

The Music Works Safer Recruitment Policy, Practices and Procedures

THE MUSIC WORKS SAFER RECRUITMENT POLICY, PRACTICES AND PROCEDURES

Safer Recruitment Policy

The Music Works fully recognises its responsibilities for safeguarding children, young people and vulnerable adults who access our services. This policy is linked to the LSCE (Local Safeguarding Children Executive), LASG (Local Adult Safeguarding Board), The Local Authority Adult protection procedures and relevant guidelines, **and is an integral part of The Music Works' Safeguarding Guidance**. Safer recruitment practices will include those persons who may not have direct contact with vulnerable groups, but because of their presence and familiarity in certain settings, could be perceived as safe and trustworthy. The critical tenets of safe recruitment will also be included in the terms of any contract drawn up between the TMW and contractors or agencies who we work with. The decision as to whether or not a post necessitates DBS clearance requires a consistent, effective judgement across departments. Further information is provided at <https://www.gov.uk/disclosure-barring-service-check/documents-the-applicant-must-provide->

Principles. The principles of the Music Works Safer Recruitment Policy are to:

- Ensure that all appointments to eligible posts that include working with children, young people and vulnerable adults will be subject to the Disclosure & Barring Service regime;
- Maintain a list of key posts in each service that will need Enhanced Disclosure checks (a risk profile) – see Appendix 1;
- Maintain a rolling programme of Enhanced Disclosure checks on identified posts in each Department;
- Ensure that when a positive disclosure is received that decisions made are consistent with safer recruitment practices at the appropriate level and by someone with safer recruitment training;
- For freelancer posts requiring a DBS, commencement of employment may be considered under certain circumstances but full strict and close supervision is required by the line management until the DBS Clearance has been returned;
- Implement an appropriate training programme to ensure that those undertaking Recruitment and Selection processes are themselves aware of safe and robust Recruitment and Selection procedures and the link to the safeguarding of vulnerable groups through accredited safer recruitment training renewed every 3 years e.g. <https://learning.nspcc.org.uk/training/advanced/safer-recruitment-training/>

The Music Works Safer Recruitment Policy, Practices and Procedures

Employment of Freelancers. An increasing proportion of TMW's delivery work is carried out by freelancers; in a growing organisation. **This presents a number of additional risks.** The increasing pattern of work is referral or commission based, with very short turn around. It is vitally important to the wellbeing of those we work with and to the quality of the work, that we allocate the right music leader for each situation. The needs can be very varied and difficult to predict. There can be challenges of availability, distance, and skill set. Formal application forms and interviews for every freelancer we use would not be practical in this context. It is essential that we do NOT make any mistakes in recruitment that could put children, young people or vulnerable adults at risk. Nevertheless, TMW is determined to maintain a pragmatic safeguarding recruitment policy that it is possible to follow, and to avoid making regular exceptions to procedures laid out in the policy. This means having procedures that are practical and which genuinely meet the needs.

Posts Requiring Clearance. All posts both paid and voluntary must be reviewed. TMW must identify and maintain a list of posts requiring DBS clearance and those that do not. This must exist for identifying and recording this requirement when creating new posts. Appendix 1 is a list of current posts that require clearance, details of the training required for each role and declaration requirements.

Volunteers. As with many charities TMW has a number of volunteer roles. Recruitment to these roles will be proportionate in that a full process may not be appropriate. A volunteer job description and where necessary application form is included in Appendix 2. All volunteers must complete safeguarding training. They must also read and understand the safeguarding handbook and sign a declaration to say that they have done this.

Job Advertisements and Information for Applicants. The recruitment information pack is to stress that the identity of the candidate, if successful, will be checked thoroughly, and that where a Disclosure and Barring Service check is appropriate the person will be required to complete an application for a DBS Disclosure to the appropriate level. Materials will contain the following statements:

"In line with The Music Works Safeguarding Policy, appointments are subject to enhanced DBS checks and satisfactory references."

"Safeguarding is everyone's business. There is an expectation and a requirement that staff will pass onto the TMW Designated Safeguarding Lead any child, young person or vulnerable adult welfare concerns that may arise in the course of their duties."

and include:

- The qualifications and experience needed for the role;
- The competencies and qualities that the applicant should be able to demonstrate and how these will be tested and assessed during the selection process;

The Music Works Safer Recruitment Policy, Practices and Procedures

- Full personal information, including any former names by which the person has been known;
- A full history of employment, both paid and voluntary, since leaving school, including any periods of further education or training, including: - start and end dates; explanations for leaving, and reasons for any gaps in employment;
- Details of any relevant academic and/or vocational qualifications;
- A declaration that the person has no convictions, cautions, or bind-overs, including those regarded as spent. **This must also include referral to or inclusion on the DBS Children's or Adult's Barred List or regulatory body restricting or preventing them from working with children or adult with care and support needs.**

References. The following applies:

- **All candidates** are required to supply a minimum of 2 referees that cover at least 5 years of employment history, one of which from the current or most recent employer. Additional references may be requested, for example, where the applicant is not currently working with children, but has done so in the past;
- At least one referee is to have sufficient knowledge and experience to judge suitability;
- References should be sent wherever possible to business addresses, not a home address;
- Where possible, referees should be contacted prior to the interview so that any issues of concern can be explored further and taken up with the candidate during interview;
- A proforma for **all** referees to complete References, containing objective, verifiable information relating to the candidate's suitability to work with children, young people and vulnerable adults with care and support needs will be provided (see appendix 3).
- An existing clearance or certificate can be accepted **providing the individual has signed up for the DBS Update Service**, the validity, level and status of the certificate has been checked, and the content of the certificate has been found to be satisfactory;

Additional Checks before Interview. Applicants who detail specific qualifications or experience relevant to working with children, young people and / or vulnerable adults with

The Music Works Safer Recruitment Policy, Practices and Procedures

care and support needs which cannot be verified by a reference, should be the subject of a **separate and recorded enquiry**.

Overseas candidate's will be checked through application to the appropriate embassy or organisation. These can be found via <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

Positive Disclosures. If a positive disclosure is received for an employee who is already in post **the individual should be withdrawn from working with participants immediately** pending further enquiries. It is essential that TMW follow a consistent process for considering such disclosures and for making subsequent judgements regarding an applicant's suitability for employment, this can be found in our employment policy. Positive disclosures for potential employees will be dealt with in the same way, as detailed below:

- Positive disclosures are to be forwarded to the DSL and Trustee Lead should be passed to HR Manager to carry out an initial assessment of whether the offence(s) listed are sufficiently serious to cause concern. This assessment will be in accordance with the following checklist:
 - the seriousness and nature of the offence(s);
 - the nature of the appointment;
 - length of time since the offence(s) occurred;
 - number and pattern of offences;
 - the applicant's age at the time;
 - any explanation of the circumstances that may have already been given;
 - concealment of offences at application stage.

Judgements at this stage will often err on the side of caution. If the actionee recommends that the offence(s) is not sufficiently serious to warrant an interview, the decision to employ will be signed off by the CEO. If it is judged that an interview is necessary, the DBS Panel will appoint an appropriate person to undertake an interview to investigate the facts: The meeting is an essential part of the process, as it is necessary to verify that the information contained on the disclosure does indeed relate to the individual concerned. This verification must be sought prior to any judgements being made. There have been occasions where DBS system errors have occurred and information supplied has been wrongly attributed to individuals. The disclosure should be discussed with the prospective employee. The discussion will aid the decision-making process, and should again broadly focus around the following:

- the seriousness and nature of the offence(s);
- the nature of the appointment;

The Music Works Safer Recruitment Policy, Practices and Procedures

- length of time since the offence(s) occurred;
- number and pattern of offences;
- the applicant's age at the time, circumstances/explanation;
- concealment of offences at application stage.

The interviewer will decide on the suitability of the employee and present their findings and recommendations to the DSL, CEO and Trustee Lead for final decision.

Selection of Candidate. The information submitted on the application form will be used to draw up an initial short list to ensure that the best candidates are selected equitably. All applicants should be assessed against the criteria contained in the job description without exception or variation and candidates will be subjected to an online search including but not limited to news articles, Facebook, Twitter and LinkedIn. **During the whole process a minimum of one member of the panel must be safer recruitment trained.** Safe recruitment means that all applications should be:

- Checked to ensure that they are fully and properly completed. Incomplete applications will not be accepted;
- Scrutinised for any anomalies or discrepancies in the information provided;
- Considered with regard to any history of gaps, or repeated changes in employment, or moves to supply work, without clear and verifiable reasons.

Candidates are required to **supply at interview** documentary evidence of:

- their identity, either a full birth certificate, passport or photo card driving licence;
- verification of their address, such as a utility bill or bank statement that verifies the candidate's name and address;
- if appropriate, change of name documentation;
- original or certified copies of documents confirming any necessary or relevant educational and professional qualifications;

Interviewing Short-listed Candidates.

Invitations to interview will make it clear that Safe guarding is the primary responsibility of TMW. A statement to the fact that recruitment panels will have safer recruitment trained members will be included.

The interview panel should be comprised of a minimum of two people, typically the line manager and at least one other relevant person, with at least 1 person safer recruitment

The Music Works Safer Recruitment Policy, Practices and Procedures

trained. Ideally the panel should be made up of 3 members. The senior panel member is to raise a Recruitment Check sheet at Appendix 5. The candidate's attitude toward participants in general should be tested and also their commitment to safeguarding and promoting the welfare of vulnerable people. **Any gaps and changes in employment history** should be fully explored during the interview, as should any discrepancies arising from information supplied by the candidate or by the referee. All overseas candidates should bring to interview documentary evidence as detailed in the Asylum and Immigration Act and in line with DBS requirements. For more information, see: www.ukimmigration.com/employer/uk_work_permit14.htm

Offer of Appointment to Successful Candidate

Any offer of appointment should be conditional upon pre-employment checks being satisfactorily completed, including:

- Where the role is considered to be working with children, either in regulated activity (see <http://www.dhsspsni.gov.uk/regulated-activity-children.pdf>) or in a supervised role, a DBS check appropriate to the role.
- Verification of the candidate's medical fitness to perform the role;
- Verification of any relevant professional status and whether any restrictions have been imposed by a regulatory body;
- All checks should be confirmed in writing and retained on the candidate's personnel file, together with photocopies of documents used to verify his/her identity and qualifications a copy of the advert and the Interview and Selection booklets from each panel member.

Re-checking of Existing Employees. The following applies:

- **Transferees** - All existing employees who transfer from a post that does not require clearance, to one that does, will be subject to the relevant DBS check relating to the specific 'Workforce' requirement for the post;
- **Subsequent Disciplinary Action** - Any employee who has been subject to an enhanced disclosure, and where a disciplinary issue or general concern has arisen that may lead to consideration about the staff member's ability to undertake the role should be rechecked for a further enhanced disclosure;
- **Review of Declaration** - **All workforce members** will be required to sign a declaration to state that they 'have not received any unspent convictions since their last DBS check'. The timescales for these declarations must at a minimum of every three years.

Record Keeping The record must comprise the date the disclosure was obtained, who obtained it the level of the disclosure and the unique reference number. The record must

The Music Works Safer Recruitment Policy, Practices and Procedures

be kept in secure conditions and must be destroyed, by secure means, as soon as the record is no longer needed. It should not normally be kept more than six months after the decision is taken. All records relating to Disclosures as set out above to be retained in electronic format for no less than 50 Years.

Appendices:

1. Risk profile of current roles & safeguarding checks requirement
2. Volunteer job description and application
3. The Music Works Reference Requests Proforma.
4. DBS pre- employment risk assessment
5. Recruitment check sheet
6. Further Safer Recruitment practices

The Music Works Safer Recruitment Policy, Practices and Procedures

Appendix 1 – Rationale for Roles requiring DBS & current profile

Role	DBS Requirement	Training Required	Declaration requirements

The Music Works Safer Recruitment Policy, Practices and Procedures

Appendix 2 – Volunteer job description

Volunteers Name:

Job Title: TMW Volunteer

Job Objective: To support the trustees in the delivery of the aims and objectives of the charity.

Role of volunteers within TMW:

Volunteers are essential to the fundraising and smooth running of TMW. The Trustees are grateful for the support of anyone who volunteers for the charity. In order to ensure safeguarding of the vulnerable adults the charity supports the Trustees require those who volunteer for the charity on a regular basis follow the charity's policies, procedures and guidance, including this 'job description'. It is important that anyone involved with the charity ensures that they reflect the values of the charity in all that they do while representing the charity or while in other aspects of their lives if this impacts on the good name of the charity.

Reporting to: Trustees or persons nominated by the Trustees to take on leadership roles

Job Tasks and Activities:

- Adhere to the charities policies in procedures, particularly those relating to safeguarding.
- Under the direction of Trustees or TMW managers carry out specific activities to achieve the aims of the charity when able.
- Promote the charity, ensuring that all activities carried out to high standards to maintain the charity's image.

Expectations:

- All volunteers will be subject to an application process that will include a DBS clearance if applicable as part of safer recruitment.
- All volunteers will read and agree to adhere to the charity's safeguarding handbook.
- Volunteers will be responsible for their own safety when carrying out activities for the charity.
- Volunteers will, at all times, demonstrate the highest standards of honesty and integrity to uphold the reputation of the charity.
- Volunteers will not keep data with regard to other volunteers without their express permission.
- Volunteers will not keep data with regard to charity participants.

Declaration:

I agree to adhere to the expectations in this job description, I have read the safeguarding handbook and know what my obligations are in this regard.

Volunteer Signature:

Date:

Trustee/Manager Signature

Date:

The Music Works Safer Recruitment Policy, Practices and Procedures

Volunteer Application Form

Name			
Address			
Telephone no.			
Date of birth		Place of birth	
Passport no.			Seen by & date:
Qualifications			
Summary of relevant work experience		Interests linked our charity	
Self-disclosure statement	<p>Declaration of Criminal Record and Other Relevant Information Positions Exempt from the Rehabilitation of Offenders Act 1974</p> <p>Because of the nature of the duties our volunteers will be expected to undertake, you are required to disclose details of any criminal record.</p> <p>ANY DISCLOSURES NEED TO BE NOTED BELOW:</p>		
References	<p>Please give us the name of someone we can contact to verify your identity and suitability for working as a volunteer for our charity:</p> <p>Name:</p> <p>How do you know this person?</p> <p>Address: Phone number:</p> <p>Email:</p>		
Signature		Date	
RISK ASSESSMENT FOR SAFEGUARDING PURPOSES – for charity use only			
Risks	<ul style="list-style-type: none"> • No DBS • 		
Mitigation of Risk	<ul style="list-style-type: none"> • No unsupervised work with vulnerable clients • 		

The Music Works Safer Recruitment Policy, Practices and Procedures

Signed		Trustee
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Appendix 3 - The Music Works Reference Requests Proforma

The following person has applied to work with [themusicworks](http://themusicworks.org) charity as ...**INSERT ROLE**. and has nominated you as a Referee. Our mission is to **transform lives through music**. **We're specialists in working with young people in challenging circumstances to help them reach their full potential in music, in learning, and in life.**

Not surprisingly we take our safeguarding responsibilities toward children and vulnerable adults very seriously LINK safeguarding policies. The role applied for will mean the successful candidate will work closely with our clients, sometimes lone-working or in very challenging circumstances.

As such we would be very grateful if you can answer the following questions as comprehensively as you can and then return a signed copy to the address detailed below. Should you wish to discuss the person's applicability, the details of contact are also at the bottom of the form.

Request	Response
Verification of the identity of the referee?	
Length of time you have known the applicant and in what capacity?	
Post held with dates, salary and reasons for leaving?	
Ability and suitability to work with children, young people and adults with care and support needs?	
Skills, strengths and weaknesses and how these have been demonstrated?	
Any current disciplinary investigation and/or sanction?	
Whether any allegations and/or disciplinary investigations relating to the safety or welfare of	

The Music Works Safer Recruitment Policy, Practices and Procedures

children, young people and adult with care and support needs and the outcome of these (including where any sanction has expired)?	
Details of any criminal convictions, cautions or bind-overs?	
Sickness record?	
Whether the referee would re-employ the applicant and, if not, why not?	
Any other comments	

If you wish discuss any matters concerning this application, please contact The Music Works with an initial request to admin@themusicworks.org.uk admin@themusicworks.org.uk (please do not disclose any detail in your message), or call and a member of staff will contact you accordingly.

Please return a **signed** copy of the proforma to

56 Trowbridge Road,

Bradford on Avon,

BA15 1EN.

We are extremely grateful for your assistance in this matter and thank you for your time.

Deborah Potts
CEO
The Music Works

The Music Works Safer Recruitment Policy, Practices and Procedures

Appendix 4: Risk Assessment

THE MUSIC WORKS CONSIDERATION OF COMMENCEMENT OF EMPLOYMENT PRIOR TO DBS CLEARANCE

Name of prospective employee:		Name of Director/Head of Service:	
Proposed Post Title:		Date of Risk Assessment:	
Service:			

RECORD OF FINDINGS – Should be completed in conjunction with the risk assessment key questions contain within the Policy on Safe Recruitment & Vetting

<u>Reasons for considering commencement of employment prior to receiving clearance:</u>	<u>Consequences, to service delivery, of waiting for clearance:</u>	<u>Level of access during “waiting period”:</u>
<u>Supervision arrangements during “waiting period” and any other control measures:</u>	<u>Pre-employment checklist:</u> Has the employee left employment? Y / N Medical clearance received? Y / N Asylum & Immigration check completed? Y / N Qualifications verified? Y / N	<u>Previous DBS clearance:</u> Is a previous disclosure available? Y / N Has it been seen by you? Y / N What is its date? _____

Assessment of Risk following control measures:

Options:

HIGH

MEDIUM

LOW

- 1) This prospective employee will not commence work prior to satisfactory clearances.
- 2) Following risk assessment, I have determined that the above named may commence employment with the identified control measures. I undertake to personally review this situation at intervals of no less than every two weeks.

Signed: _____ Date: _____ Review Dates:



The Music Works Safer Recruitment Policy, Practices and Procedures



The Music Works Safer Recruitment Policy, Practices and Procedures

Appendix 5 – Recruitment Checklist

The Music Works Safer Recruitment Policy, Practices and Procedures

Appendix 6 - Safe Recruitment Practices and Procedures

Principles of the TMW Safer Recruitment Approach: The Music Works is bound by the following '7 Ds' of safer recruitment.

- **Deter** – any potential abusers from attempting to work or volunteer with The Music Works by publishing our policies and looking critically at our candidates' records, including gaps in work history;
- **Delve** – into the detail to ensure that any known reasons for concern about an individual are brought to light before they have access to children, young people or vulnerable adults in connection with The Music Works;
- **Discuss** - any safeguarding risk with as wide a range of people as necessary from the Local Government Safeguarding organisation, Referees, other relevant agencies;
- **Disseminate** – through our website and information sent out to people interested in working or volunteering, The Music Works clearly states that thorough checks are carried out, including references and DBS;
- **Distribute** – to all prospective employees our aims, objectives, reasons for operating and key policies, including Safeguarding;
- **Diligent** – a thorough investigation of any prospective employees and a robust pursuit of government policies, including all cases to be reviewed by the Designated Safeguarding Leader, including a suitable DBS check;
- **Decide** – by making the right recruitment decisions, taking all possible steps to avoid potential abusers working or volunteering with The Music Works, through a transparent, and accountable recruiting process in the individual HR record and their status recorded on the music leader and volunteer list.

Safe recruitment practices will be applied to all staff and volunteers and at all stages of the recruitment process, including:

- Advertising and information for applicants
- References
- Other checks before interview
- Selection of candidates
- Interviewing short-listed candidates
- Offer of appointment to successful candidate
- Induction and supervision of newly appointed staff