

Safer Recruitment and Vetting Policy

1. Introduction

The Open University recognises and implements its duty of care in ensuring a safe study environment in accordance with current safeguarding legislation and guidance in England, Northern Ireland, Scotland and Wales.

The University commits to make all reasonable efforts, through its recruitment procedures, to ensure that all prospective/current members of staff whose role involves specific activity with children and/or vulnerable adults are suitable for the position, in line with the University Safeguarding Policy, relevant UK legislation and best practice across the higher education sector.

The University is committed to safer recruitment practices and to ensuring that consistent processes are followed when obtaining and evaluating information in relation to applicants for job roles. The objective of the Safer Recruitment and Vetting Policy is to protect the University, its staff and students, by verifying that all applicants appointed to specified roles are confirmed as being suitable.

2. Scope

All safer recruitment, background and vetting checks undertaken will be aligned to the requirements of the specific role, therefore this policy applies to:

- investigations relating to the background of external candidates' as part of a recruitment process
- additional vetting checks undertaken in relation to existing staff, where this has become a requirement for the role
- full-time and part-time, paid and/or unpaid positions, plus Associate Lecturer and postgraduate research positions

The policy sets out guidelines for carrying out all required disclosure and barring service (DBS), police vetting and any-other background checks (i.e. Disclosure Scotland Service, AccessNI and National Vetting Bureau), providing clearance to undertake specific roles.

The University wishes to ensure that a fair, consistent and sensitive approach is adopted in relation to all employment vetting and commits to fully comply with legal guidelines. The University is supportive of individuals throughout the vetting process. Examples of disclosure services, background and vetting checks that may be commissioned by the University include, but are not limited to:

- The Disclosure and Barring Service (DBS)
- Disclosure Scotland Service
- AccessNI
- National Vetting Bureau
- National Police Personnel Vetting (NPPV)

3. Safeguarding children and young people

The University commits that all staff who are working with students under the age of 18 years of age will have passed a safer recruitment check, such as an enhanced Disclosure and Barring Services (DBS) check.

4. Disclosure services, criminal records and vetting checks

The Disclosure and Barring Service (DBS) helps employers to make safer recruitment decisions by processing and issuing DBS checks for England, Wales, the Channel Islands and the Isle of Man. The DBS also maintains the adults' and children's Barred Lists and makes considered decisions as to whether an individual should be included on one or both lists and barred from engaging in regulated activity.

The University will establish the required level of DBS check against the DBS eligibility criteria. Where an enhanced DBS check is required it will be considered whether this should be in relation to the adult' or children's barred lists, or both and any barred lists. The DBS, plus the equivalent organisations in Scotland and Ireland, will be commissioned by the University to conduct a range of background checks which the University may need to instigate. These checks may be attained via an umbrella organisation.

There may also be the need for other checks in relation to specific job roles, for instance criminal record checks and Non-Police Personnel Vetting (NPPV) checks.

The purpose of NPPV checks is to provide a means of ensuring that people with physical or remote access to police data have been assessed as to their reliability and integrity and thus suitability for clearance. In such cases, the post-holder will be processing sensitive, personal, special category, and restricted data. The required level of clearance for an NPPV check will be determined by; the remit of the position, any access to restricted (or higher) security classification and confidential data and/or access to systems, assets and premises by the postholder.

As an organisation using external services to assess the suitability of postholders or applicants for positions of trust, the University commits to comply fully with the relevant Codes of Practice and its obligations under data protection legislation plus any other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information.

5. Providing consent

Written consent will always be required before any safer recruitment, background or vetting checks can take place. Any resulting offers of employment will be subject to the receipt of an outcome which is satisfactory and acceptable to the University.

In the case of existing staff, where a check is required to continue in the current position, the individual will be invited to undergo a safer recruitment check, although this will not be mandatory, and they may choose to decline. In the case of an existing staff member who decides not to provide consent, or where consent is provided but the outcome confirms that they are not suitable for the role, the situation will be managed on a case by case basis, by the Unit and People Services. The outcome of each case will be dependent upon the specific circumstances and implications. Further details are available within the Safer Recruitment and Vetting Procedure.

6. Equality, diversity and inclusion

Policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

7. Useful references

Procedure for Staff Members Requesting Access to Personal Information held by People Services

Authorisation Form for the Release of Personal or Sensitive Data

Recruitment of Ex-Offenders Policy

Safeguarding Policy

DBS Code of Practice

Disclosure Scotland Code of Practice AccessNI Code of Practice

National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016