



Our Guide to Safer Recruitment

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Introduction

Paragon Skills is committed to recruiting safely and fairly in line with legislation and industry related good practice. This guide outlines the steps that will be taken to safeguard our learners, colleagues and reputation when recruiting new colleagues to our business and responds to the statutory obligations as stated within Keeping Children Safe in Education (2021). It also outlines the steps that we will take to maintain our safeguarding culture during a colleague's time with us.

Paragon Skills firmly believes our learners and colleagues have the right to learn and work in an environment free from harm and abuse. This guide outlines how we will recruit to maintain these standards.

Our guide covers those colleagues who carry out regulated activity, those colleagues with regular unsupervised learner contact and also those with no significant learner contact and should be read in conjunction with the following associated policies.

Associated policies

- Our Guide to includED
- Recruitment People Standard (for managers)

Scope

This guide is relevant to colleagues employed directly by Paragon Skills. It is expected that partners also meet the standards laid out in this guide when providing colleagues who will have regular contact with Paragon Skills' learners; an assessment of their ability to meet these requirements will form a part of due diligence activity.

Where Paragon Skills engages temporary colleagues or contractors, a risk assessment will be undertaken on the role and the level of contact with learners will be ascertained to define any safeguarding steps to be taken during their short time with us. Where applicable this may involve a check of criminal convictions or a self-disclosure exercise.

The Safeguarding Vulnerable Groups Act (2006) defines regulated activity as any colleague who teaches, trains or instructs children (those under the age of 18) where this is carried out frequently by that individual. Paragon Skills, by the nature of its operation, employs colleagues in regulated activity, those in management of those in regulated activity and those with regular unsupervised contact with learners under the age of 18.

Training for recruiting managers

Paragon Skills will provide recruiting managers with initial [safer recruitment training](#) as a part of their induction to the business. This will be refreshed annually. As a minimum this will cover the following:

- Carrying out right to work checks
- Asking probing questions
- General safer recruitment practice



The interview and selection process

The interview process will always involve panel based activity, usually consisting of two people. Face to face activity will always form a part of the decision making process; it may be necessary that this is conducted remotely using Microsoft Teams. All learner facing candidates will be asked to explain their understanding of safeguarding practices. This will be done at first stage interview by the Talent Team and will require the candidate to explain any gaps in their CV, explain the reasons for leaving their previous position as well as undergoing a suitability test to work with children.

Panel interviews will contain at least one person who has undertaken [safer recruitment training](#).

Interview notes will always be taken and submitted to the People Team and stored in compliance with the requirements as set out by the General Data Protection Regulation (GDPR).

The interview and selection process will be subject to audit to ensure compliance and commitment to expected practices. Audits will take place quarterly and will be undertaken by the Safeguarding and People Business Partner. Any identified risks will be highlighted to the Head of People and the Paragon Skills Board.

All first interviews will include a Right to Work check which involves the Talent Team having sight of original ID documentation. The Recruitment People Standard covers this process in detail.

Offer and referencing

All job offers are subject to the provision of two satisfactory references and the return of the Rehabilitation of Offenders form. If we have been unable to obtain these during the colleague's probationary period, a risk assessment will be undertaken, and this could result in the termination of employment with Paragon Skills.

References should come from two reputable sources, ideally from two different former employers. It is expected that one reference will be provided from the most recent employer. All references will ask the referee to comment on the individual's ability to work safely and within a position of trust with our learners. However, we accept that many companies will only provide job title and dates of employment.

Ideally references should be received on the reference request form; however owing to the policies of other employers we understand that this will not always be possible.

Where a colleague is being recruited into regulated activity we may also undertake additional telephone referencing.

Pre-prepared references are not acceptable for any roles.

Where we are unable to secure two references from previous employers a character reference will be sought. This will be requested at day 28.

Whilst we are awaiting references colleagues will be risk banded by the People Team. The details of this risk banding and any required mitigations will be discussed and agreed with the manager of the new colleague.

If references are deemed unsatisfactory this may result in termination of employment.



Agency support

Where agency colleagues are covering regulated activity, it is a requirement that the agency provides written confirmation of the colleague's satisfactory DBS check. Ideally this person should provide permission for us to carry out an update service check.

Disclosure and Barring Service checks (DBS)

A DBS check provides access to criminal records and other relevant information enabling organisations to make more informed decisions when recruiting new colleagues to work with children and the vulnerable. Paragon Skills is afforded the right to undertake DBS checks on those colleagues undertaking regulated activity and those who have regular unsupervised contact with learners. The level and eligibility of this check is defined by the DBS's own eligibility guidance.

Paragon Skills will be clear throughout all recruitment practices about whether a DBS check will be required. We will ensure that all application forms, external job adverts and recruitment briefs contain a statement related to the need to provide a current DBS check, where this is relevant to the role.

All job adverts will also specify a commitment to safeguarding.

A DBS check is only accepted by Paragon Skills where this is provided specifically for the role which the individual is applying for or where it is registered with the update service and is therefore considered to be portable.

Where the individual is providing a check that has been undertaken for the purposes of another role, this will only be accepted as part of a wider risk assessment. This will not preclude the individual from needing to provide us with a new check. Any check provided for a job role other than that which the individual is specifically applying for and which is not registered with the update service will only be acceptable where this is less than six months old. In addition, it must be at the level required for the new role, ie enhanced, including a check of the list of those barred from working with children. If the check is for a level other than this, Paragon Skills is unable to accept this and will not record any details relating to this check.

Checks that are registered with the update service will only be accepted where these are at the level required for the role.

For colleagues engaging in regulated activity an enhanced DBS check including children's barred list information will be required. For colleagues not considered to be in regulated activity an enhanced check will be required.

The decision regarding acceptability of a check which was provided for the purposes of a role outside of Paragon Skills lies with the People Team. This includes acceptance of those checks registered with the update service, ie those considered to be portable.

Where a new colleague has lived outside the UK in the last five years additional overseas checks will be undertaken.

Checks will be carried out at commencement of employment with Paragon Skills and at three yearly intervals for all colleagues engaged in regulated activity. For colleagues who work in roles that involve unsupervised regular contact with children a check will be carried out at the commencement of employment.



Disclosures of criminal convictions

All applicants provide details of unspent convictions as part of their application to work for Paragon Skills. Failure to disclose this at the recruitment stage will result in the withdrawal of the offer of employment. Information and support on disclosing an unspent conviction to a prospective employer can be found [here](#).

Applicants applying to work in a position within Paragon Skills which would require a DBS check are asked to provide details of both spent and unspent convictions in advance of their interview to peopleteam@pgon.co.uk. For information on how this information will be treated please refer to 'Using criminal conviction information as part of the recruitment process' section of this guide.

If criminal conviction information is received as a part of the provision of a DBS check that has previously not been disclosed, this may result in the withdrawal of the offer of employment with Paragon Skills. This will be decided on a case by case basis in line with a risk assessment process.

Paragon Skills requires colleagues who need to undergo a DBS check to undertake an annual self-disclosure exercise to inform us of any convictions that may have occurred since the last point of check. This should include both spent and unspent convictions.

Obtaining and providing a check

All checks are obtained by the individual through an umbrella body who will undertake to ensure that legislative expectations are adhered to. They will base this on the information provided to them by Paragon Skills in regards to the role which the check relates to.

Colleagues who are required to provide us with a check are contacted by the umbrella body who will administer the check on their behalf. Paragon Skills will initiate the check on the individual's behalf and will cover the cost of the first check requested. It is the individual's responsibility to ensure that they complete the check in a timely manner. Failure to do so may result in their check being cancelled and the costs of a new check then becoming their responsibility. This extends to rechecking of colleagues.

In line with the legislation, the check is the property and responsibility of the colleague. Paragon Skills does, however, receive a report from the umbrella body which would include a flag should the check include any spent or unspent convictions. This can then be used to inform a conversation with the colleague about their suitability to carry out the role for which they have been recruited. No details of the conviction are disclosed to Paragon Skills at this stage – disclosure remains the individual's responsibility.

It is the colleague's responsibility to provide sight of their DBS certificate to the People Team once this is received. The information, including date of disclosure and disclosure number, is then recorded on the Single Central Record (SCR). The SCR is only accessible by colleagues within the People Team.

Colleagues are invited to register their check with the update service. The annual registration fee will then be paid by Paragon Skills, using the expenses process. Registration fees are only refunded where the colleague then gives explicit permission for the People Team to run an annual update service check.

Where colleagues do not register with the update service a new DBS check will be requested from them on a three yearly basis. Failure to provide a new check may result in disciplinary action being taken.



Using criminal conviction information as part of the recruitment process

In arriving at the decision as to whether a person with a criminal record and/or offending background is suitable for undertaking work in a particular role, Paragon Skills will take account of the following factors:

1. The need to treat people with a criminal record fairly.
2. The need to comply with the law.

We ensure that all those who are involved in the recruitment process of those with criminal records have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, eg the Rehabilitation of Offenders Act 1974.

We ensure that an open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position.

Paragon Skills will treat all applicants for positions fairly. We undertake not to discriminate unfairly against any person who is the subject of a DBS check on the basis of conviction or other information revealed.

Paragon Skills promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records and/or an offending background.

A DBS check is only requested where it has been decided that one is both proportionate and relevant to the position concerned, for instance regulated activity. The full list of positions requiring a check is held by the People Team. This is not definitive and is subject to review based on individual job roles.

Regulated Activity is defined within legislation.

Paragon Skills will ensure that all those who are involved in dealing with DBS checking are competent to undertake their particular role.

We undertake to discuss any matter revealed in a disclosure with the person seeking the position before withdrawing a conditional offer of employment. In reaching a decision as to whether a criminal record should preclude a person from further consideration for a particular role, Paragon Skills will ensure that careful and measured consideration is given to the relevant factors such as the nature of the role and the circumstances and background to the offence. This will be through a risk assessment jointly undertaken by the People Business Partner and the Safeguarding and People Business Partner.

If the individual does not agree with the decision that their criminal record makes them unsuitable for further consideration for a role, they will be given the opportunity to discuss the matter with the Head of People. If the individual does not agree with some or all of the information that has been provided by the Disclosure and Barring Service, they will have recourse to raise a dispute with the Disclosure and Barring Service, who will in turn refer to the originating Police authority.



Commencing employment prior to the return of a DBS check

Employment can commence after the completion of the Rehabilitation of Offenders form for colleagues in all roles. For those who are undertaking regulated activity or in regular unsupervised contact with learners where a role specific DBS has been requested but not yet received, a risk assessment will be undertaken to define which elements of their duties they are able to commence without supervision. Under no circumstances will new colleagues be permitted to work unsupervised with learners who are under the age of 18.

This will be undertaken by Talent Team using the [Recruitment Risk Assessment form](#).

The Single Central Record (SCR)

In line with statutory guidance we will maintain a SCR. This is maintained by the People Team and is an electronic document. This is overseen by the Safeguarding and People Business Partner who will report on any identified risks on a monthly basis via the Board reporting process. Access to this is tightly controlled.

The SCR will hold the following information:

- Name
- Start date
- Job role
- Details related to the ID checking process
- Date of disclosure
- Disclosure number
- Risk category

A quarterly check of the SCR is undertaken by the Head of People to ensure accuracy of data. This check focuses on highlighting any gaps in the criminal records checking procedure at Paragon Skills.

Why do we DBS check colleagues?

Paragon Skills is committed to providing a safe environment for our colleagues and learners to meet the obligations placed upon it by varying legislation, contractual and good practice guidance related to the sector. This includes the following legislation:

- DBS Eligible Positions Guidance (March 2011)
- Rehabilitation of Offenders Act (1974)
- Safeguarding Vulnerable Groups Act (2006)
- Children Act (1989)
- Protection of Children Act (1999)
- Criminal Justice and Court Services Act (2000) Protection of Freedoms Bill (2010)
- Equality Act (2010)
- Working Together to Safeguard Children (2018)



Storage and access

As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, Paragon Skills will comply fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information.

Paragon Skills also comply fully with obligations under the General Data Protection Regulation and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information.

In line with the requirements for storage of DBS certificates, copies of DBS checks are never kept on a colleague's personal record. Instead they are printed and stored separately and securely, in a lockable, non-portable, storage container for no more than six months. Access to these is strictly controlled and limited to those who are entitled to see them as part of their duties. Electronic copies are deleted upon receipt and paper based copies destroyed via confidential waste after the period of safe storage.

The date of disclosure and disclosure number are stored on the colleague's People HR record.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom disclosures or disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep disclosure information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual subject before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any disclosure information is immediately destroyed by secure means. While awaiting destruction, disclosure information will not be kept in any insecure receptacle (eg waste bin or confidential waste sack). However, notwithstanding the above, we will keep a record on the Single Central Record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken.

Details related to a colleague's DBS check are destroyed, along with the remainder of their file, seven years after the date on which their employment with us ceased.



Monitoring and review

The Designated Safeguarding Lead will review this guide annually to assess its implementation and effectiveness. This is in line with statutory requirements.

Overall responsibility for this guide and its implementation lies with the Paragon Skills Board. In order to ensure that they are able to monitor the implementation and effectiveness of this guide, a quarterly Board report will be provided to them.

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