

# **Lomax Training Services Limited Safer Recruitment Policy**

## **Introduction and Purpose of Policy**

1. Lomax Training Services is committed to ensuring the best possible environment for the young people and adults in its care. Safeguarding and promoting the welfare of children, young people and vulnerable adults is our highest priority.
2. The Company aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the Company's Application Form and recruitment process must be directed to the appropriate Manager.

The Manager recruiting an individual will be responsible for following this procedure and obtaining all of the relevant documentation prior to the individual commencing employment.

This policy covers all staff recruited to Lomax Training Services as from January 2018. Existing staff prior to this date are all subject to DBS renewals as per the Lomax Training Services DBS policy.

Potential staff applying from a position of self employment, therefore unable to gain references from previous employers must be able to supply a minimum of 2 personal testimonials from previous clients/customers relating to conduct and behaviour.

## **Scope of this Policy**

3. This policy refers and applies to staff directly recruited and employed by Lomax Training. In the Education (Independent Schools Standards) (England) Regulations 2010, staff are defined as:  
"Any person working at the Company under a contract of employment.
4. In the case of agency or contract workers, the Company shall obtain written confirmation from the agency or company that it has carried out the appropriate checks.
5. Any staff who TUPE transfer into the Company's staff, will be required to undertake the statutory requirements regarding safer recruitment checks.

## **The Application Process**

6. The Company will only accept applications from candidates completing the relevant Application details in full.

Lomax Training will make candidates aware that all posts in the Company involve some degree of responsibility for safeguarding young people and vulnerable adults, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

7. As the position for which candidates are applying involves opportunity for access to young people and vulnerable adults, it is important that applicants provide the Company with legally accurate answers.

Upfront disclosure of a criminal record may not debar a candidate from appointment as the Company shall consider the nature of the offence, how long ago and at what age it was committed

and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Managing Director. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence the Managing Director for advice.

8. Any unspent convictions, cautions, reprimands, or warnings must be disclosed to the Company. However, amendments to the Exceptions Order 1975 (2013) provide those certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be considered. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.
9. The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position. Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.
10. If the candidate is currently working with children or young people or vulnerable adults, on either a paid, the Company will ask about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children or young people or vulnerable adults but has done so in the past, the Company will ask about those issues. Where neither the current nor previous employment has involved working with children or young people or vulnerable adults, the Company will still ask about the candidate's suitability to work with them. Where the candidate has no previous employment history, the Company may request character references which may include references from the candidate's school or university.

11. All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the Company if they have been appointed, and a possible referral to the police and/or DBS.

### **Invitation to Interview**

12. Lomax Training will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.
13. All formal interviews will include an interview with delegated members of the Senior Management Team. At least one of the interviewers will be a member of staff who has undertaken safer recruitment training.
14. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the member of the Management Team leading the interviews as to whether an interviewer should withdraw. Should the lead interviewer have a conflict of interest, the delegated deputy lead interviewer shall decide whether he/she should withdraw.
15. The interview will be conducted in person and the areas which it will explore will include suitability to work with young people and vulnerable adults.

16. All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g., the original or certified copy of certificates, diplomas etc).

Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body. Successful candidates have six weeks from start date to obtain any required certification (if missing).

17. The Company requests that all candidates invited to interview also bring with them:

- A current driving licence including a photograph or a passport or a full birth certificate.
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address.

Where appropriate any documentation evidencing a change of name;

Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.

18. Candidates with a disability who are invited to interview should inform the Company of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

### **Conditional Offer of Appointment: Pre-Appointment Checks**

19. Any offer to a successful candidate will be conditional upon:

- A. Receipt of at least two satisfactory references (if these have not already been received);
- B. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
- C. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
- D. Verification of professional qualifications, where appropriate;
- E. Verification of successful completion of statutory induction period
- F. Where the successful candidate has worked or been resident overseas such checks and confirmations as the Company may consider appropriate so that any relevant events that occurred outside the UK can be considered; and a satisfactory medical fitness.

### **References**

20. The Company will seek the references referred for shortlisted candidates and may approach previous employers for information to verify experience or qualifications before interview.

If the candidate does not wish the Company to take up references in advance of the interview, they should notify the company at the time of applying. The Company will ask all referees if the candidate is suitable to work with young people and vulnerable adults.

21. The Company will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

### **Criminal Records Policy**

22. The Company will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks.

The Company complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request or accessed here: <https://www.gov.uk/government/publications/dbs-code-of-practice>

### **Retention and Security of Records**

23. The Company will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy.

## Appendix 1

### Policy on the Recruitment of Ex-Offenders

1. The Company will not unfairly discriminate against any candidate for employment based on conviction or other details revealed. The Company makes appointment decisions based on merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the Company. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.
2. All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.
3. Under the relevant legislation, it is unlawful for the Company to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children or young people or vulnerable adults.

In addition, it will also be unlawful for the Company to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children or young people or vulnerable adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm, or other serious acts of violence.

4. It is a criminal offence for any person who is disqualified from working with children or young people or vulnerable adults to attempt to apply for a position within the Company. The Company will report the matter to the Police and/or the DBS if:
  - The Company receives an application from a disqualified person.
  - Is provided with false information in, or in support of an applicant's application; or
  - The Company has serious concerns about an applicant's suitability to work with children or young people or vulnerable adults.
5. If relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Company will consider the following factors before reaching a recruitment decision:
  - Whether the conviction or other matter revealed is relevant to the position in question.
  - The seriousness of any offence or other matter revealed.
  - The length of time since the offence or other matter occurred.
  - Whether the applicant has a pattern of offending behaviour or other relevant matters.
  - Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and the circumstances surrounding the offence and the explanation(s) offered by the convicted person.
6. If the post involves regular contact with children or young people or vulnerable adults, it is the Company's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception, or fraud.

7. If the post involves access to money or budget responsibility, it is the Company's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception, or fraud.
8. If the post involves some driving responsibilities, it is the Company's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.