



**Cyngor Gofal Cymru**  
Care Council for Wales

*Hyder mewn Gofal - Confidence in Care*

# Recruiting Well

## A guide to safe recruitment



[www.ccwales.org.uk](http://www.ccwales.org.uk)



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# Introduction

At the Care Council for Wales we fully appreciate that a carefully managed staff recruitment and retention strategy is a priority for all childcare providers. We share the belief of childcare providers, that quality of provision is dependent upon employing the right staff with attitudes, skills and knowledge that are aligned with job roles and responsibilities. At the same time we also understand that staff recruitment and retention can be a challenge and that direction and guidance is sometimes needed. We have responded to that need by producing this booklet and hope that you will find it helpful in your efforts to make careful and considered staff recruitment choices.

This booklet provides information in two parts;

**Part 1** – general information and guidance to inform the recruitment and selection process

**Part 2** – more detailed information about key features of a strong recruitment and selection process

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# Section 1

## Why safe recruitment advice?

All employers whether in private business, voluntary organisations or registered charities need to develop a sound recruitment and selection process to protect:

- children from potential harm
- the organisation from potential claims of discrimination
- the staff team from the effects of poorly managed and/or inappropriate recruitment
- applicants from the impact of investing time, effort and emotion in applying for (and perhaps getting) an unsuitable post

The aim of safe recruitment activity is to ensure that each employer effectively and efficiently recruits and retains the **best** people for the job.

## Understanding the sector

Safe, reliable and efficient recruitment procedures are not only reliant upon providers having a broad knowledge of their responsibilities as employers, but also having an understanding of the sector and its position with regard to potential availability of staff. Providers currently face numerous exciting but challenging sector changes that impact upon availability of qualified and experienced staff. This undoubtedly makes recruitment of the right staff more difficult as the sector strives to meet these challenges in an expanding market. For those interested in further information about recent and current sector activity it is certainly worth visiting the Care Council for Wales website [www.ccwales.org.uk](http://www.ccwales.org.uk) and reading reports from research undertaken in the early years and childcare sector. It is worth holding onto a few indisputable facts associated with being an employer:

### Facts about resources

Employees i.e. people remain the biggest asset to any business or profession. Undoubtedly, this applies as much if not more to the childcare sector than to many other sectors. Other fundamental resources are:

- Equipment
- Materials and consumables
- Premises / buildings where this all happens
- Customers / clients i.e. users of the services provided

## **Facts about the sector**

- Childcare is an expanding employment sector in Wales and the UK
- There is increased competition for staff from within the childcare sector and from other sectors

## **Facts about recruitment**

- Recruitment is an expensive process when you get it right, even more so if you get it wrong!
- Most small childcare organisations are not in a position to employ Human Resource staff and rely upon external sources of advice to get the process right
- Damages for discrimination can be claimed if legal requirements are not adhered to

## **Facts about training**

- There is a cost to all training
- Many qualifications need updating regularly
- Continuous professional development (CPD) is expensive
- Investing in training supports retention of staff
- It is important to protect your investment by retaining your staff

## Facts about barriers to sector recruitment and retention

- The childcare sector is often regarded as having low status
- Pay in the sector tends to be low
- There is growing competition for qualified staff from within the sector
- Staff from the sector often leave the sector to work in other sectors
- There are currently few opportunities for career progression
- The wide choice of alternative job opportunities can discourage potential workers from coming into the sector





## The recruitment and selection process

Effective recruitment and selection processes are those that are carefully planned. Many settings will begin this planning by:

- Finding out about legislation
- Writing recruitment policies and procedures
- Checking policies and procedures they have are up to date with legal requirements
- Making sure that the process is not discriminatory
- Involving children and young people throughout the recruitment process

Providers use various ways of staying up to date these include:

- using bespoke legal services
- taking legal advice from solicitors
- getting advice from membership groups
- or by seeking advice from national organisations that offer advice services free of charge (see page 27 for sources of advice)

### **Legal requirements associated with employing staff**

In addition to legal requirements associated with employing staff, childcare provision carries further responsibilities that have to be planned for. These are ensuring:

- that in registered childcare provision, the minimum number of staff are employed to meet adult: child ratios
- that the qualifications of staff meet National Minimum Standards for Childcare based on the Childminding and Day Care Regulations (Wales) 2002

- that those who are employed are suitable to work with children. Any person who wishes to work with children is required to undergo an Enhanced Disclosure and Barring Service (DBS) check. This check will show an individual's criminal record history and for almost all positions within the childcare workforce will include a check against the DBS barred list for children

### **Changes to the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA)**

Any person who wishes to work with children is required to undergo an Enhanced Disclosure and Barring Service (DBS) check. This check will show an individual's criminal record history and for almost all positions within the childcare workforce will also include a check against the DBS barred list for children.

### **Disclosure and Barring Service**

In December 2012, the work of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) were merged to form a single new body, namely the Disclosure & Barring Service (DBS). The DBS's role is to carry out criminal record checks and barring services to help employers make safer recruitment decisions.

A person who has been barred by the DBS (or previously by ISA) must not undertake activities and work which are classed as "regulated activities" – these are set out by the Safeguarding Vulnerable Groups Act 2006. However, regulated activity has been scaled back under the Protection of Freedoms Act 2012 to focus on work which involves close and unsupervised contact with children. The activities and work which have been taken out of regulated activity will still be eligible for enhanced DBS checks (but they will no longer be eligible for barred list checks).

The three levels of check are:

**Standard DBS check** – this is primarily for people involved in regular contact with children or vulnerable adults.

**Enhanced DBS check** – this is primarily for people involved in regulated activity with children and adults.

**Enhanced with list check** – this is the enhanced check which includes searching the DBS barred lists for children and adults. This check can only be used for those who are involved in regulated activity.

You, as the employer, must be clear where you are providing regulated activity. This is important because: An organisation which knowingly allows a barred person to work in regulated activity will be breaking the law. If you dismiss or remove someone from regulated activity (or you would have done had they not already left) because they harmed or posed a risk of harm to children, you are legally required to forward information about that person to DBS and it is a criminal offence not to do so. If you believe that the person has committed a criminal offence, you are strongly advised to pass the information to the police. For further information on the duty to refer please visit [www.gov.uk/disclosure-barring-service](http://www.gov.uk/disclosure-barring-service)

### **A new Update Service**

In June 2013, the DBS Update Service came into effect. Anyone who applies for their next criminal record check can choose to subscribe to the new service – this service will be free for volunteers. This will allow them to keep their criminal record certificate up to date, so that they can take it with them from role to role, within the same workforce.

Employers benefit too because they can carry out free, instant, online checks of an individual's certificate (with their consent), to check that it is up to date. When someone is subscribing to this service, you would only have to seek a new criminal record check if the system tells you something has changed.

It is vitally important that the right level and type of check is requested. Settings or staff required to access DBS checks need to go through a DBS umbrella body who will apply for a DBS check on their behalf and give advice on eligibility. Childcare settings that are registered with Care and Social Services Inspectorate Wales (CSSIW) can access DBS checks alongside professional advice and guidance through WCVA Criminal Records Unit under a specific arrangement with the Welsh Government. WCVA CRU can also help non CSSIW registered settings. For further information on WCVA CRU contact them on 08000 97391 or [www.wcva-cru.org.uk](http://www.wcva-cru.org.uk). Other umbrella bodies can be found on the DBS website at [www.gov.uk](http://www.gov.uk).

It is important to note that neither a 'clear' DBS check nor absence from a barred list is an automatic endorsement of safety and settings are encouraged to implement all other protection procedures (supervision/monitoring/probation) and policies as appropriate, seeking advice where necessary.

This section gives a very brief overview of criminal records checks and barring information. You are recommended to seek further detailed advice and guidance using the resource links. Finally, it is the responsibility of each employer to shape their own staffing structure and to make decisions about how staffing needs will be met. That is, whether the setting will require full-time, part-time staff and/or volunteers and how job roles and functions will be delegated within the full staffing structure.

## Planning for recruitment

It is clear that planning for recruitment is important to making the process seamless and to recruiting people who work well together and who are able to share strengths and balance weaknesses. This involves investment. It is essential that recruitment remains high on the agenda of any organisation's business plan, is afforded a realistic annual budget and is efficiently managed to maintain National Minimum Standards.

The first stage in the recruitment process requires gathering information about, and making fundamental decisions on:

- **Who** is responsible for staffing issues?
- **What** the current staffing structure and teams look like e.g. experience and qualifications
- **Who** is undergoing training at present (with a view to promotion)?
- Is there an opportunity to promote a current member of staff into a vacant post?
- **What** level of qualification matches the vacant post(s)?
- **When** does the vacant post need to be filled by to meet staffing ratios?
- **What** is the current wage structure?
- **What** qualification and aptitudes will a new staff member need?:
  - To meet job requirements
  - To fit into the existing staff team

### The next stage will require:

- Developing and agreeing a Job Description and a Person Specification
- Developing Terms and Conditions of service
- Developing Contracts of Employment
- Developing job adverts and considering any bi-lingual needs
- Deciding where to advertise to get the best circulation and response for the advertised post
- Appointing one person to deal with enquiries
- Discussing and agreeing interview techniques
- Developing a short listing and scoring process
- Deciding how any contact with candidates will happen and who will take this responsibility
- Taking up references – decide when this will happen
- Devising a process to check qualifications and experience

This planning process will enable employers to be well prepared for recruiting new staff in a timely fashion and will provide any organisation, large or small, with the tools to attract high quality candidates.



## Planning for retention

Planning for retention of staff protects the investment made during recruitment. It begins with the recruitment process and will later continue throughout employment. An important aspect of ensuring staff retention is making sure that the appointed person has the attitudes, aptitudes, skills and qualifications that will help them adjust to the needs of the workplace and fit into the current staff team. Equally important is being clear about what you can offer staff in return for their hard work. Whilst pay is important you may also consider any additional incentives available to employees. The following suggestions outline considerations that an understanding employer may use to promote loyalty.

### Wage Structure

It is essential that you remain aware of, and pay, at least the National Minimum Wage. Up to date information can be found on the website [www.hmrc.gov.uk/nmw/](http://www.hmrc.gov.uk/nmw/). Beyond this legal requirement consideration needs to be given to:

- The going rate for the job
- How much you can afford to pay
- Promoting and accessing benefits for and on behalf of staff (Tax Credits/ bonus system/ profit share/ childcare vouchers/ holiday pay etc)
- Affordability of additional benefits
- Hours worked

## How is loyalty promoted?

Loyalty can be promoted in a number of ways:

- Levels of wages / salaries
- Other in-work benefits (e.g. reduced fees for own children or childcare voucher plan)
- Promoting Work-Life Balance through flexible working
- Access to training to remain up to date
- Access to training to upskill
- Sharing of or delegated additional responsibilities
- Promotion opportunities
- Staff suggestion scheme
- Ensuring promises made at selection and during employment are kept





# Section 2

This section offers greater detail that is useful for:

- Advertising posts
- Writing job descriptions
- Writing person specifications
- Designing and writing application forms
- Preparing for interviews
- Decision making and job offers

## Job advertisement

It is important to know your legal responsibilities. Remember that job adverts are there to attract interest and in so doing will reflect upon your organisation. They should be written to attract interest, encourage potential staff to apply and provide sufficient information and instruction for response. The wording/language of the advert must not suggest discrimination, that is, that you are looking for a particular profile of candidate based upon age, gender, race etc or act to dissuade certain groups from applying who hold the qualifications and skills that are necessary for the post. Advertisements must not contain an indication that an application for employment will be determined by reference to an applicant not being disabled or not having any particular disability. Care needs to be taken to ensure adverts reach the broadest pool of potential people.

## **Ideally your advert should include:**

- Job title
- Employer details
- Location of work
- Qualifications and experience required (if any)
- Full time / part time position
- Application instructions and contact details
- Equal opportunities statement
- Mandatory requirement for Disclosure and Barring Service (DBS) (alert as required by the DBS Code of Practice)

## **Job Description**

Job descriptions and person specifications are ideally sent out or are available to view prior to interview. Together they give clear messages about what the job entails and what is expected from an employee. The purpose of job descriptions is to simply outline main responsibilities. The details of tasks are normally included in 'procedure' documents that are used by all staff. It is these documents, not job descriptions that change to reflect new or refined procedures.

## **A job description will include:**

- The job title
- Lines of communication (reporting to, for what...)
- Brief summary of the job purpose
- Duties and Key responsibilities perhaps with reference to policies and procedures
- Pay Scale
- Minimum working hours

### Job descriptions provide:

- A clear description of responsibilities for which an employee is held accountable
- A reference for performance management and appraisal
- Parameters of responsibility
- A link to task management
- Organisational job roles provide a link to career progression and perhaps succession planning
- Clear expectations about behaviour

## Person specification

A person specification provides a profile of the skills and aptitudes required. It describes the knowledge, skills, experiences and qualities needed to identify the type of person required to fill the vacancy. It provides the criteria that will be used for staff selection. When writing the person specification it is important to firstly:

- Review the attributes of existing staff – identify gaps
- Ensure that no reference is made to the protected grounds of age, race, gender, religion and belief, sexual orientation, status as a part-time worker, language or physical ability unless exempt under relevant legislation

Then under headings of desirable or essential qualities identify those that are directly linked to the role. Essential criteria, are those that must be met to ensure the role and functions of the job can be met, desirable criteria are those that enhance performance in the job.

**A person specification will typically include:**

- The qualifications and competencies required for the post
- Experience / achievements
- Skills required
- Competencies required to complete job specifications
- Abilities involved in working in team
- Expected breadth and depth of experience
- Personal Attributes and circumstances (that apply to the role) e.g. ability to work between the hours of 7.30am and 6pm
- DBS registration

**All criteria must be:**

- Linked to the role
- Non-discriminatory



## Hints on developing an application form

### Why not rely upon a Curriculum Vitae (CV)?

A CV enables the candidate to be in control of the level and quantity of information given. Also CV's tend to include irrelevant information which can encourage bias or prejudices to surface. An **application form** allows the employer to take control of the information supply and to ensure that all relevant information is included to enable efficient short listing process to take place.

### Hints on essentials for designing and writing application forms:

- All questions must be carefully considered with equality of opportunity in mind
- Ask for all personal details on the first page. This page can be omitted if the application forms are copied before short-listing so there is no prejudice about gender, title, ethnicity, address, age etc. This process avoids the danger of pre-conceptions when making recruitment decisions
- Request details of employment history along with details of education, training & qualifications
- Request post qualification professional development information
- Include a work history section to include any volunteering experiences and any relevant experiences of parenting or caring
- Ask for explanations of gaps in continuity of employment dates (however, employers will have to be careful when considering gaps in employment history, for example, time taken out for caring duties)

- Include a statement to indicate that applicants must undergo suitability checks and that this requires approval and registration with the DSA
- The application form should provide space for the applicant to explain their suitability using the job description and person specification
- Request the names and contact point of at least two referees will be required. If the candidate is working or has worked recently then indicate that the primary referee should be the most recent employer
- Request an indication of the earliest opportunity a candidate could take up a post. This will help with any staff planning to fill imminent gaps
- Include a tick box to clarify whether an employer reference can be contacted prior to interview. Many employees may not want this to happen if their current employer is not aware that they have applied for a post. It is also worth bearing in mind that applying for references for all interviewees can be very time consuming and unnecessary. A more pragmatic time efficient approach might be to ask if referees are willing to be contacted by phone initially, in addition to a written one should it be required later

**When sending out application forms it is important to ensure interviewees are provided with:**

- The expected start date
- Closing dates for receiving applications, interview dates and details of when and where the application forms must be returned. A coded addressed envelope sent out with the application form can help the employer to match applications to specific vacancies

## Managing applicants

Before interviews take place be prepared to nominate an experienced person to field enquiries about the post. Where there are a lot of applicants, it will be necessary to conduct an initial sifting/short listing using a objective criterion in a short-listing matrix based upon the person specification.

Short-listing is an important process that identifies the most suitable candidates to interview. It is advisable that the short-listing is done by more than one person to ensure that no prejudice creeps in.

- Set yourself a maximum number of interviewees, five or six at the most
- Successful applicants can now be invited for interview
- Make a note of questions to be asked to all applicants **BEFORE** interview and prepare a scoring matrix

## Interviews

It is important that job interviews are organised so that:

- those conducting the interviews are able to get the information they need
- so that the interviewee is able to relax sufficiently to provide that information

A good interview will always provide the conditions that meet the above. While good interview questions will enable the interviewer to find out about the skills, knowledge and experience of applicants.

## The Practical Interview

In the search for the right staff, many employers of early years and childcare staff invite applicants to a more practical style interview as part of the process. There are various approaches to this. Interviewees are sometimes asked to prepare and deliver an activity with children in the setting, an alternative to this would be for the candidate to spend a couple of hours in the setting, getting a general feel of expectations and duties while senior staff can observe their interactions with children.

This practical aspect of selection forms part of good practice selection processes and should be planned with care and scored similarly to the formal interview.

- The candidate can be observed interacting with children
- Children's responses to the adult can be taken into account
- The interviewee can get a feel for their potential workplace
- Current staff have the opportunity to meet and talk with potential staff and have some input into how well they may fit into the staff team





## The Formal Interview

### Preparation for a formal interview

Following a practical interview the successful applicants should then be invited to attend an interview with a request to bring the original qualification certificates and certificates of attendance at training events with them. Plan for privacy and comfort during interviews and ensure there are sufficient copies of questions and scoring sheets available for interviewers.

## Involving children and young people

It is increasingly common to involve children and young people in the interview process. If they are included, children should be prepared for the interview and their role in it. Children and young people may be involved in the practical interview or the formal interview and will need to be prepared accordingly. The following suggestions might be helpful in preparing children for involvement:

- Explaining the interview process to them
- Explaining their role in the process and why their opinion matters
- Explaining who will be conducting the interview and how it will be carried out
- Explaining how they should conduct themselves (polite, well mannered)
- Explaining how to record their comments
- If they are asking questions they may write their own questions (or share the process with their peers)
- Allow them to practise asking their questions
- Let them familiarise themselves with the room and its layout
- Hold a mock interview

## The interview

The interviewee should be introduced to the interview panel and provided with information about the interview process and perhaps information about the organisation. This short period allows the interviewee to relax and be put sufficiently at ease to give their best.

### Conduct of interview

- Set questions should be asked in a manner that enables the interviewees to give of their best
- Make a note of responses to questions and/or scoring responses; this will be important if any challenge is raised
- Make a note of any supplementary questions asked during interview
- Where candidates are in possession of the recognised qualifications that meet the needs of the job description and person specification, the interview process will assist in forming a complete picture of each candidate as a prospective employee
- Where gaps are identified check whether the interviewee is prepared to undergo further training
- It is important that opportunity is taken to satisfy the interview panel that qualifications are current and that experiences gained have been with the particular age range of children that the job description requires. This must be confirmed by direct open questions linked to information already received on the application form
- Be prepared to probe for further detail
- Provide opportunities for interviewees to ask their own questions
- Alert to Subject to satisfactory DBS check. Encourage to reveal any spent convictions to discuss in advance of the DBS disclosure certificate being issued

## Making decisions

The interview panel must satisfy themselves with the integrity of each candidate based on:

- Initial assessment of the application form
- Assessment of the candidate during the practical interview
- Assessment made at the formal interview during the questioning process
- Any feedback from children involved in the process
- Proof of training awards and qualifications
- Checks to ensure that those who are offered jobs are entitled to work in the UK (see sources of further advice)



## Post Decision Making

- Any offer of a job by letter must contain reference to the terms and conditions on which the individual will be employed. It should also refer to any preconditions to obtaining employment such as the requirement for a clear DBS check, the taking up of references, satisfactory completion of a probationary period, proof of qualifications gained and proof of entitlement to work in the UK. It might also contain any policies and procedures which will be applicable to the post
- Interviewers need to be aware that candidates can obtain access to written documents about them via a subject access request under the Data Protection Act 1998, so interviewers need to bear that in mind when creating records/notes during interview
- All applications and information generated during the recruitment process should be securely kept with only limited access
- Records relating to the recruitment process should be kept for at least 12 months (even for unsuccessful candidates). If information is destroyed too early employers would find it very difficult to defend themselves against claims for unfair treatment during the selection process

This varied and planned approach to the recruitment and selection process will give employers greater confidence when making offers of employment and should reduce the risk of any discriminatory practices.

## Sources of further advice

**ACAS** – Advisory, Conciliation and Arbitration Service, aims to improve organisations and working life through better employment relations.

[www.acas.org.uk](http://www.acas.org.uk)

**Care Council for Wales**

[www.ccwales.org.uk](http://www.ccwales.org.uk)

**Care and Social Services Inspectorate Wales**

[www.cssiw.wales.gov.uk](http://www.cssiw.wales.gov.uk)

**Commission for Racial Equality**

[www.cre.gov.uk](http://www.cre.gov.uk)

**Credit and Qualifications Framework for Wales (CQFW)**

[www.new.wales.gov.uk](http://www.new.wales.gov.uk)

**Disability Rights Commission**

[www.drc.org.uk](http://www.drc.org.uk)

**Disclosure and Barring Service**

[www.gov.uk/disclosure-barring-service](http://www.gov.uk/disclosure-barring-service)

**Equal Opportunities Commission**

[www.eoc.gov.uk](http://www.eoc.gov.uk)

**Home Office**

[www.ind.homeoffice.gov.uk](http://www.ind.homeoffice.gov.uk)

## Qualifications

[www.openQUALS.org.uk](http://www.openQUALS.org.uk)

### **The UK National Academic Recognition Information Centre**

allows employers to check whether overseas qualifications measure up to the UK ones. This is useful in encouraging employers to recognise overseas workers qualifications measure up to UK ones.

[www.nairc.org.uk](http://www.nairc.org.uk)

### **Wales Council for Voluntary Action Criminal Records**

**Unit** - a DBS umbrella body offering access to DBS checks. The fully bilingual service is open to all sectors but FREE for voluntary organisations within Wales.

[www.wcva-cru.org.uk](http://www.wcva-cru.org.uk)

#### **Further copies and other formats**

Further copies of this document are available in large print or other formats, if required.

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