

# Safeguarding Policy

## Policy Statement

This policy sets out the values, principles and procedures underpinning Heydays care and Support Services approach to recruitment and selection of its staff to comply with Regulation 19: Fit and Proper Persons Employed of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, and other applicable legislation, including the Equality Act 2010.

Heydays care and Support Services is fully aware that by law care providers must have effective recruitment procedures so that they employ only people of good character, who are physically and mentally fit to carry out the work and who have the necessary qualifications, skills and experience. In addition, the service must make sure that staff who are required to register with a professional body in order to practise have done so and maintain their registration.

The service must take the required steps to refer a staff member who has been found to practise in their employed role to the relevant registration organisation (which in the cases of care staff means the Disclosure and Barring Service (DBS) with a view to placement on one or both of its barring lists).

In its recruitment and selection procedures Heydays care and Support Services will achieve the standards expressed in the CQC's Quality Statements:

- **Safe**

## Safe and effective staffing

We make sure there are enough qualified, skilled and experienced people, who receive

effective support, supervision and development. They work together effectively to provide safe care that meets people's individual needs.

- **Caring**

### **Workforce wellbeing and enablement**

We care about and promote the wellbeing of our staff, and we support and enable them to always deliver person-centred care.

- **Well-led**

### **Workforce equality, diversity and inclusion**

We value diversity in our workforce. We work towards an inclusive and fair culture by improving equality and equity for people who work for us.

### **Principles of Safe Recruitment**

Heydays care and Support Services recruits its care staff locally through advertising, local networks, and contacts. It always aims to create a bank of workers in order to respond quickly to immediate needs for service.

Heydays care and Support Services will comply with all current legislation and registration requirements by:

- a. basing its recruitment and selection procedures on equal opportunities and the involvement of people receiving care and their representatives wherever possible
- b. focusing its advertising, recruitment and selection procedures, including when using agency workers, on the wellbeing, protection and safeguarding of people receiving care, by adopting a values-led approach as recommended by Skills for Care
- c. rigorously checking the documentation of people being recruited from abroad with current government right to work in the UK requirements

- d. following stringent procedures in the event of Heydays care and Support Services recruiting trainees, apprenticeships and volunteers, which will include appropriate checks with the Disclosure and Barring Service (DBS) if the eligibility requirements are met and decisions based on the outcomes of the checking
- e. obtaining (after a job offer, but before an appointment is confirmed and the person starts work) a minimum of two written references, one of which will be from the applicant's most recent employer, and the other a character reference; with some applicants, the service might seek additional references from previous employers
- f. obtaining a full employment history and examining gaps in the appointee's employment record with the applicant, and seeking additional information or references if needed
- g. confirming new staff in their post only after the completion of satisfactory criminal records checks (enhanced or standard check, depending on the post), and of checks made against the current DBS barred lists.
- h. making clear that staff are expected to comply with the current codes of conduct or codes of practice for their respective professions or occupations, and any "house rules" included, for example, in a staff handbook
- i. providing staff with contracts of employment that state all terms and conditions

having a recruitment complaints policy that applicants could use if they're unfairly treated during the application process.

## **Procedures**

### **Job vacancies**

- a. The aim of Heydays care and Support Services selection procedure is to ensure that the most suitable candidate is chosen for the job and that all applicants receive fair and equitable treatment.
- b. Heydays care and Support Services might invite in its advertising both expressions of interest and firm applications. All will be given details of the Heydays care and Support Services, the position for which they have applied and the terms and conditions of employment, with invitations to seek further information as needed.
- c. All vacant jobs have a person specification and job description which will be used to assess applicants' suitability.

### **Internal recruitment**

- a. Heydays care and Support Services provides its existing staff with an opportunity to indicate their interest in vacancies as they come up and to advance within the service according to their skills and experience. In general, notices of all regular, full and part-time job vacancies are posted internally as well as being advertised externally.
- b. To apply for a vacancy internally, an existing staff member should be performing competently in their present position and have held it long enough to make a significant contribution to the new role.
- c. Heydays care and Support Services encourages staff members to talk with their supervisors/managers about their career plans and supervisors/managers are encouraged to support staff members' efforts to gain experience and advance within the service.
- d. An applicant's supervisor/manager may be contacted for an account of an employee's performance, skills and other factors relevant to any application they may make. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

### **Trainees, Apprentices and Volunteers**

a. If Heydays care and Support Services decides to employ people on apprenticeship

schemes it will do so by working closely with local apprentice services and learning providers to ensure it complies with all legal requirements at the point of recruitment and throughout the apprenticeship period.

### **Selection**

a. All applicants, whether responding internally or externally, are sent an application

form, person specification and job description. Only applications made using the proper forms/agreed procedures and received by the advertised deadline will be considered.

b. Applicants are shortlisted by comparing their application form and other information requested with the person specification for the job – with the information followed up as necessary.

c. Shortlisting is carried out by people who have the required experience, competence and qualifications to ensure that all due processes are followed.

d. Shortlisted candidates will be invited for an interview. **Equality, diversity and inclusion policy**

Heydays care and Support Services follows an equal opportunities policy and wishes to recruit and employ those people who are best suited for the vacancies for which they have applied, regardless of sex, sexual orientation, age or perceived age, religion, ethnic origin, race, disability, or union membership (or lack of it). All applications (and their ultimate selection or rejection) are reviewed against equality and diversity criteria.

Following appointment, we will discuss with successful applicants who have any of the "protected characteristics" that require consideration under the Equality Act 2010, what reasonable adjustments we might need to make in

order for them to carry out their roles. This will be carried out in line with the provider's Equality, Inclusion and Diversity and Equal Opportunities policies.

### **Job interviews**

Following screening and shortlisting, job interviews provide an opportunity for Heydays care and Support Services to get the further information it needs about applicants to decide which is most suitable for the position in question.

Interviews are arranged after receipt of a completed application form/equivalent and completion of screening and shortlisting procedures.

Every attempt is made to ensure that interviews are conducted under conditions which are favourable to interviewees giving their best with "reasonable adjustments" made for applicants who are eligible for consideration under the Equality Act 2010.

Interviewers must ensure that they have all the appropriate documentation before the start of the interview.

The assessments made by interviewers are recorded on an interview assessment form. Interviewers do not make offers of employment or suggest variations to standard terms and conditions of employment at the interview.

Heydays care and Support Services will always take the necessary corrective actions if it is found, for example, from an internal audit or an inspection, that references are incomplete, or that the records show that gaps in employment have not been accounted for.

## **References**

Offers of employment are made following interview on condition that a minimum of two satisfactory written or recorded verbal references are obtained in respect of the applicant, one of which will be from the person's most recent employer, where this is applicable.

A request for a reference will always ask that the applicant is of "good character" and meets the "fit person" test required by the care regulations. If the references prove to be unsatisfactory, the offer of employment may be withdrawn without the care service being in breach of contract.

Applicants should confirm in writing or verbally that their present employer may be approached for a reference.

If a reference is deemed unsatisfactory, the appointee should be told and given written confirmation that the offer of employment is withdrawn since the condition to which it was subject has not been fulfilled.

Heydays care and Support Services will always take the necessary corrective actions, if it is found, for example, from an internal audit or an inspection, that references are incomplete, or that the records show that gaps in employment have not been accounted for.

## **Criminal records disclosures and barred list checks**

Before confirming someone's appointment, Heydays care and Support Services is required to carry out checks with the DBS, which are based on eligibility for the type of checks required for certain positions in care service work.

For staff who work in regulated activity as defined by the Protection of Freedoms Act 2012, the organisation must apply for an enhanced criminal records check and barring list check.

Heydays care and Support Services is committed to following the current guidance on criminal records and barring list checks issued by the DBS, and reviews its policies according to any new guidance that it issues.

A person who has applied for a care role whose name appears on a relevant barring list will clearly not be eligible for appointment and this will have been conveyed to all prospective applicants in the information provided to them beforehand.

A person who has applied for either a care or a non-care role, who has an unspent criminal conviction as shown by the DBS check (but in the case of care role applicants is not on a barred list) will not automatically be rejected for the post for which they have applied. A decision to appoint or not will take into account the details of their conviction(s) and the outcomes of a risk assessment, which will ensure that no one is put at risk from their appointment.

In cases where it is not possible to obtain a full criminal records check before a person is due to start work, and to maintain adequate staffing levels, the service may apply for an Adult First clearance. It will then monitor and supervise the person in line with official guidance until full clearance is obtained. Employees are made aware of the provisional nature of their appointment until all checks have been completed.

Where it is not possible to make use of or access the DBS updating Service, the service retains criminal records checks in secure conditions, observing access to records and data protection protocols like any other personal information it holds on its staff members.

Heydays care and Support Services recommends to staff that they register with the DBS updating service. Where they have not, it will keep all paper copies of criminal records checks obtained on appointment until after its next inspection so that it can provide evidence that it is complying with its legal requirements for making these checks. This could mean that it will sometimes keep these checks for longer than the usual six-month period established in the Criminal Records Code of Practice as they must be available to inspectors whenever they visit.



Heydays care and Support Services will also record the checks made when using the DBS updating service. Otherwise it will request a staff DBS check every three years.

### **Workers from Overseas**

The service employs foreign workers only after confirming their legal status and entitlement to work in this country and after making equivalent checks on their criminal records and fitness to work with vulnerable people, including children and their families [where applicable].

### **Offers of employment**

Heydays care and Support Services always confirms in writing new staff members' terms of appointment and employment. Verbal offers are always followed up as quickly as possible by a letter of confirmation.

Formal offers of employment are made in writing only after all short-listed candidates have been interviewed.

Confirmatory letters will include terms and conditions of employment, pay, dates of starting, periods of notice, references to the codes of conduct and contents of the staff handbook, etc.

### **Recruitment Complaints**

Heydays care and Support Services will make applicants aware that if they think they have been treated unfairly during the recruitment process, in terms of the organisation not following due employment law process or they have been discriminated against in terms of the Equality Act 2010, they can ask for a review on those grounds of the decisions taken. Our procedures for handling any such complaint will follow those outlined in our Complaints Policy with the same timescales for responding and addressing the complaint.

## **Training**

Staff involved at any stage or in any way with Heydays care and Support Services safe recruitment and selection procedures will be adequately trained and qualified to carry out their duties in line with this policy.