



## Little Swans Day Nursery

### **A Policy for the Recruitment and Selection of Staff**

**Reviewed by:** Elaine Boulton, Nursery Owner

**Date of Review:** October 2014

#### **Introduction**

Little Swans Day Nursery is committed to providing the best possible care to its children and to safeguarding and promoting welfare of young children. The nursery is also committed to providing a supportive working environment for all its members of staff. The nursery recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staffs who share this commitment.

#### **At Little Swans we aim to:**

- Provide a framework for the efficient and effective recruitment and selection of all categories of staff for the nursery.
- Ensure that staff that is recruited has the appropriate qualifications, experience, knowledge, skills and abilities to meet the demands of the post and the needs of the nursery.
- Ensure a consistent and fair approach to the appointment of all staff.
- Ensure that all relevant equal opportunities legislation is adhered to and that appointees are not discriminated against on the grounds of race, gender, religion, age, disability, marital status, sexual orientation etc.
- Ensure that it is communicated to applicants that the nursery is committed to safeguarding children and young people.

*The following statement communicates the nurseries legal obligation in this regard and should be used to do this.*

***Little Swans Day Nursery is dedicated to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share the commitment. Any successful applicant will be required to undertake a Disclosure Check by the Criminal Records Bureau at an appropriate level for this post. Thereafter a new check will be carried out every three years while remaining employed at Little Swans.***

We will apply the principles of the policy to:

- Recruitment websites

- Advertisements
- Candidate information packs
- Person specifications
- Job descriptions
- Competency frameworks
- Induction training

### **Planning and Advertising**

Planning is essential to successful recruitment. It is important to be clear about what mix of qualities, qualifications and experience a successful candidate will need to demonstrate, and whether there are any particular matters that need to be mentioned in the advertisement for the post in order to prevent unwanted applications. It is essential to plan the recruitment exercise itself, identifying who should be involved, assigning responsibilities, as well as setting aside sufficient time for the work needed at each stage to be completed so that safeguards are not skimmed or overlooked. For example, it is important to organise the selection process to allow references to be obtained immediately after confirmation of employment. Until references are returned to the nursery and checks have been made on their validity, new staff will be supervised at all times.

The person specification will need careful thought and drafting. It is also good practice to make sure at the onset that all of the other material e.g. the application form, job description and information/guidance for applicants, that will form part of the pack to be sent to prospective applicants, is up to date and clearly sets out the extent of the relationships/contact with children, and the degree of responsibility for children that the person will have in the position to be filled.

The time and effort spent in this stage of the process should help minimise the risk of making an unsuitable appointment.

When a vacancy is advertised it is stipulated that the candidate must be 16 years of age and over. Included on our website is Little Swans commitment to safeguarding and promoting the welfare of children, together with references to the need for the successful applicant to undertake a criminal record check via the CRB, as well as the usual details of the post and salary, qualifications required, etc. By carrying out CRB checks in respect of every person aged 16 and over on line, we are now able to obtain information required within 4 weeks. DBS checks are payable by applicants before the candidate starts where possible.

Management are obliged to tell new staff before appointment, that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting).

As a provider we must also meet our responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm.

## **Application Form**

We use an application form to obtain a common set of core data from all applicants. It is not good practice to accept curriculum vitae drawn up by applicants in place of an application form because these will only contain the information the applicant wishes to present and may omit relevant details. Our application form also requires a signature to confirm that the information is true. All applicants for employment are required to complete this application form asking about their suitability for the role. Curriculum vitae will not be accepted in place of the completed application form. Any candidate who submits curriculum vitae will be asked to complete an application form.

### **Forms for Applicants for all positions at Little Swans should obtain:**

- Full identifying details of the applicant, including current and former names, date and birth, current address and National Insurance Number, verified where possible with NIN card.
- A statement of any academic and or vocational qualifications the applicant has obtained, that are relevant to the position for which he/she is applying, with details of the awarding body and date of award. The original certificate must be available on interview.
- A full history in chronological order since leaving secondary education, including periods of any post secondary education/training and part time and voluntary work as well as full time employment, with start and end dates, explanations for periods not in employment or education/training, as well as reasons for leaving employment.
- A declaration of any family or close relationship to existing employees or employers, including children and family attending the nursery.
- If any adults over the age of 16 years residing within the household hold a criminal record or convictions, however minor.
- Details of two referees. One referee must be the applicants most current or most recent employer. If the applicant has previously worked in a childcare setting then one reference must be obtained from the last childcare setting worked. Normally two referees should be sufficient. Where an applicant who is not currently working with children has done so in the past it is important that a reference is also obtained from the employer by whom the person was most recently employed in work with children. The form should make it clear that references will not be accepted from relatives or from people writing solely in the capacity of friends.
- A statement of the personal qualities and experience that the applicant believes are relevant to his/her suitability for the post advertised and how he/she meets the person specification.

It includes an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974 and therefore that all convictions, cautions and bind over's, including those regarded as spent must be declared. And it requires a signed statement that the person is on the Independent Safeguarding Authority Board (ISA), disqualified from work with children, or subject to sanctions imposed by the

regulatory body. E.g. The General Teaching Council (GTC), and either has no convictions, cautions or bind over's, or has attached details of their record in a sealed envelope marked confidential.

**It will record that:**

- Where appropriate the successful applicant will be required to provide a disclosure from the CRB at the appropriate level for the post;
- We will seek references on shortlisted candidates, and may approach previous employers for information to verify particular experience or qualifications, before interview;
- If the applicant is currently working with children, on either a paid or voluntary basis, his/her current employer with children will be asked about disciplinary offences relating to children, including any in which the penalty is "time expired" (that is where a warning could no longer be taken into account in any new disciplinary hearing for example) and whether the applicant has been the subject of any child protection concerns, and if so, the outcome of any enquiry or disciplinary procedure. If the applicant is not currently working with children but has done so in the past, that previous employer will be asked about those issues.
- Providing false information/not declaring information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and possibly referral to the police.

Applicants for teaching posts will be asked:

- To provide their DfES reference number
- Whether she/he has Qualified Teacher Status (QTS); and whether he/she is registered with the GTC for England.

Explanatory notes and/or instructions for completing the form will be included in the candidates information pack.

Occasionally a post may not be advertised, either because a similar post has recently been advertised or an appointment can be made from the subsequent interviews, or because a temporary appointment needs to be made as soon as possible to ensure continuity within a post. (E.g. to cover a long term sickness absence or to cover a vacancy pending the completion of the recruitment process to appoint a permanent post holder).

Posts will only be advertised on a temporary or permanent basis for one of the reasons included the information given in "Employing Staff for Temporary Periods". Under these reasons most temporary contracts will come to a natural end.

Trainees working towards either level two or level three in childcare will be on a 12 month short term contract.

Where the need for a temporary post becomes a permanent one, management at the nursery will need to consider whether it is appropriate for the temporary post holder to be offered the permanent contract or whether the post should be advertised. This will be dependent on the original reason for the post initially being temporary, any subsequent

changes in the needs of the nursery, and the original recruitment process that was undertaken.

### **Job Description**

This will clearly state;

- The main duties and responsibilities of the post
- The individual's responsibility for promoting and safeguarding the welfare of children she/he is responsible for, or comes into contact with.

### **Person Specification**

**This will:**

- Include the qualifications and experience, and any other requirements needed to perform the role in relation to working with children and young people;
- The competences and qualities that the successful candidate should be able to demonstrate; and,
- Explain how these requirements will be tested and assessed during the selection process. For example:
  - In addition to candidates ability to perform the duties of the post, the interview will also explore issues relating to safeguarding and promoting the welfare of children including:
  - Ability to form and maintain appropriate relationships and personal boundaries with children.
  - Emotional resilience in working with challenging behaviours; and,
  - Attitudes to use of authority and maintaining discipline.
- We explain that if the applicant is shortlisted any relevant issues arising from his/her references will be taken up at interview or as soon as possible.

### **Information Pack to Candidates**

The pack will include a copy of:

- The application form, any explanatory notes about completing the form;
- The job description, and personal specification;
- Any relevant information about the nursery and the recruitment process, and statements of relevant policies such as the nursery policy about equal opportunities, the recruitment of ex-offenders, etc;
- The induction training they will receive that will help them understand their role and responsibilities
- The establishments Child Protection Policy statement;
- A statement of the terms and conditions relating to the post.

### **Scrutinising and Short listing**

All applications will be scrutinised to ensure that they are fully and properly completed; that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment. Incomplete applications are not accepted and are returned for completion. Any anomalies or discrepancies or gaps in employment identified by the scrutiny are noted so that they can be taken up as part of the consideration of whether to short list the applicant. As well as reasons for obvious gaps in employment, the reasons for the history changes of employment without any clear career or salary progression, or a mid career move from a permanent post to supply teaching or temporary work, are also explored and verified.

As a provider we must ensure that staff has sufficient understanding and use of English to ensure the well-being of children in their care. For example, our setting must be in a position to keep records in English, to liaise with other agencies in English, to summon emergency help, and to understand instructions such as those for the safety of medicines or food hygiene.

All candidates are assessed equally against the criteria contained in the person specification without exception or variation.

## **References**

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They will always be sought and obtained directly from the referee. We do not rely on references or testimonials provided by the candidate at interview. In exceptional circumstances it might not be possible to obtain references prior to starting the position, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but this is our aim in all cases. It is up to the person conducting the recruitment to decide whether to accede to a candidate's request to approach his/her current employer only if he/she is the preferred candidate after the interview, but it is not recommended as good practice.

In any case where a reference has not been obtained on the preferred candidate before interview, the nursery must ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed.

Two references are sought. These will be from previous employment; the last one being latest place of work. Where an applicant has no previous work history, two references will be obtained from college and another educational setting where the applicant has previously been or still in attendance for a long period of time.

All requests for references should seek objective verifiable information and not subjective opinion.

### **Every request asks:**

- About the referee's relationship with the candidate, e.g. did they have a working relationship; if so what; how long has the referee known the candidate, and in what capacity;
- Whether the referee is satisfied that the person has the ability and is suitable to undertake the job in question, and for specific comments about the applicants

suitability for the post, and how she/he has demonstrated that she/he meets the person specification;

- Whether the referee is completely satisfied that the candidate is suitable to work with children, and if not, for specific details of the referees concerns and the reasons why the referee believes the person might be unsuitable; and should remind the referee that:
- They have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission; and
- Relevant factual content of the reference may be discussed with the applicant.

In addition to the above, requests addressed to a candidates current employer, or a previous employer, employer in work with children, will also seek:

- Confirmation of details of the applicants current post, salary, and sick record;
- Specific variable commented about the applicants performance history and conduct;
- Details of any disciplinary procedures the applicant has been subject to in which the disciplinary sanction is current;
- Details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired, and the outcome of those; and;
- Details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people , and the outcome of those concerns, e.g. whether the allegations or concern was investigated, the conclusion reached, and how the matter was resolved.

On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily. If all questions have not been answered or the reference is vague or unspecific, the referee will be telephoned and asked to provide written answers or amplification as appropriate. The information given will also be compared with the application form to ensure that the information provided about the candidate and his/her previous employment by the referee is consistent with the information provided by the applicant on the form. Any discrepancies in the information will be taken up with the applicant.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised, are less likely to cause concern than more serious or recent concerns, or issues that were not resolved satisfactorily. A history of repeated concerns or allegations over time is also likely to give cause for concern and may result in the job offer being revoked.

### **Other Checks before Interview**

If a short listed applicant claims to have some specific qualification or previous experience that is particularly relevant to the post for which he/she is applying that will not be verified

by a reference, it is good practice to verify the facts before interview so that any discrepancy can be explored at interview. The qualification or experience can usually be verified quickly by telephoning the relevant previous employer and asking for written confirmation of the facts.

### **Involving Children**

Involving children in the recruitment and selection process at Little Swans is very important. Observing shortlisted candidates interaction with children is common, and we recognise this as good practice.

There are different ways of observing a candidates interaction with the children. For example we will always show the candidate round the nursery, as well as inviting a strong contingent for the job into the nursery to work alongside of the children, for a morning or afternoon session.

By doing this we will observe how this person interacts with the children, how they interact with staff members, and the interest they show in the position they have applied for.

### **Interviews**

The interview will assess the merit of each candidate against the job requirements, and explore their suitability to work with children. Our selection process for interview will always include a face to face interview, even if there is only one candidate. During this process we have now compiled a list of safeguarding questions where the candidate will be scored on their knowledge. The same technique applies to interview questions.

### **Invitation to Interview**

In addition to the arrangements for interviews, time and place, directions to the nursery, we will remind candidates about how the interview will be conducted along with the areas it will explore including suitability to work with children.

We will also stress that the identity of the candidates will need to be checked thoroughly to ensure that they are who they claim to be. Candidates are therefore required to bring either a photo driving licence or passport; together with a utility bill showing name and address; and where appropriate change of name documentation. Successful applicants are required to undertake a CRB check and instructions on how to do this are provided.

Candidates will also be asked to bring documents confirming any educational and professional qualifications that are necessary or relevant for the post e.g. the original certified copy of a certificate or diploma or a letter of confirmation from the awarding body. NB If the successful candidate cannot produce original documents or certified copies written confirmation of his/her relevant qualifications, the position will be withdrawn.

A copy of the documents used to verify the successful candidates identity and qualifications are kept for the personnel file.

## **Interview Panel**

Although it is possible for interviews to be conducted by a single person, at Little Swans, wherever possible we do not do this. We have a minimum of two interviewers, and in some cases for a senior post, a larger panel is appropriate.

We engage in two members on the panel as it allows one member to observe and assess the candidate, and make notes where appropriate, while the candidate is talking to the other. It also reduces the possibility of any dispute about what has been said or asked during the interview.

### **The members of the panel must:**

- Have the necessary authority to make decisions about appointment; Elaine Boulton, nursery owner and Samantha Tranter, nursery manager, will conduct interviews for all positions within the nursery. If either are not present then a supervisor will be in attendance;
- Be aware of interview method and experienced in conducting and carrying out interviews for qualified and trainee positions as well as kitchen and maintenance staff;
- Meet before the interview to;
  - Reach a consensus about the required standard for the job to which they are appointed;
  - Consider the issues to be explored with each candidate and which person on the panel will ask about each of those;
  - Agree our assessment criteria in accordance with the person specification.

Neither Elaine Boulton or Samantha Tranter will agree in advance a list of questions for each candidate that they will not deviate from, but will agree a set of questions that will ask all candidates relating to the requirements of the post, along with the issues we will explore with each candidate, based on the information provided in the candidates application and references (if available). A candidate's response to a question about an issue will determine whether and how that is followed up. Where possible we avoid hypothetical questions as these are likely to allow theoretical answers. We use situations that have happened in the nursery asking the candidate how they would resolve them. These are competence based questions that will assist a candidate in relating how he/she has responded to, or dealt with an actual situation, or questions that test a candidate's attitudes and understanding of issues.

### **Scope of the Interview**

In addition to assessing and evaluating the applicant's suitability for the particular post, we also explore:

- Candidates attitude towards children and young people

- His/her ability to support the nurseries agenda for safeguarding and promoting the welfare of children;
- Gaps in the candidates employment history
- Concerns or discrepancies arising from the information provided by the candidate and/or a referee; and
- Ask the candidate if they wish to declare anything in the light of the requirement for a CRB check.

If, for whatever reason the references are not obtained before the interview, the candidate will also be asked at interview if there is anything he/she wishes to declare/discuss in light of the questions that have been (or will be) put to his/her referees.

### **Conditional Offer of Appointment**

- **The agreement of a mutually acceptable start date and signing of contract incorporating the nurseries standard terms and conditions of employment**
- The receipt of at least two satisfactory references
- Any pre booked holiday/dates must be disclosed in interview. Failure to do so may result in annual leave not being authorised
- Holiday will not be authorised for the first three months of employment, but will be accumulated to take after the probationary period has expired
- Verification of the candidate's identity (if that could not be verified straight after the interview).
- A check of The Independent Safeguarding Authority Board (ISA) a satisfactory CRB disclosure.
- Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption) he/she will be required to provide documentary evidence of the change.
- Verification of the candidates medical fitness where there may be concern
- Verification of qualifications (if not verified at interview).
- Verification of professional status where required e.g. QTS Qualified Teacher Status. Verification of successful completion of statutory induction period (applies to those who obtained QTS after 7<sup>th</sup> May 1999); and,
- For non teaching posts, satisfactory completion of the three month probation period. For qualified members of level 3 and above, completion of a six month probationary period is required.

The nursery will need to make a decision regarding the appointment following receipt of advice if a disclosure reveals information that a candidate has not disclosed in course of the selection process. The nursery will contact ACAS and will use their advice to come to a decision regarding continued employment.

### **All checks will be:**

- Confirmed in writing

- Documented and retained on the personnel file
- Followed up where they are unsatisfactory or there are discrepancies in the information provided.

**Where:**

The candidate is found not to be on The Independent Safeguarding Authority Board List (previously known as list 99), or the CRB disclosure shows he/she has been disqualified from working with children by a court; or,

- An applicant has provided false information in, or in support of, his/her application; or has failed to disclose information that could jeopardise the success of their submission or
- There are serious concerns about an applicant's suitability to work with children,

The facts will be reported to the police and/or Children's Safeguarding Operations Unit fronted by Marie Foster, the Child Protection Officer for The Early Years and Childcare Team

Address; 1<sup>ST</sup> Floor 38-50  
Orphanage Road  
Erdington  
Birmingham  
B24 9HW

Marie Foster on 0121 303 6754

**The Independent Safeguarding Authority Board (ISA) and CRB Checks on Overseas Staff**

List 99 now known as ISA, and where appropriate PoCA list and CRB checks, will be completed on staff from overseas unless it is verified that the applicant has not previously lived in the UK.

If this is the case, the checks will serve no purpose because the individual will not have a criminal record in this country and will not appear on the DfES ISA list or the POCA list. All of the other checks described will always be completed regardless of whether the applicant is from overseas.

In all cases where an applicant has worked or has been resident overseas in the previous 5 years Little Swans, where possible, will obtain a check of the applicant's criminal record from the relevant authority in that country.

Not all countries provide this service, but the CRB provides an Overseas Information Service. This is a fax back service which provides employers with details of the sort of criminal record information which new employees may be able to obtain from their home countries. The CRB does not have any involvement in applications by individuals to overseas authorities. Employers should always be aware that they will have to arrange for information returned from overseas authorities to be translated into English.

Further information about the overseas Information Service can be obtained from: [www.crb.gov.uk/services\\_overseas.asp](http://www.crb.gov.uk/services_overseas.asp) or by telephoning the CRB enquiry line on 08700 100 450. In cases where a criminal record check is not possible, particular care will be taken with the other required checks, especially those of identity and qualifications, and to obtain satisfactory references.

Until references and CRB checks have been carried out we do not allow our new members of staff to be unsupervised while on the premises.

### **Post Appointment Induction**

**Once the applicant has been offered a position at the nursery the agreement of a mutually acceptable start date and signing of contract incorporating the nurseries standard terms and conditions of employment will be carried out.**

There is an induction programme for all staff and volunteers newly appointed in the nursery. The purpose of induction is to:

- Provide training and information about the nursery policies and procedures;
- Support individuals in a way that is appropriate for the role for which they have been engaged;
- Confirm the conduct expected of staff within the nursery; and,
- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities; and
- Enable the person's line manager/supervisor or mentor to recognise any concerns or issues about the person's ability or suitability at the onset and address them immediately.

The content and nature of the induction process will vary according to the role and previous experience of the new member of staff or volunteer, but as far as Safeguarding and promoting the welfare of children is concerned, the induction programme will include information about, and written statements of:

- Policies and procedures in relation to safeguarding and promoting welfare e.g. Child Protection, Anti Bullying, Anti Racism, Physical Intervention/Restraint, Internet safety and any local Child Protection/Safeguarding procedures;
- Safe practice and the standards of conduct and behaviour expected of staff and pupils in the nursery.
- How and with whom any concerns about those issues will be raised;
- Other relevant personnel procedures e.g. disciplinary, capability and whistle-blowing.

The programme also includes attendance at Child Protection Training appropriate to the person's role.

### **Maintaining a Safer Culture at Little Swans**

It is important that all staff at the nursery have appropriate training and induction so that they understand their roles and responsibilities and is confident about carrying them out. Also that staff, children and parents feel confident that they can raise issues/concerns about the safety or welfare of children, and that they will be listened to and taken seriously. This is achieved by maintaining an ethos of Safeguarding and promoting the welfare of children and protecting staffs which is supported by:

- A clear written statement of the standards of behaviour and the boundaries of appropriate behaviour expected of staff and children that is understood and endorsed by all
- Appropriate induction and training
- Regular monthly staff meetings as well as briefings of relevant issues; and,
- Including relevant material from the Framework for Personal Social and Health Education in the curriculum.

### **Use of Mobile Phones within the Nursery**

All newly recruited staff is aware that mobile phones are prohibited around the nursery and can only be used in the office at lunchtimes. There is a box provided in the office where staff signs in/out their phones on a sheet provided when entering and leaving the nursery premises.

The only exception to this is Miss Tranter and Mrs Boulton, who carry their phone with them in case of emergencies as well as the day to day running of the nursery.

### **E-Safety Policy**

All staff must acknowledge the terms and conditions of Little Swans E Policy and agree in writing to follow the procedures in place. Samantha Tranter our E-Safety Coordinator reads through the policy and obtains a signature from staff to say they have read and understood, when starting at the nursery. Staffs are aware of the expectations within their role and understand that failure to follow the guidelines of the E-Safety policy will result in disciplinary action being taken; in accordance to the nursery disciplinary and safeguarding procedures.

### **Monitoring**

At Little Swans we understand the importance of monitoring the recruitment process and induction arrangements will allow for future recruitment practises to be better informed. It will cover;

- Staff turnover and reasons for leaving
- Exit interviews; and,
- Attendance of new recruits at child protection training.

This policy is due to be reviewed in October 2015.