

Safer Recruitment Policy

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1.0 INTRODUCTION

As an organisation we always strive to recruit qualified/experienced Residential Support Workers, however due to the national crisis we are also encouraging applications from in-experienced candidates or those who have experience from other Care settings (Adults, Early years). Our priority is always to keep children in our care safe. The recruitment and balance of qualified and non-qualified staff in the homes remains the responsibility of the Registered Managers. We will aim to enrol unqualified staff onto the Level 3 diploma for Residential Childcare as soon as feasibly possible.

Safeguarding seeks to ensure that the most exposed groups, children, young people and vulnerable adults, are protected and can live free from harm, abuse and neglect. This policy provides guidance for those involved in the recruitment of staff to ensure they meet their obligations under safeguarding and attain a safer, more robust recruitment process.

Care Perspectives is committed to safer recruitment practices and will ensure managers, employees and candidates for employment are aware of the minimum standards used for recruiting and selecting staff. The company is committed to genuine equality of opportunity and the recruitment and selection process will be applied fairly and consistently to all.

This policy follows Safer Recruitment practice and standards set by the Regulatory Bodies to minimise the risk of appointing any unsuitable staff member.

This policy provides guidance and the procedure for the recruitment and selection of staff (For agency staff and contractors please see Agency Worker policy).

Care Perspectives may use the overseas sponsorship scheme to support Recruitment of staff to the company. The Recruitment policy applies to such candidates appointed via the overseas sponsorship scheme.

Implementation: It is the responsibility of line managers to ensure that relevant staff members are aware of and understand this policy and any subsequent revisions.

Compliance: This policy complies with all relevant regulations and other legislation.

2.0 PRINCIPLES

This policy follows **Care Perspectives** Equality and Diversity policy and practices. The company recognise the importance of having a diverse workforce attracting candidates from different backgrounds with a range of skill sets and abilities. A structured recruitment and selection process is used to evidence the candidate's competencies relevant to the role. An evidence-based approach provides a process free from bias and discrimination. This document provides the framework of good practice operated within our services along with the principles set out in the Company's Equality and Diversity Policy. The procedure applies to all appointments within the Company. The Company is committed to genuine equality of opportunity and the recruitment and selection process will be applied fairly and consistently to all.

- Any newly created job roles above the budgeted service requirement must be authorised by the Managing Director
- All approved Job Descriptions and Person Specifications are published on the company's SharePoint system and are available on request from the Recruitment Team
- Internal and external candidates are provided with an opportunity to inform the Company of any reasonable adjustments they require at application or interview stage. These reasonable adjustments must be considered and made where possible unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role. Advice can be sought from the HR department
- For self-employed consultants, it is essential that each service have evidence of the same pre-employment checks that Care Perspectives complete on their own staff.
- When an existing employed staff member expresses an interest in an internal vacancy, the staff member will be encouraged to notify their current line manager. HR will advise the current manager only if and when an application form has been received.
- For internal candidates transferring to another Service an internal reference confirmation form (REC05) should be completed at offer stage
- Family members cannot work in the same home.

3.0 RECRUITING MANAGER RESPONSIBILITIES

It is the responsibility of the Recruiting Manager to ensure the recruitment and selection of staff and volunteers is in line with this policy and legislation. The Recruiting Manager is supported in this role by HR or the administration team. Responsibilities of the Recruiting Manager and other staff involved in the recruitment process is:

- The Recruiting Manager is the person who takes the lead when recruiting to a vacancy and would in the majority of cases chair the interview
- The Recruiting Manager must ensure that all relevant staff are safer recruitment trained. This is mandatory within children's services
- The Recruiting Manager must ensure that anyone who has been named as a person referring the candidate to Care Perspectives is **not** involved in the recruiting panel as the referral payment would not be applicable
- The Recruiting Manager must liaise with the Recruitment Administrator at all stages of the recruitment process and ensure that all interview notes and other supporting documents are completed in full. Failure to comply will result in the candidate interview pack being returned to the Recruiting Manager which will delay the recruitment process
- It is everyone's responsibility to ensure the service operates within safer recruitment procedures and the standards set by Regulatory bodies
- It is everyone's responsibility to ensure all appropriate recruitment checks are carried out on all candidates and volunteers
- It is everyone's responsibility to promote the safeguarding of the people within our care at all times

4.0 RECRUITMENT PROCEDURE

4.1 Vacancy

- Before starting any recruitment or appointing process for any vacancy or appointing opportunity, e.g. new roles/acting up/maternity cover/temporary contracts/Bank Staff/replacements for job roles and additional responsibilities, the Recruiting Manager must ensure that the role is within the agreed

staffing establishment/budget, any newly created job roles above the budgeted service requirement must be authorised by the Managing Director and agreed with HR.

- In the event that a post needs to be filled quickly / or in an emergency a staff member can be selected and appointed with the relevant qualifications on a temporary basis into an “acting-up” position, whilst the recruitment status is then considered. The role must then be advertised (even if only internally) for a fixed term contract of up to 6 months; the reason for selection must be justified, documented and authorised. The staff member will be placed on the minimum pay scale of the acting up role or receive an ‘acting up’ allowance of 5% of their current salary, whichever is the higher. In the event that the post is filled on a very short term basis (i.e. 2 or 3 weeks) for an emergency and an individual is chosen to step up into acting up role, the staff member should be notified that the role is of a temporary nature and should the position become available on a permanent basis, the role would be advertised and they would need to apply.
- For the recruitment of internal roles with an ‘additional responsibility allowance’ this includes TLR’s, (education) the position(s) should not be advertised via Indeed. Instead, an internal vacancy communication must be sent to all staff within the service to notify them of the opportunity which must include the job description and details of the allowance. Staff should be asked to ‘express their interest’ by email along with the reason they are suited to the role.

4.2 Advertising the role

- All roles must be advertised internally via a vacancy email bulletin to all staff, and externally if required
- All new adverts and/or amendments to existing adverts must be authorised by HR/The Recruitment Administrator to ensure consistency
- The company’s aim is to attract a diverse selection of candidates. To do this, the recruitment administrator will identify suitable recruitment methods and agree the recruitment strategy with the Recruiting Manager. This will include agreeing a closing date for advert (usually no longer than 2 weeks), and the date of the proposed interviews

4.3 Applications Forms and initial checking process

- Internal applicants **must** complete an internal application form (REC02) available from the Recruitment Administrator and should not be subject to any investigation or disciplinary process or have any live disciplinary warnings on file.
- The advert should include a statement about the company’s commitment to safeguarding and promoting the welfare of everyone in our care. Reference should also be made that the position is subject to an Enhanced DBS disclosure.
- All External applicants will be required to complete an employment application form (REC01), available from the Recruitment Administrator.
- All completed applications will be forwarded to the Recruiting Manager for shortlisting

4.4 Short-listing and Invite to Interview

- The Recruiting Manager is responsible for short-listing the candidates and must assess them fairly and equally against the criteria contained in the job description and person specification. As best practice two people should be involved in the shortlisting process. This process should take no longer than 2 days following the receipt of the application form
- The Recruiting Manager is responsible for ensuring that the short-listing takes place within the agreed timescales and accept or reject a candidate. The Recruiting Manager must confirm to the Recruitment administration team the following information: - date, time and venue of interviews - who is on the interview panel - what the selection process will consist of i.e. formal interview and other selection methods - any special requirements
- All successful candidates must be contacted verbally by the recruitment administration team to arrange an interview. An email/letter confirmation should be sent within 24 hours of the status change or within 24 hours after positive contact with the candidate
- Interviews must be arranged and ideally held within a week following the application being shortlisted

School only:

- In line with KCSIE (09/2023), section 221. In addition, as part of the shortlisting process schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview. See Part two - Legislation and the Law for information on data protection and UK GDPR.

4.5 Obtaining references prior to interview (for education roles only)

- References must be sought prior to interview (for all roles within day schools and all education roles within residential schools) from a candidates' current or most recent employer. In the case of previous employment in a school - the reference should be sought from the Head teacher. Where any candidate is not currently working with children but has done so in the past it is important that a reference is also obtained from that employer. For guidance on references, please see section 5 Guidance on obtaining references.
- A Curriculum Vitae (CV) will not be part of the application form process
- It is the responsibility of the Recruiting Manager to explore further and take up with the candidate at interview any concerns from the references.

4.6 Interview

- The Recruiting Manager is responsible for preparing value-based and competency questions prior to interview.
- Competency based questions must include a safeguarding question and a further question relating to the candidates attitudes and motives for working with the people we support
- Applications must be scrutinised carefully by the Recruiting Manager, identifying any gaps in the person's history and/or any discrepancies/inconsistencies prior to meeting the candidate to ensure these are questioned during the face-to-face interview process.
- On arrival, the Recruiting Manager must ensure that photocopies of the candidate's following documentation is taken: - Original documentation to evidence:
 - That they are eligible to work in the UK
 - Original documentation to evidence their identity that will satisfy DBS requirement
 - Original documentation confirming any education/training qualifications and professional registration or membership that are necessary or relevant for the post.
 - For qualified Teachers, the candidate is required to provide evidence of qualification, qualified Teacher status and relevant DfE and/or GTC numbers.
- All photocopies taken of the above documents must be clear, signed and dated by the verifying individual stating that the original documentation has been verified as an original which is valid and current. A copy of the documents used to verify the successful candidate's identity and qualifications must be kept for the personnel file. All photocopies from unsuccessful candidates must be destroyed after 6 months.

The interview panel must check and review the information supplied by the candidate including: -

- Reasons given for any gaps in employment, education or training
- Whether they have been subject to any disciplinary or have left a role through dismissal
- If the role is within the school advise the candidate that any offer made would be subject to a prohibition order, check and ask if the candidate wishes to volunteer any relevant information at that stage
- Explore any anomalies or discrepancies
- The Recruiting Manager should ask the candidate if they wish to declare any further information in light of the requirement for an enhanced DBS disclosure and Barred List Check. (The candidate must not be asked to declare all spent and unspent convictions and must be provided with clear information regarding their right to withhold 'protected' or filtered offences, and that these will not be taken into consideration)

4.7 Identifying successful candidate/s

- Immediately after the interviews, the interview panel discuss and agree the same score on each competency question. The applicant that demonstrated the most competence for the role will be identified by the highest interview score
- The Recruiting Manager is responsible for gaining pre-authorisation for any offers above the minimum pay scale from the Operations Director
- The completed interview form must be returned to the recruitment administration department together with the Interview questions, candidate's application forms and ID as soon as the verbal offer is accepted to ensure an offer letter is prepared quickly.
- The Recruiting Manager must contact all unsuccessful and successful candidates by telephone to inform them of the outcome of the selection process within 2 working days of the interview taking place, where possible
- Both successful and unsuccessful, internal and external candidates, will also be informed in writing/email by the recruitment administrator within 2 days of the decision, where possible.

4.8 Offer of Employment and pre-employment checks

- Once the salary has been authorised, the Recruiting Manager must verbally offer the role to the candidate which must then be supplied to the Recruitment Administrator
- Offer letters must be sent to the successful candidate/s via HR/Recruitment Administration department via email/letter.
- An offer of employment to the successful external candidate is conditional upon: -
 - The receipt of at least two satisfactory references (if not obtained prior to interview). Please see section 5 for guidance on obtaining references
 - Evidence of eligibility to work in the UK
 - A satisfactory enhanced DBS Disclosure and/or a satisfactory Status check from the DBS Update.
 - The receipt of a satisfactory health record and confirmation that they are medically fit for the proposed employment.

The Recruiting Manager must sign and date the health declaration form to confirm that the candidate's health record is satisfactory. Where the health record is deemed unsatisfactory Care Perspectives may request a pre-employment medical report from Occupational Health. This report should indicate whether the candidate is fit or not to work for the Company. In the event that the report shows that they are not fit to work, advice must be sought from the HR department.

- Professional registration/qualification certificates (if required for the role)

Verification of qualifications where they are a requirement of the post (if not verified at the interview) -
Verification of professional registration where it is a requirement of the post e.g. QTS status (if not verified at the interview)

- Overseas record checks (if applicable)
- Full attendance and successful completion of the relevant scheduled induction programme and mandatory training

For all roles in day and residential schools, offers are subject to teacher status checks in accordance with the National College for Teaching & Leadership and Teacher Regulation Agency. In the event that an Individual's Teacher Record cannot be found, Teacher Services must be used to find out if they have any current prohibitions, restrictions or sanctions.

- Once an offer of employment letter has been issued and accepted by the staff member, the individual and Care Perspectives has entered into a contract of employment
- As soon as an offer of employment has been made an enhanced DBS disclosure and any outstanding references should be requested
- In circumstances when an offer of employment needs to be withdrawn due to the candidate not meeting any of the above conditions a withdrawal of offer letter must be issued. In all cases advice must be sought from the HR department

- A compliance checklist must be completed by the Recruitment Administrator and checked and signed by the Line Manager (in most cases this will be the Registered Manager for care roles and the Head Teacher for education roles) prior to any candidate starting employment. This confirms that all the recruitment and vetting checks have been fully completed and are present in the personnel file.

4.9 Disclosure and Barring Service checks

- Enhanced Disclosure checks (which includes the barred list) must be sought for all staff working in care or education settings. In the event that DBS disclosures are requested for staff who do not work in these settings, this must comply with the DBS code of practice
- A candidate who is on a barred list who applies to work with children or vulnerable people is committing an offence and **must be** reported to the Police
- All candidates must be asked if they are on the DBS Update Service and if this applies; the appropriate check must be undertaken, and the original DBS certificate must be seen. A copy of the DBS Update check must be recorded on the personnel file.
- Where candidates are not on the Update service, DBS applications are processed by a third-party company. When the third-party company confirms that the check has been completed, for children's services, the Recruiting Manager must ensure they have seen the original DBS certificate and sign to confirm this on the snapshot produced by the third party. Once this is completed, the snapshot must be placed on the staff member's personnel file. In the event a snapshot is not provided you will need to see the original DBS certificate and completed DBS memo (REC07).
- In the event that the third party highlight that the DBS certificate must be seen as it shows criminal record information, the candidate must be asked to bring their certificate to the Recruiting Manager. The Recruiting Manager must carry out a risk assessment (REC06) to determine whether the person is suitable to work with children. This risk assessment must be completed and agreed with the Managing Director, and the DBS memo must be completed (REC07) before proceeding
- When a candidate's enhanced DBS disclosure is returned shows the candidate has been dishonest at recruitment stage, advice must be sought from the HR department before proceeding to withdraw offer
- If any additional information needs to be sought after receiving the DBS disclosure, advice must be sought from the HR department
- When the DBS risk assessment determines that there is a significant risk in either employing the candidate or keeping the staff member in employment, advice must be sought from the HR department before proceeding to withdraw offer
- For all positions within children's services which require an enhanced DBS disclosure (which includes the barred list), the disclosure **must be** obtained before the individual begins work. In exceptional circumstances, the Operations Director may authorise that an individual can start work subject to other recruitment checks being received and that they are not working directly with children
- In the event that a successful candidate has lived or worked abroad, the Enhanced DBS disclosure will not generally show offences committed by individuals whilst living abroad as the DBS can only provide information that is held by police forces in the UK. That may include details of offences committed abroad by UK citizens or residents, but almost invariably will not include details of any offences committed abroad by foreign nationals who have never lived or worked in the UK. In all cases, where an applicant has worked or been resident overseas in recent years, where possible, a check of the applicant's criminal record from the relevant authority in that country (or countries as applicable) should be made
- As a general rule, overseas checks should be completed on anyone that has lived or worked abroad in the previous **five years** although there may be times when it is considered proportionate to go back ten years in which case the HR department should be contacted for further advice.
- Financial assistance to obtain certificates of good conduct will be decided on a case-by-case basis as to whether the Group will support the cost in full or in part. Contact details for embassies and High Commissions in the UK can be found on the Foreign & Commonwealth Office (FCO) website link: <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>
- Where a successful candidate is from or has lived in a country where criminal record checks cannot be made, or is a refugee with leave to remain in the UK, additional references must be sought
- Once an employment decision has been made the DBS snapshot or memo and if applicable, evidence of an overseas check or DBS risk assessment must be placed in the staff member's personnel file

School Only – KCSIE 09/2023

Retention of documents

- Copies of documents used to verify a successful candidate's identity, right to work and required qualifications should be kept on their personnel file. But copies of DBS certificates and records of criminal information disclosed by a candidate are covered by UK GDPR/DPA 2018. To comply with the requirements of the Data Protection Act 2018, when schools choose to retain a copy, there should be a valid reason for doing so and it should not be kept for longer than six months. When the information is destroyed a school may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken if they choose to. It goes on to emphasise that schools **do not have** to keep copies of DBS certificates, in order to fulfil the duty of maintaining the single central record.

4.10 Start date and induction

- Employment start date and where applicable the induction confirmation will be communicated to the new staff member as soon as possible and confirmed in email/writing if it has been unable to be confirmed in the offer letter or Written Statement of Terms and Conditions
- When all the recruitment checks have been completed and a start date has been confirmed, the Written Statement of Terms and Conditions of employment must be issued via email/letter.
- Successful internal candidates must be issued with revised terms and conditions once the recruitment process has completed, or any terms and conditions have been changed.

5.0 GUIDANCE ON OBTAINING REFERENCES (refer to 4.5)

- References should be used to inform the final decision-making process by validating the information that the candidate has provided during the selection process
- For all job roles a minimum of two written references must be obtained, one of the referees must be the candidate's current or most recent employer and the other a previous employer or professional acquaintance i.e. college tutor or a line manager
- For all job roles within care, additional references must be sought from where they have previously worked within care or education. This is to confirm start and end dates of previous employment with verification so far as reasonably practicable of the reason why their employment ended. In the event this is not possible e.g. the Company no longer exist/no response is received this must be recorded on an absence of reference form (REC03) and saved to the employee's personnel file
- All reference pro forma can be sent via email. Pre-printed testimonials are not acceptable
- Professional referees are **not** relatives or people writing solely in the capacity of friends they must be people who have known the candidate in a professional capacity i.e. a college tutor, line manager
- References may be requested by email however must only be accepted as an employment reference if returned from a referee with a company email address with company logo and company details or if written confirmation is received it has the signature of the referee and has either a Company stamp/signature on official headed paper
- Upon receipt of every written reference, the Recruitment Administrator must telephone the referee to thank them for the reference, verify and ask them to confirm its authenticity and add any further comment they may wish to make verbally, if any additional verbal information is provided, this can be written in the verbal confirmation section of the reference pro-forma (REC04), however a request for this additional information to be made in writing should be made, once received this should be raised with a Senior Manager
- The information received should also be compared with the application form to ensure that the information provided about the candidate and their previous employment by the referee is consistent with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate
- In the event that a referee providing an employment reference has not fully completed the reference pro-forma and/or a standard reference is given with limited details, the referee must be contacted. The following details should be obtained and confirmed in writing:
 - Details of any disciplinary procedures the candidate has been subject to in which the disciplinary sanction is current

- Details of any allegations or concerns that have been raised about the applicant that relate to safeguarding and the outcome of those concerns
- If references are not received, a reminder should be sent to the referee enclosing the original request
- If no reference is returned after the reminder letter, it should be evidenced that at least two letters to the referee has been sent in addition to a telephone call to ensure that all name and address details are correct and also to allow the opportunity for the referee to explain any reason for delay in responding or reluctance to provide a reference. If there is still no response a previous employer reference should be sought, and a file note (REC03) should be made to explain the absence of the reference. The file note must not be used as a replacement for a reference.
- Full recruitment process and the obtaining of References must be sought when a staff member who has left the Company expresses an interest in returning

School only – KCSIE:

222. The purpose of seeking references is to allow employers to obtain factual information to support appointment decisions. Schools and colleges should obtain references before interview, where possible, this allows any concerns raised to be explored further with the referee and taken up with the candidate at interview.

223. Schools and colleges should:

- **not** accept open references e.g. to whom it may concern
- **not** rely on applicants to obtain their reference
- ensure any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the headteacher/principal as accurate in respect of any disciplinary investigations)
 - obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed
- secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then ensure a reference from their current employer
- always verify any information with the person who provided the reference
- ensure electronic references originate from a legitimate source
- contact referees to clarify content where information is vague or insufficient information is provided
- compare the information on the application form with that in the reference and take up any discrepancies with the candidate
- establish the reason for the candidate leaving their current or most recent post, and,
- ensure any concerns are resolved satisfactorily before appointment is confirmed.

6.0 RECRUITMENT OF VOLUNTEERS AND EXTERNAL CONSULTANTS

- Due to the nature of work undertaken at Care Perspectives, volunteers will not usually be considered
- If volunteers or external consultants are required, the recruitment process set out in this policy must be followed and they will be subject to the same pre-employment checks
- For external consultants a consultancy agreement must be drawn up which can be obtained from HR
- Any external consultants appointed must evidence Professional Indemnity Insurance and a copy retained on file along with the signed consultancy agreement

7.0 ONGOING EMPLOYMENT CHECKS

- Care Perspectives exceeds DBS recommendations for the renewal of DBS disclosures. All DBS disclosures must be renewed for **all relevant staff every three years**.
- Any staff on the DBS update service must be checked annually. In the event staff have not renewed their subscription, a DBS Disclosure will need to be applied for
- On receipt of the DBS Disclosure and subsequent signed DBS snapshot (or memo if relevant) or information provided by the Status check on the DBS Update Service, the HR/local Administration department must evidence this on the personnel file each time a check has been made and previous forms must not be removed from the personnel file.

- Staff are required to notify their manager within 24 hours of any criminal conviction, Police caution, Arrest by the Police, being investigated from any source or any bind over order that they receive. Failure to do so could result in disciplinary action leading to dismissal
- Staff are required to disclose if they are being investigated for any driving-related offences, if they have received any driving endorsements, or convictions for any motoring offences. Failure to notify their manager for any such investigations, endorsements or convictions may result in disciplinary action being taken
- Staff must not drive on Company / Group business if suffering from any medical condition which may affect their ability to drive safely. They must disclose any medical conditions to their manager that may affect their ability to drive safely and inform DVLA of any medical condition which is legally notifiable to DVLA. Staff must also ensure that they have a valid motor insurance policy including relevant business insurance and valid MOT certificate at all times for privately owned vehicles when used for Company business
- All staff who work in roles which require a driving licence will be subject to an annual check on their driving licence

8.0 BANK STAFF, SUPPLY TEACHERS AND SAFEGUARDING

- In the event that a Bank Staff member applies for a permanent position within Care Perspectives, the usual recruitment and selection process must be followed. However, in circumstances where the Bank Staff member has regularly worked for the Company, documentation relating to their eligibility to work in the UK, DBS and references may be up to date and may not require all recruitment and vetting checks
- In the event that the Bank Staff member has not worked regularly or within the last 8 weeks, reasons for their gap in employment must be explored and verified in addition to requesting employment references for any recent places of work that are not stated on their original application form
- In the event that the Bank Staff member's DBS renewal date is due, an up-to-date enhanced DBS disclosure must be obtained
- Prior to commencement of new permanent role from bank or permanent to bank confirming terms and conditions of employment, all the above employment checks should be made where applicable
- Supply teachers who were agency may apply for a permanent position within Care Perspectives and the full recruitment and selection process must be followed including all compliance checks prior to an agreed start date, please note agency fees may apply, advice to be sought from the recruitment team

9.0 PERSONNEL FILE – HR RECORD

- The documents collected through the recruitment and selection process will be retained to form the personnel file. The information is stored safely and securely in line with the General Data Protection Regulation principles

10.0 SINGLE CENTRAL RECORD (Education setting)

- All schools must retain an up-to-date Single Central Record for all staff, supply staff, contractors, agency, self-employed consultants, volunteers and all members of the proprietor and governing body

Template forms

- REC01 Employment application form (external)
- REC02 Employment application form (internal)
- REC03 Staff file note – absence of reference
- REC04 Verbal confirmation of reference
- REC05 Reference requests
- REC06 DBS risk assessment
- REC07 DBS Memo – disclosure information