

Foreword

Southwark Council, the Southwark Safeguarding Children Board and the Southwark Safeguarding Adults Partnership are pleased to publish these parallel revised editions of guidance in Safer Recruitment and Safer Disciplinary Decisions.

These documents underpin the work with partners and stakeholders to provide strong leadership to local agencies in the public, voluntary, independent and private sectors to ensure that children and adults receiving services within Southwark are safeguarded.

These documents have been refreshed to reflect the changes, from September 2012, to the previous arrangements for vetting and barring which created the new Disclosure and Barring Service (DBS). The resulting change of emphasis does not reduce the need to ensure there is a proper assessment at every stage of the process to determine the suitability of people working with children and adults in positions of trust. There are further changes planned for the future (eg passporting of police checks) and guidance will be updated as they become available.

For Southwark Council managers and staff, this guidance is the Council's agreed procedure to be followed in all cases. For partner members of the Safeguarding Children Board and the Safeguarding Adults Partnership the guidance is advisory and best practice in this area and everyone is urged to adopt them.



Bernard Nawrat
HR Director, Southwark Council
Chair: Joint Human Resources Sub-Group
Southwark Safeguarding Children Board and Safeguarding Adults Partnership

May 2013

Further advice can be obtained from the Southwark Safeguarding Children Board (SSCB) or the Safeguarding Adults Partnership (SAP).

Safeguarding in Human Resource Management Recruitment & Selection

Contents

	Page
Key Points	3
1 Legal Responsibilities for Engagement & Hiring	4
2 Safer selection – Guidelines for checking/screening staff	6
3 Safer Recruitment Interviewing	9
4 Post Interview Clearances & Risk Assessment	10
5 Other considerations	13
6 Post Recruitment	15
7 Retention of documents	17
Sources of additional information	18

Appendices – Model Southwark Council HR checklists

Appendix 1

Safer Selection

Safer Selection - Information for applicants

Safer Selection References and Checks

Safer Management

Appendix 2

Questions to ask yourself at different stages

Appendix 3

Agency Workers – Strengthening Safeguards through Regulation

Appendix 4

Starters checklist

Key Points

This guide applies to all people working with children and vulnerable adults whether employed directly, or engaged as agency workers, volunteers, contractors etc. It does not provide comprehensive processes across the whole range of recruitment and selection but rather emphasises important principles and activities to be put in place to satisfy safeguarding expectations. For Southwark Council appointments detailed recruitment policy and guidance is available on the *Source*.

This guidance is about reducing risk by putting in place clear standards and robust practices to protect vulnerable people of whatever age. This means deterring and preventing unsuitable people being put in positions where they can cause harm.

At the heart of the guidance is the role of an Appointing Manager and their specific responsibilities for managing the process, risk assessment and 'sign off' of all appointments / placements.

The Disclosure and Barring Service (DBS) is responsible for processing the checks on candidates to regulated posts. It manages the police check process and the two lists of barred people. It is a requirement that those recruited to regulated posts have a DBS check. Specifically:

- All job descriptions, person specifications and selection criteria must be reviewed by the Appointing Manager prior to advertisement. This will include ensuring that documentation clearly states whether it is a regulated post.
- Appropriate selection and testing methods should be drawn up that cover all criteria relevant for the job. This should form the basis of the selection decision. Selection panel members must be suitably trained.
- A range of specific and detailed checks must be undertaken before appointment begins: DBS, barring list, references, qualifications verification, identity verification, medical fitness. All checks must be signed off by the Appointing Manager.

The appendices detailed Southwark Council's model checklists; these can be adopted / adapted by organisations for their own use.

1. Legal Responsibilities for Engagement & Hiring

The Government's stated commitment is to scale back the criminal record disclosure system to more proportionate levels whilst ensuring it continues to provide effective protection for those who need it. This is introduced through the Protection of Freedoms Act 2012, the initial provisions of which came into force from 10th September 2012.

The functions of the Independent Safeguarding Authority (ISA) and Criminal Records Bureaux (CRB) are merged into the **Disclosure and Barring Service (DBS)**. This is a public body, sponsored by the Home Office, which acts in respect of decisions to bar certain people from working with children or adults requiring medical or social care. It maintains the two barred lists which relate to work with adults and work with children whilst managing the process for police checks. Checks of these lists are made as part of an Enhanced DBS disclosure **for regulated posts only**.

Key Changes

- Proposals for all workers in controlled or regulated roles to be registered are repealed and with it the opportunity for continuous monitoring of such workers.
- The definitions of "regulated" is scaled back to cover only those who may have regular or close contact with children or adults in particular circumstances.
- The category of "controlled" activity is repealed.
- The provision of additional information under the Police Act 1997 is repealed.
- Stricter "relevancy test" in relation to the release of locally held police information is put in place.
- There are new powers to review barred status in appropriate circumstances
- Minimum age of 16 introduced for DBS applications

Not changed:

- Appropriate referrals to the DBS must continue where an individual worker or volunteer gives cause for concern.
- Requirement not to engage in regulated activity someone whom you know has been barred.
- Everybody within the pre-September 2012 definition of regulated activity will remain eligible to apply for an enhanced DBS disclosure where the employer requires them to do so by virtue of their role.

Classification of Posts

Posts are classified according to the type of work or where this is undertaken. Classifications apply to employees, agency workers and some volunteers and contractors. All posts or roles classified as "Regulated." under the Protection of Freedoms Act will require both an enhanced DBS disclosure and a check against the DBS barred lists (adults and children's). Further guidance on identifying posts which constitutes regulated activity is available via the DBS website

<http://www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/dbs-checking-service-guidance/eligibility-guidance>

Regulated activity – Broad definitions

Regulated activity is any activity which involves contact with children or adults; this could be paid or voluntary work. There is a real emphasis on employers making their own judgements about which posts are regulated and about the nature of supervision. An initial review of all posts in the organisation will be necessary to re-categorise roles and to ensure that appropriate checks are made when a post becomes vacant. Categorisation should be reconsidered at regular intervals.

For Adults' services

<https://www.gov.uk/government/publications/disclosure-and-barring-service>

- All health care professionals providing health care to adults or provider of health care under supervision of a professional
- Providers of personal care
- Those instructing or advising giving guidance in personal care to adults
- Providers of Social Work
- Assisting with cash, bills or shopping
- Assisting in conducting personal affairs
- Transporting adults to places where they receive health care, personal care or social care
- Those who supervise all the above

No “frequency” test applies to the above so there is no need to determine how often the individual is undertaking such duties.

For Children's services

<http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a00209802/disclosure-barring>

- Unsupervised activities of teaching, training, instructing, caring or supervising children or providing advice/guidance on well-being, or drive a vehicle only for children
- Working for limited ranges of establishments (“specified places”) with opportunity for contact, for example schools, children's homes, childcare premises
- These workers will be regulated only if the work is done regularly (once a week or more) or on four or more days in a 30 day period or overnight
- Relevant personal care, for example washing or dressing; or health care by or supervised by a professional, even if done once
- Registered childminders and foster carers

The definition does not apply to volunteers who are supervised, i.e.

- Supervision must be undertaken by a person in a regulated activity
- Supervision is regular and day to day
- Supervision is reasonable in all the circumstances to ensure the protection of children

2. Safer Selection – Guidelines for Checking / Screening Staff

Unsafe selection can have serious implications for the safety and security of vulnerable adults and children and potentially be extremely damaging to the child or adult. It can prove costly in real terms and extremely damaging to the employer's reputation and standing.

It is relatively easy for an organisation to make clear to applicants in its policy statements and staff selection procedures that the organisation has **an offender-aware culture**. This actively discourages offenders. The best safeguard is a high standard of management practice and quality control consistently applied at recruitment and selection and subsequently through induction, performance management, appraisal, supervision and monitoring.

All job descriptions, person specifications and selection criteria must be reviewed by the Appointing Manager prior to advertisement. This will include ensuring that documentation clearly states that it is a regulated post and if so, the requirement for a DBS check and any professional registration requirements. Applicants should be required to make a self-declaration whether they are on a barred list. Any disclosures should be considered at interview stage or through a separate discussion.

Appropriate selection and testing methods should be drawn up that cover all criteria. The aim of the selection process is to obtain key relevant and comprehensive information on all candidates by applying consistent procedures. Suitable probing during interview questioning is essential in order to elicit complete responses but this must be concerning the criteria specified. Probing applicants regarding their motivation to do the work, how they deal with difficult issues and how they maintain safe and appropriate boundaries through professional working relationships will be part of the interview for all regulated posts.

Selection panel members must be suitably competent (trained in recruitment and selection supplemented by safe recruitment briefings or training).

Relevant information for candidates

Applicants for regulated posts should be advised that:

- We will ask whether they are a barred person as per the DBS requirements.
- We reserve the right to approach any current or previous employer for a reference.
- We will ask about disciplinary offences, including those that have expired.
- The Rehabilitation of Offenders Exceptions Order applies so we will ask about 'spent' Convictions.
- We will DBS check.
- Providing false information will lead to no appointment or dismissal.
- Failing to declare conviction, caution or pending police action could disqualify the applicant for employment.
- They may be required to participate in appropriate testing e.g. group exercise, competency interview, verbal and numerical reasoning tests, Occupational Personality Questionnaire etc. as relevant to the post.
- Offers but not appointments are 'subject to satisfactory checks' i.e. no waivers and no unsupervised access to children until all appropriate checks carried out.

Recruitment and Selection Checks Overview

To increase the threshold of protection, a combination of positive selection steps must be implemented. Key ones are:

- I. All candidates must complete a written declaration on whether they are a barred person, (normally as part of the application form).
- II. Reserve the right to approach any previous employer (take up all relevant care and other references over a significant period of time; 5+ years). It is essential to cover gaps in CV / employment history (and check dates against references, pensions, continuous service etc. information) so there is a complete history on file. The Appointing Manager to identify who should be approached for references and identify any extra questions.
- III. Check with former employers the reason previous employment ended (read between the lines, record any telephone conversations and take references on internal candidates).
- IV. Identify gaps or inconsistencies in records including multiple employment; explore these in any interviews and in reference requests.
- V. If there are any areas of concern or confusion regarding suitability, once all references, DBS disclosures, qualification checks, feedback from formal interview panel, test scores and medical clearance are received, interview the individual again to resolve any gaps or concerns.
- VI. Dependent on the job, interviews should be supplemented with other appropriate selection tools. In particular, there should be considered use of occupational assessment.
- VII. Ensure that references are read and cleared by the Appointing Manager. References must be signed off following discussion with the candidate where necessary.
- VIII. Do not commence staff without references or any other essential check. If there is an urgent need to put staff in place before all checks are made, first conduct a written risk assessment and only employ on the basis that the applicant knows that their employment will cease if the safeguarding checks are not satisfactory in any way once they are received. *This is explored further below.*
- IX. Confirm person's identity through official documents (birth certificate, passport etc.). Make sure the person who starts work is the same person who attended for interview and assessments.
- X. When working in an off-site unit, ensure that identity is verified; a photograph ID card is the best method. Managers should ask for evidence of photo identity for agency workers to ensure they are the same person hired for placement. More advice on identity checks is available on the DBS web site <http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/>
- XI. Verify the authenticity of qualifications and references directly (eg telephone contact, website information, check referee is legitimate, headed paper etc.).

Insist on original documents (check registration details online). HR/support staff must scan / photocopy for file and record who saw the original and when.

- XII. The Appointing Manager is the key decision-maker who 'signs off' the documentation and clears the appointment. Where there are gaps in employment history or matters of judgement the Appointing Manager will undertake a risk assessment and identify follow-up action, e.g. more references, further interviewing, temporary restrictions on duties etc. Any such risk management decision must be written and properly and fully recorded by the Appointing Manager.
- XIII. For school teachers only (given the resignation / appointment deadlines), it is permissible for staff to begin work while awaiting a full check as long as clearance against the Children's barred list is obtained. This should be exceptional with full regard to an assessment of risk properly signed off and recorded as above.
- XIV. Rigorous management of all appointments to work with children and vulnerable adults is essential. This must include internal transfers and promotions.

3. Safer Recruitment Interviewing

For all posts with a potential safeguarding risk, an in-depth interview is required to test motivation, how they cope with difficulty and how they maintain professional boundaries. This may be in addition to the selection interview. This approach follows the principles of the Warner recommendations and the standards set out by the Department for Education Safer Recruitment guidance. Managers should become adept at testing how far the applicant is in tune with the organisational values, particularly around safeguarding.

The panel should, wherever practicable, be balanced in relation to gender and ethnicity. The panel chair will be skilled ('fit to practice') and experienced in the conduct of in-depth interviews and be familiar with the principles of safe recruitment in terms of probing motivation, values, experience of dealing with difficult situations and the capacity to maintain professional boundaries. Organisations must determine their own 'fit to practice' standards, based on guidance available (see page 18 below for useful websites) and training / competence of individuals.

The interview panel should be prepared to discuss gaps in employment and disclosed convictions sensitively and to explore where there are areas of potential weakness or areas to be explicitly followed-up, e.g. attitudes to power, authority, and abuse. The panel are likely to have available the self declaration of any criminal convictions and the results of Occupational Assessment testing.

The panel chair must ensure there is a full employment history, including part-time work, to the nearest month including gaps, and reason for leaving which can be checked against references.

4. Post Interview Clearances & Risk Assessment

For each recruitment process an Appointing Manager should be determined. Often this will be the panel chair. The Appointing Manager is responsible for the final decision, once all clearances are obtained, and where there are any doubts or deficiencies, will undertake a risk assessment (signed and dated) before confirming any appointment.

The following information should be available to the Appointing Manager in order for an informed decision-making process to take place, and before a start date is arranged and employment starts:

- Summary of interview and scores
- Feedback from testing, occupational assessment (where used)
- References (2 minimum covering last 10 years if possible)
- Medical clearance
- Qualification verification (original documentation) where a requirement of the post
- Identity verification
- Enhanced DBS check that will include check against the barred lists if post are “regulated”
- Conviction declaration / Rehabilitation of Offenders form
- Registration with professional body; verification where a requirement of the post.

The Appointing Manager to be informed of any convictions or any extra information provided by the Police, as advised by DBS. It is usual practice to record any details provided by the DBS in a letter on file, accompanied by a note of any discussion with the applicant and a clear indication of any risk assessment if there is a decision to appoint. This is especially important if the applicant had not declared a conviction. Remember a clear DBS disclosure is not a ‘clean bill of health’; it is simply a critical stage in the clearance process.

Information gained from checks against the DBS Adults’ Barred List/ Children’s Barred List is not sufficient alone. The lists have particular restrictions to coverage and will not include every individual who has been reported as having given rise to concerns that have affected employment. This emphasises the critical nature of interviewing; covering employment background and personal traits, and referencing; detailed searches of applicants’ experiences.

A checklist of all the clearances undertaken should be held on the personnel file as evidence that they have all been conducted (see appendices for model checklists). Retention of information is important, for example, for posts in schools, a spreadsheet containing this information for all staff will be required by Ofsted inspectors as a “Central record” that all clearances are in place.

Medical clearance

Care should be taken not to ask questions about health prior to a conditional offer of employment as this could be deemed as discriminatory.

Ensure reference requests seek detailed sickness absence over a specified period of time (minimum 12 months of employment). Where an Occupational Health Service is utilised, they should be provided with sickness history alongside medical

questionnaire, job description / person specification and any information disclosed about disability / reasonable adjustments. If references indicate high level of sickness, investigate this thoroughly, taking expert advice as necessary.

Any decision to withdraw an offer due to unsatisfactory checks (e.g. references) must be made by the Appointing Manager following advice from HR / legal so implications are understood and risks mitigated.

Risk Assessment

Where there are gaps in information, concerns or matters of judgement, the Appointing Manager will undertake a risk assessment to determine whether the appointment should proceed or the offer is withdrawn. The Appointing Manager will weigh up the information available and consider whether further information / advice is required, whether the safety risk is small or can be mitigated by temporary work restrictions. Advice from HR should be sought on potential employment rights matters (for example if a temporary contract is envisaged).

As a rule of thumb, any risk must be judged by a sense of reasonable action to avoid the risk arising and should be mitigated so it becomes negligible. Generally risks should be avoided, and never be unmanaged.

All risk assessments should clearly identify necessary actions, be time-bound and reviewed by the Appointing Manager within the period identified.

The Appointing Manager must 'sign off' the documentation and clear the appointment for processing. The Appointing Manager will be held accountable for this decision.

References; extra advice

The minimum requirement is for at least two relevant references (not friends or relatives). Key reference to be from the last employer or one most relevant for position (as a general rule, check for regulated posts working with young people or adults over the last 10 years). If there are concerns about past employment record, any number of previous employers should be contacted for reference. Notes of any telephone discussions should be kept and filed / scanned on relevant personal/ recruitment files.

Care should always be exercised in reading references – some of which may be 'agreed' following Employment Tribunal decisions or as "Compromise Agreements"; some may be evasive and not addressing contentious issues; and some may not be from authorised sources. Always seek further information if it is felt questions have not been answered.

HR or support staff, generally, hold the responsibility to send the standard pro-forma or customised reference request, including copy of job description and person specification for the relevant role. This should accord with Department for Education guidance which recommends specific questions about the applicant's performance history, strengths and weaknesses and disciplinary history – including expired sanctions. Where recruiting managers undertake this task the same process must apply. Referees should be reminded of their legal liability and duty of care to ensure that the reference should contain no material misstatement or omission.

Important points to bear in mind when receiving or giving references:

- The Appointing Manager should agree (with HR/support staff) who should be approached for references having regard to any gaps in employment or issues arising from interview, that need further enquiry
- Personal references are of limited value and should be treated with caution. They should not substitute for minimum 2 work references
- Managers are entitled to make appropriate enquiries about anything in a reference that requires investigation and to take this into account when making decisions on employment. If necessary, customise reference requests to deal with particular issues.
- The requirement on a prospective employer is to consider, in good faith, whatever references are received and to judge whether they are satisfactory or unsatisfactory. If this is followed and the Appointing Manager decides that the reference is unsatisfactory, a decision to withdraw the job offer is unlikely to be challenged successfully. No inhibition exists to restrain the employer from making further and appropriate enquiries of the provider of a reference, the applicant for the job or anyone else deemed relevant
- A key lesson from experience (Richard Inquiry) is that Managers should not accept open or 'To whom it may concern' references.
- All contacts should be documented and held on file, to which the employee or prospective employee has access,
- References should be checked against application forms to verify dates of employment.
- The reference request should clearly identify that the applicant is to work with children or adults in a regulated capacity and should ask directly if the referee knows of any reason why they should not do so.
- Managers should read between the lines, and if the content is ambiguous or unguarded, seek expansion by telephone and take a note of it.
- References must be signed by the author. E-mail references may be accepted but sender e-mail address must tie up with the person providing the reference and be from a verifiable source, e.g. from a local authority / company e-mail address not a personal e-mail account.
- College tutors may be suitable referees for those applying immediately after completing a relevant course or with little or no work experience.

5. Other considerations

Overseas workers

Extra care needs to be taken where candidates are from overseas as detailed verification may be difficult to obtain and where they are new arrivals they have no track record of relevant employment.

These workers must still be checked in accordance with DBS requirements and utilise all available avenues to check candidate's background: the DBS website details the availability of criminal records from overseas.

The DBS also provides an Overseas Information Service, which will provide employers with details of the information that applicants may be able to obtain from their country of origin. This may involve obtaining a translation of the information that comes back.

The Health Care Professional Council (HCPC) www.hpc-uk.org has an international application pack to consider applications for registration for social care and health workers.

Special efforts need to be made to ensure that reference sources are reliable, employment history is break-free or explained, and supplementary references should be obtained in order to produce a proper historical work, training, etc picture.

For potential appointments the Appointing Officer must take care to ensure sufficient breadth and depth of information is available to make a safe decision.

Agency Workers / Contractors

Recruitment processes should be rigorous for all who work with children and adults for health or social care purposes; this includes all agency and temporary staff, volunteers, escort and transport agencies, students on placement. Other people who may be on the premises and who have access to children eg consultants, independent visitors, contractors and Councillors, may require a DBS disclosure, but only where they meet the criteria for regulated posts (See section 1).

Thorough and probing interview techniques, as described in the Department for Education Safer Recruitment Guidance, testing motivation and attitude should be used. In short, selection process and checks should be as rigorous as for permanent recruitment.

In using agency staff, managers are relying on the agencies to apply the proper selection and checking arrangements on their behalf. Passing responsibility on in this way, entails risk and organisations need to ensure they use agencies who have rigorous processes in place and that these are audited to ensure compliance in all cases.

Southwark Council has minimised the risk by using the approved agency service provider who is contractually responsible for vetting candidates to high-risk positions and auditing vendor agencies. This will include ensuring that agencies check whether an agency worker is a barred person under DBS requirements. All vendor agencies providing social care, and other staff with access to children and vulnerable adults, will have a specific service agreement, which outlines their responsibilities and the expectations placed upon them when proposing workers for placement.

Failure to reach quality standards will result in removal from the approved list of suppliers. The service provider will monitor / audit these agencies quarterly to ensure quality standards are maintained. Corporate HR will review and periodically check the audit reports for agency screening / checking arrangements.

Some job types will be identified as 'high risk' posts (i.e. those with direct care responsibilities). In those cases the Service Provider will undertake sight of documentation before workers will be put forward for selection. Documents include:

- Professional references – 2 minimum (not 'To Whom It May Concern')
- Identity checks
- Professional registration checks
- Qualification checks necessary for the job.
- Enhanced DBS check
- Overseas police check where appropriate.
- Medical clearance

The Service Provider will hold documents and supply them as requested. Normally this will include uploading documents for hiring managers to scrutinise and the hiring manager is responsible for ensuring that they have satisfied themselves that the documentation meets requirements. Where necessary hiring managers must undertake a risk assessment where there is an urgent need to secure agency staff before all checks are in place. The risk assessment should be kept regularly under review at minimum monthly.

Through procurement rules, all contractors who provide services which would fall under the safeguarding umbrella must be required to follow appropriate checking procedures. As contracts are renewed, these requirements need to be written into contract documentation. Where services are being subcontracted, managers need to be confident that safeguarding principles are being upheld throughout the provided service.

6. Post Recruitment

Induction

The introduction of a new member of staff to the organisation begins at the recruitment stage, when messages about being a 'Safe Organisation' are first given. Safe organisations build upon this through the selection process and when the new person starts work as part of induction.

Induction ranges from the provision of basic knowledge about the employing organisation its personnel policies and procedures, conditions of service, health and safety and environmental issues, through to the knowledge, standards and skills required to function effectively in the particular role and service.

Relevant induction materials need to be developed and provided in writing, ideally with a confirmation checklist. Induction should be planned in advance and include clear statements / evidence of the specific safeguarding materials relevant to the particular recruit as relevant to the work s/he will actually do. Induction, work plans and supervision programmes should also be advised by the information gained from the recruitment process.

The general safeguarding induction pack is likely to comprise relevant information on all the organisation's policies and procedures, including those relating to safeguarding, child and adult protection, internet safety, bullying, discrimination, respect at work, Code(s) of Conduct, whistle blowing, disciplinary rules, details of any confidentiality policies, data protection and risk assessment.

Additionally, specific organisational standards, service handbooks and service specific rules may be relevant, including guidance on boundaries, intimate care, physical intervention, drugs, alcohol, best practice guidelines; procedures for reporting concerns, suspicions and allegations. Those working in multi-agency teams may need to be aware of partner organisations operating procedures and rules. Whilst induction arrangements must differ between staff and agency workers (non-employees) all those involved in the provision of safeguarded services under the direction of the responsible organisation must receive induction on standards, guidelines and relevant processes.

Generally, managers need to ensure there are good induction systems and ongoing training / updates / continuous professional development for staff in quality standards for child / adult protection. Learning & development outcomes should be evaluated. There needs to be clear access to guidance and procedures for child and adult protection and awareness of local protocols and systems for information sharing and referral.

Training needs for all new staff need to be established and learning & development put in place.

As part of induction a clear job / role description must be given detailing responsibilities and highlighting all relevant reporting structures and procedures.

Individual supervision, one to one and appraisal sessions should be diarised at regular intervals.

In front line services, there needs to be clear expectations on staff with regard to personal conduct and promoting the well-being of children and adult service users,

specifically the behaviour expected of adults who work with children and vulnerable adults. Initially a period of closer supervision / observation or mentoring could be introduced to support the new employee.

Overall, managers need to work to develop a safe culture that embraces safeguarding and communicates a clear framework of awareness. This involves providing staff with opportunities to reflect on practice and feel able to self-report and challenge others. Working towards staff thinking 'what if I'm right?' rather than 'what if I'm wrong?'

Management & supervision

The standards of rigorous management and attention to individuals' learning and development established during the induction phase need to continue into ongoing management.

Application of performance management; through work planning, identification of learning & development and performance reviews provide a structured approach to evaluating individuals' performance, recognising changing demands and reinforcing messages on safeguarding. The management of disciplinary matters is described in the accompanying document *Safer Disciplinary Decisions*, which includes occasions where referral to the DBS is required.

As well as managing performance, employers retain responsibility post recruitment to ensure that people are eligible to practice and that periodic checks are made via DBS routes. Checks on professional registration and the frequency of DBS re-checks will be determined in accordance with the relevant professional body.

Staff should be told that any police or criminal law related activity that occurs during employment should be reported to their manager at the earliest opportunity so that the potential risk posed can be assessed and any management action which may be necessary considered. This will include police arrest, charge, caution, conviction or bind over.

7. Retention of documents

Southwark Council and other Registered Bodies must be compliant with various legislative requirements governing the management of data/ records.

Guidance from the DBS is to destroy disclosure documents no longer than six months after they have been received, but the record of receipt, reference number, and any decisions should be retained and recorded.

Care providers need to keep evidence of DBS processes having been undertaken for each Care Standards' Inspection so that the inspectors can ensure that the service is following correct recruitment procedures.

In educational establishments there is a requirement to hold a central record of all safeguarding recruitment checks for Ofsted inspection, including dates and numbers of DBS checks.

Details of discussions with staff about criminal or other declarations must be retained on personal files confidentially.

All other applicant related documents should be retained on personal files.

Sources of additional information

Home office

<http://www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/dbs-checking-service-guidance/eligibility-guidance>

Department of Health

<https://www.gov.uk/government/publications/disclosure-and-barring-service>

Department for Education

<http://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/a00209802/disclosure-barring>

Southwark Council: HR Policies and Procedures

Southwark Council's HR Policies and Procedures are found on the *Source*. This is comprehensive and outlines what should and what should not be done as well as a wealth of guidance to help managers undertake their people management responsibilities.