of safeguarding.
- 3.3 We believe that safer recruitment contributes to a safer workforce and we will ensure that any vacancy takes into account the welfare of children, young people and vulnerable adults.
- 3.4 This policy and procedure serves to emphasise the key issues of recruiting 'safely'. It demonstrates the importance of incorporating measures that help deter, reject and identify people who might abuse children, young people or vulnerable adults or are otherwise unsuited to work with them.
- 3.5 The Council has produced Safer Recruitment Guidelines that specifically relate to posts working with children, young people and vulnerable adults. These must

be referred to when recruiting to such posts to ensure compliance, for example when drawing up Job Descriptions and Requirements etc.

4.0 Marketing and Advertising

- 4.1 All vacancies will be advertised as a minimum on an internal basis to ensure all opportunities for development and career progression are available to existing staff. Posts may be advertised internally and externally at the same time.
- 4.2 Advertising of vacancies will be considered alongside the Restructure Policy so that all opportunities for redeployment are fully explored and therefore minimising compulsory redundancy.
- 4.3 Consideration should be given to the most effective method of attracting a pool of candidates – this includes the likely ‘market’ and pool, and the style and branding to be used. The Council is able to access support where necessary to develop bespoke campaigns where a targeted and creative solution is required. Costs of marketing and advertising are met from Directorate budgets.
- 4.4 The Council will pool campaigns wherever possible to make best use of resources and present a ‘One Council’ brand and style.

5.0 Selection and assessment

- 5.1 As a minimum, shortlisting will be undertaken by 2 people – the aim being to have a diverse panel as far as possible. All those who will be involved in the interview stage should wherever possible participate in the shortlisting process.
- 5.2 Shortlists will be drawn up by reference to the criteria as defined by the Job Description/Job Requirements. Selection should be based only on the information provided in the application form. Where requested by a candidate, Managers will feedback to candidates reasons/rationale for not shortlisting
- 5.3 Consideration should be given to removing a panel member if there is a potential conflict of interest eg. if they are connected to any of the candidates through being related or in a personal relationship.
- 5.4 The Council uses a range of methods at the interview stage to assess candidate against the job requirements for the specific role. The purpose is to accurately predict a candidate’s ability to perform the job in question. Where applicable and appropriate to the role, use of other methods of assessment should be considered to supplement the formal interview - further guidance can be sought from HR.
- 5.5 All applicants with a disability as defined under the Equality Act 2010 who advise the Council at the time of their application and who meet the minimum criteria of the post must be offered an interview. This is in accordance with the Disability Confident scheme.

- 5.6 Where there is a direct supervisory role, the appointment of direct relatives is not normally permissible. Such candidates should not be shortlisted without the express permission of the appropriate Director or Chief Executive, following advice from the Human Resources. Employees should exercise care to avoid any form of soliciting in relation to employment enquiries on behalf of relatives.

The above is also likely to apply, for example, in circumstances where a couple is involved in a relationship.

- 5.7 Interview panel members will ensure that all applicants are assessed objectively and solely on their ability to do the job satisfactorily. They will avoid behaviours of stereotype, prejudice and discrimination. Written records of the interview will enable the recruiting manager to defend any subsequent allegation that the recruitment exercise was discriminatory.
- 5.8 If, within a period of 3 months a similar post arises and there was more than one appointable candidate as part of a previous campaign, the recruiting manager can offer the job to the next highest ranked applicant from that process. In the first instance, consideration must though be given to any employees who are at risk of redundancy.
- 5.9 Interview panel members should bear in mind that 'promises' made to successful candidates at their interview, can become part of the contract of employment. Statements made at interview can also be used as evidence of the terms of the contract if there is subsequently a dispute.
- 5.10 The Data Protection code emphasises that personal information collected and recorded in an interview should be relevant to the job and not in excess of what is needed for the purpose of making a recruitment decision or defending the recruitment process against challenge.
- 5.11 When deciding who should be offered a job, the recruiting panel/manager should make an objective assessment of the applicant's strengths and weaknesses.

6.0 Appointment and pre-employment checks

- 6.1 The Recruiting manager should make a verbal conditional offer to the successful candidate in accordance with the Council's terms and conditions of employment. Recruiting Managers are not able to negotiate or agree terms outside of those provisions. New employees will normally start at the bottom of the grade.
- 6.2 The Data Protection Code points out that personal information should be obtained only when necessary to make a fair recruitment decision. Applicants should be told the nature and extent of those checks and if checks reveal discrepancies, the applicant should be given an opportunity to explain. In particular, browsing social networking sites for information about potential candidates increases the risk of discrimination claims (*on the basis that information could be obtained in relation to protected characteristics*).

- 6.3 A new employee should not commence employment until all pre-employment checks have been completed satisfactorily ie Right to work in the UK, employment references, Fit to Work, essential qualifications and registrations where applicable, DBS where applicable.
- 6.4 Some positions will require a Disclosure and Barring Service (DBS) check, these will include posts working with children and vulnerable adults. The Council has a separate policy, procedure and guidance regarding undertaking such checks (in accordance with Government regulation). In exceptional circumstances the relevant Director can approve a risk assessment of an individual if their DBS check is not completed at the time of appointment.

If a post is being recruited to that requires a DBS check it is essential for the recruiting manager to refer to the Safer Recruitment Guidelines available on the intranet.

7.0 Probationary period

- 7.1 The first six months of employment are designated as a probationary period during which time performance is closely assessed and monitored in accordance with the Probationary Policy. An employee's employment may be terminated during the probationary period if performance is not satisfactory.
- 7.2 Employees with continuous Local Government Service (but new to Rutland County Council) will serve a period of probation for six months in the form of monthly meetings. Any performance issues will be dealt with through the Capability procedure.

8.0 Induction

- 8.1 Line Managers are responsible for designing and delivering an effective period of induction for all new staff. A framework and guidance is available on the intranet. In addition, all staff will participate in Corporate Induction comprising e-learning materials and presentations on key organisational wide topics. All staff should aim to complete this programme within this first 3 months of employment.

9.0 Continuous Local Government Service

- 9.1 The date on which continuous employment begins is notified to new employees within their Statement of Written Particulars. Any previous continuous service with an organisation covered by the Redundancy Payments (Local Government) (Modification) Orders (which covers local authorities and related bodies) will be included in calculating entitlement to:
- sickness allowance
 - annual leave
 - notice period
 - a redundancy payment

10.0 Key legislation relating to recruitment

10.1 Equality Act 2010

It is essential that all recruitment activity carried out is in line with the Equality Act, which underpins this policy.

10.2 Data Protection Act 1998

This is the main legislation governing data protection, and aims to give individuals rights with regard to the processing of manual and computerised personal data and the movement of this. For more information on the Act and the principles that must be abided by, please refer to the Data Protection Policy.

10.3 Rehabilitation of Offenders Act 1974

This Act allows criminal convictions to become 'spent', or ignored, after a 'rehabilitation period' which is dependent upon the sentence and the age of a person at the time of conviction.

The Council has a policy statement on the recruitment of ex-offenders and the use of disclosure information, which can be accessed on the Council's intranet under HR policies. Further guidance on the Act and relevant rehabilitation periods is also available there.

10.4 Immigration, Asylum and Nationality Act 2006

This Act outlines the requirement for employers to check documents to establish a person's eligibility to work in the UK and to comply with any restrictions. Until this process is complete the prospective employee will not be able to commence employment. Managers must ensure that the appropriate documents are checked and copies taken for the employee's personal file. Further guidance on the Act, and the documents that will demonstrate eligibility to work in the UK is available on the intranet. All those invited to interview will be provided with a copy of this document.

10.5 Politically restricted posts

Part I of the Local Government and Housing Act 1989 (LGHA 1989) contains the main provisions regarding politically restricted posts. Individuals holding such a post are prevented from having any active political role either in or outside the workplace. They are automatically disqualified from standing for or holding elected office and these restrictions are incorporated into contracts of employment. Further guidance and a list of relevant posts are available on the intranet.

A large print version of this document is available on request



Rutland
County Council

Rutland County Council
Catmose, Oakham, Rutland LE15 6HP

01572 722 577
enquiries@rutland.gov.uk
www.rutland.gov.uk



SAFEGUARDING STATEMENT

Rutland Council has a responsibility for, and is committed to safeguarding and promoting the welfare of Children, Young People and Adults in need of Safeguarding and for ensuring they are protected from harm.

We are committed to robust recruitment and selection procedures to ensure that all staff and volunteers have been appropriately screened prior to appointment. Ensuring we do everything we can to prevent appointing people who may pose a risk to our most vulnerable service users, is an essential part of safeguarding.

We believe that safer recruitment contributes to a safer workforce and we will ensure that any vacancy takes into account the welfare of Children, Young People and Adults in need of Safeguarding.

The post you are applying for involves either working with children and/or young people, or vulnerable adults, and you will be subject to the Council's Safer Recruitment process. Such checks will include:

- Right to work in the UK
- Declaration of previous convictions
- Disclosure and Barring Service Check
- Relevant qualifications and professional registration
- References

Whether you work directly with children or adults in need of safeguarding, we still expect you to make the welfare of those vulnerable in society our main priority. All children and adults in need of safeguarding have the right to be supported and kept safe.

All issues of concern and wellbeing will be taken seriously and must be reported to your line manager. You must report these concerns even if you do not work with children, young people or adults in need of safeguarding. If you wish to discuss your concerns with a social worker, you can contact them on (01572) 722577. For any urgent concerns outside of ordinary office hours, please ring the Emergency Duty Team on 0116 2551606.

If you are concerned about the behaviour of an employee who works in a position of trust with children, young people or adults in need of safeguarding, please contact the Local Authority Designated Officer on 01572 720963.

The Leicestershire and Rutland Safeguarding Boards (LRSB) can provide more information about [safeguarding children](#), and [adults in need of safeguarding](#).