

Cabinet
15th April 2024

EMPLOYMENT SAFEGUARDING (REVISED AND NEW POLICIES / GUIDANCE)

Purpose: To ensure that our guidance and safeguarding policies are reviewed and updated

Recommendations / key decisions required:

To agree revised DBS Guidance, updated to include revised process around risk assessments and escalation process for non-compliant recruiters.

To agree for the following policies to continue to Cabinet for adoption:

1. Safer Recruitment
2. Recruitment of ex-offenders

Reasons:

1. To address identified gaps in employment policies and to strengthen guidance for managers.
2. To tighten our approach to non-compliance in relation to pre-employment DBS checks
3. To require staff working in regulated services to declare any criminal records on an annual basis or when convicted
4. To improve clarity of responsibilities and documentation of decision making

Cabinet Decision Required YES

Council Decision Required NO

CABINET MEMBER PORTFOLIO HOLDER
Councillor P Hughes (Organisation and Workforce)

Directorate:	Designations:	Tel:
Name of Head of Service: Paul Thomas	Assistant Chief Executive	Email addresses: PRTomas@carmarthenshire.gov.uk
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Executive Summary

Subject: EMPLOYMENT SAFEGUARDING (REVISED AND NEW POLICIES / GUIDANCE)

SUMMARY OF PURPOSE OF REPORT.

- To agree revised DBS Guidance, updated to include revised process around risk assessments and escalation process for non-compliant recruiters
- To agree for the following policies to continue to Cabinet for adoption (these have already been approved by CMT):
 1. Safer Recruitment
 2. Recruitment of ex-offenders

DBS Guidance

This more detailed guidance was updated following an audit undertaken by our Employment Safeguarding Officer and after consultation with managers and other key stakeholders including the Disclosure and Barring Service. The Corporate Safeguarding Group has also made further revisions to ensure that the recent recommendations from Wales Audit are taken account of.

The key changes are:

- Annual Self declaration of convictions for staff working in safeguarding roles;
- Signposting to HR for advice in relation to starting an employee without a DBS check (whilst waiting for the DBS check to be processed) – on an exceptional basis only;
- Improved escalation process for schools/recruiting managers who fail to complete DBS checks or conduct a risk assessment prior to the employee's start date;
- More detailed guidance on assessing a job's eligibility for a DBS check.

Safer Recruitment Policy

This Policy focuses on all stages of the recruitment process from ensuring safeguarding responsibilities feature in all job profiles to the importance of completing pre-employment checks and induction. This Policy consolidates and replaces current guidance.

Recruitment of Ex-offenders

This Policy brings together existing guidance and complies with the DBS Code of Practice for employers who undertake DBS checks. It sets out clearly the responsibilities of the employer and prospective employee and will be made available to all job applicants.

1. OTHER OPTIONS AVAILABLE AND THEIR PROS AND CONS

Other options available include:

2.1 No change.

This option offers no advantages and fails to address issues which have been identified by Internal Audit, the Disclosure and Barring Service, Safeguarding leads and managers within the Authority.

2.2 Introduce new policies and guidance

This option provides for more support and comprehensive guidance to be available to managers, employees, and job applicants, sends a much stronger message on safeguarding being everyone's responsibility and closes policy and guidance gaps which may have existed previously.

DETAILED REPORT ATTACHED?

No, 3 appendices only



Recruitment of
Ex-offenders Policy dr



Draft Safer
Recruitment Policy v6



DBS Guidance v3
Nov 23.docx

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Paul Thomas, Assistant Chief Executive

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets	Bio-diversity & Climate Change
YES	YES	NONE	YES	YES	YES	NONE	NONE

1. Policy, Crime & Disorder and Equalities

- The recommendations are in line with published policy and strategic direction of the authority, in particular the Corporate Strategy and Well-being Objectives.
- The recommendations include the adoption of new draft HR policies - Safer Recruitment and Recruitment of Ex-Offenders and revised, more comprehensive DBS Guidance for Managers.

2. Legal

The Authority must comply with the following legislation, regulations, and statutory guidance in relation to recruitment and employment practice:

- Safeguarding Vulnerable Groups Act 2006
- Keeping Learners Safe (2022), Statutory Guidance in Wales
- Staffing of Maintained Schools (Wales) Regulations 2017
- Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017
- Wales Safeguarding Procedures
- DBS Code of Practice
- DBS Guidance for Employers

4. ICT

- The recommendations may include some modifications to Resourcelink / My View.

5. Risk Management Issues

Comprehensive policies and guidance for managers, employees and job applicants provides a framework within which the Authority can promote safeguarding as a priority and ensure consistency which, in turn, reduces risk in its recruitment and employment practices.

7. Staffing Implications

Development of Resourcelink/MyView will need to be built into the Resourcelink Team's work programme.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: Paul Thomas, Assistant Chief Executive

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee request for pre-determination	NO
If yes include the following information: -	
Scrutiny Committee	
Date the report was considered:-	
Scrutiny Committee Outcome/Recommendations:-	

2. Local Member(s)

n/a

3. Community / Town Council

n/a

4. Relevant Partners

n/a

5. Staff Side Representatives and other Organisations

n/a

CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED YES	Include any observations here
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**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection