



# **Safer Recruitment and Employment Practice Guidance**

**(This practice guidance is in line with similar guidance issued by  
Kent Safeguarding Children Board)**

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## 1. Introduction

- 1.1 Organisations that provide services to children have a responsibility to incorporate measures that help deter, reject or identify people who might abuse children, or be otherwise unsuited to work with them, in their recruitment and selection procedures and other human resources (HR) management processes. Making safeguarding and promoting the welfare of children an integral part of HR management in organisations that work with children is an essential part of creating safe environments for children.
- 1.2 This was emphasised by the recommendations of the Warner Report "Choosing with Care" which, in 1992, examined recruitment and selection in residential children's homes, and more recently in 2004 in Sir Michael Bichard's Inquiry into the Soham case.
- 1.3 The Bichard Inquiry highlighted flaws and shortcomings in the recruitment process that allowed Ian Huntley to be employed as a caretaker at Soham Community School, despite the fact that he was known to have had a number of sexual "relationships" with a number of girls under the age of 16 (for which he was not convicted), whilst he was resident in another county.
- 1.4 Safer recruitment is also a strand of the safeguarding element of the Government's Every Child Matters agenda and the Children Act 2004. Under section 11 of the Act, the local authority, NHS Trusts, the police, probation and prison services, youth offending services, secure training centres and Connexions have a statutory duty to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. This includes, "robust recruitment and vetting procedures should be in place to prevent unsuitable people from working with children". The same requirements under s11 are specified for educational establishments under s175 and s157 of the Education Act 2002. In addition, the guidance on Local Safeguarding Children Boards established as a statutory function the need to develop policies and procedures in relation to the recruitment and supervision of those who work with children.
- 1.5 In addition to those agencies that have statutory duties to safeguard and promote the welfare of children, Working Together to Safeguard Children (HM Government April 2006) states that "all agencies and individuals should aim to proactively safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced" (p35 para 1.21). In order to demonstrate their commitment to safeguarding, the guidance suggests that all organisations that provide services or work with children and young people should:

- Have senior managers that are committed to children's and young people's well-being and safety
  - Be clear about individuals responsibilities to safeguarding children and promote their welfare
  - Have effective recruitment and human resources procedures, including checking all new staff and volunteers to ensure that they are safe to work with children
  - Have procedures in place for dealing with allegations made against staff and volunteers
  - Ensure that staff are adequately and appropriately trained
  - Have procedures in place about how to safeguard and promote the welfare of children.
- 1.6 The Child Care Act 2006 and the implementation of the Foundation Stage (which effectively replaces the National Minimum Standards in 2008) place a specific duty on Early Years Providers to adopt Safer Recruitment procedures.
- 1.7 Vetting individuals who come into contact with children and young people through their work and barring those who are unsuitable to do so plays a critical part in safeguarding children, but it is only one element of a much wider picture. Safeguarding children requires broader action. Alongside CRB checks, settings where staff come into contact with children must endorse safer recruitment policies and procedures and maintain a culture of vigilance about risks to children and clear understanding about appropriate interaction with children, challenging unacceptable behaviour, providing examples of good conduct and ensuring children and young people know where to turn to if they have problems or are being abused.

## 2. Vision

- 2.1 It is the MSCB's vision that children in Medway will be safeguarded through the commitment of partner agencies to the implementation of a set of core safeguarding employment standards, as a part of their broader commitment to safeguarding children and promoting their welfare. This vision is based upon the premise that all employers will have an explicit written recruitment and selection policy statement and procedures that comply with national and local guidance. The statement should detail all aspects of the process and should link to their child protection policy and procedures. However, policies and procedures must be accompanied by the creation and maintenance of a safe working culture within each organisation so that every worker, paid and unpaid, understands not only their duty of care but also the behaviours which constitute safe practice and those which should be avoided

### 3. Scope of Guidance

- 3.1 This Practice guidance is applicable to all agencies within the public, private and voluntary sector whose paid or unpaid staff may come into contact with children through the direct delivery of services. Minimum standards must be adhered to for all appointments of staff including volunteers, school governors, Committee Members who have:
- Direct access to children
  - Supervisory or management position relating to staff who have such access
  - Managerial capacity that enables them to influence the formation of services to children
  - Positions that enable access to sensitive or personal information relating to children and families (e.g. Contact Point).
  - Unregulated activity with children and young people (e.g. Language Schools, Sport and Leisure facilities etc.)
  - Employment / Supply agencies that provide staff to work with children.
  - Those responsible for commissioning services for children from the independent and voluntary sector must ensure that organisations have appropriate Safe Recruitment and Employment Procedures in place prior to contracts being agreed.

### 4. Developing a Safe Culture within Organisations

- 4.1 All agencies and organisations that work with children have a duty to set standards of safe working practice and raise awareness of safeguarding issues within the workforce. All staff need to receive formal induction training on what constitutes a safe working culture and be familiar with procedures that advise what they should do if they have a concern.
- 4.2 The Agency / Organisation should have in place:
- **Safe Recruitment and Selection Policy and Protocols**
  - **Complaints Procedures**
  - **Whistle Blowing Procedures**
  - **Procedures for Managing Allegations Against Staff**
- 4.3 Such procedures provide a strategic organisational framework that is both informed and transparent. When understood and put into practice such procedures should help to prevent the appointment of unsuitable people or help to identify and address the concerns posed by those who show the potential of risk to children and / or question the integrity of the organisation.

## 5. Safe Recruitment and Selection Policy and Procedures

### A Safe Recruitment and Selection Policy Statement

5.1 This should declare the organisations commitment to safeguarding and promoting the welfare of children and young people and how the recruitment and selection processes applied by the organisation proactively supports this commitment, for example

*"This authority/organisation/school/charity/ is committed to safeguarding and promoting the welfare of children and young people and engages with children and staff in policy and practice developments. We expect all staff and volunteers to share in this commitment"*

5.2 It is consistent with national recommended practice for such a statement to be included within:-

- Publicity Material
- Recruitment Website (where appropriate)
- Job advertisements
- Candidate information packs
- Job description
- Person Specifications
- Competency Frameworks
- Induction Programmes
- Equality Impact Assessment

5.3 It is also good practice to ensure that each employee's specific duty of care and personal responsibility for safeguarding and promoting the welfare of children and young people is built into Codes of Practice, Contracts of employment and Disciplinary procedures

#### **Publicity material, advertising and candidate information packs**

5.4 It is important to send the right message within advertising and information to candidates, reference should be made to the requirement of employers to obtain a Criminal Records disclosure via the CRB, including checks against the statutory lists. This enables candidates to make informed decisions about whether or not they wish to apply and more importantly, may deter unsuitable applicants from applying.

5.5 Adverts should also convey that the employer views safeguarding children as paramount within the organisation's culture.

5.6 It is essential that adverts consider the ethos of the organisation in relation to equality of opportunity and disability discrimination legislation.

- 5.7 Information should be included about the organisation's policy and practice in relation to safeguarding and promoting welfare in the information supplied to applicants. In particular, an explanation that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that applicants are required to disclose details of any criminal convictions, cautions or bind-overs they may have incurred, and the fact that the successful applicant will be required to obtain a CRB disclosure at the appropriate level.
- 5.8 Research confirms that abusers will be deterred if they believe an organisation is alert to safeguarding issues and has appropriate policies in place.

### **Job Descriptions:**

- 5.9 Job descriptions should clearly state the
- Main duties and responsibilities of the position
  - Clear expectations and post-holders individual responsibility for promoting and safeguarding the welfare of children – whether that be ability, experience, training or attitude or a mixture of these.
  - Line Management accountability for supervision and performance.
- 5.10 In an organisation that provides services for children, everyone in the organisation has a responsibility for safeguarding in some way. The actual nature and degree of responsibility will vary according to the role, so for example it will be different for a caretaker as distinct from a youth worker; even so, everyone will have some responsibility in that area.

### **Person Specifications**

- 5.11 Person specifications should:
- Clearly convey the selection criteria against which the applicants ability to do the job will be assessed
  - Contain selection criteria which specify the experience, skills, qualifications and personal qualities required
  - Explain how these requirements will be tested and assessed during the selection process. I.e. by interview, tests, presentations, observation of group exercises etc.
- 5.12 It is vital that candidates are aware that, in addition to their ability to perform duties of the post, selection will consider their personal suitability for the role. This includes their:
- Motivation and suitability to work with children

- Attitude towards the use of authority and control
- Integrity and ability to form and maintain appropriate professional relationships with children
- Emotional resilience when working with challenging behaviours and situations

5.13 It is recommended that the selection criteria, including those relating to personal qualities, should be defined through competencies as this provides increased opportunity to test behaviours and allows for a more objective, evidence-based approach to selection.

### **Application Form**

5.14 It is **not** good practice to accept a CV in place of an application form because this will only contain the information the applicant wishes to present. Application Forms allow for a common set of core data from all applications that can then be used as a part of full vetting and verification of short-listed candidates. Application forms also allow for a signed declaration to be made that the information that is included on the form is true.

5.15 Employers should be aware that serious deliberate fraud or deception in connection with an application may amount to a criminal offence (obtaining pecuniary advantage by deception). Any case involving false declarations on an application form should be reported to the Police and the Secretary of State and could lead to summary dismissal.

5.16 Essential information requested as part of the application should include:-

- Full identifying details including current and former names, current address and National Insurance Number (verification of identity and CRB disclosure request can be completed on the day of interview).
- Academic and Vocational qualifications, including awarding body, name of institution and date (original certificates should be evidenced).
- Full employment history since leaving school, including reasons for leaving (any gaps in service or anomalies to be pursued)
- All training post education including dates and awarding bodies.
- Declaration of any family or close relationships to existing employees or employers including councillors, governors, trustees
- Details of at least two referees. One from current or from most recent employers must be pursued (see Section 11 References)
- Explanation that the post is exempt from the Rehabilitation of Offenders Act 1974 and therefore all convictions, cautions and reprimands including those regarded as 'spent' and 'pending' must

be declared. It should require a signed statement that the person is not on List 99, or POCA, is not disqualified from work with children or subject to any sanctions imposed by a regulating body, such as the General Teaching Council (GTC), General Social Care Council (GSCC). (NB this will be reviewed following changes brought about by the formal implementation of the Independent Safeguarding Authority (ISA) in Autumn 2009)

- Signed declaration that all information is true

## 6. Scrutinising Applications and short listing candidates

- 6.1 It is important that organisations are objective in their short-listing of candidates who meet the person specification. It is therefore good practice to have at least two people involved in the process of scrutinising applications and short-listing candidates. This means that subjective judgements can be avoided and it is much less likely that something will be missed if two people separately scrutinise the applications.
- 6.2 This process may take some time, but it is important that adequate time is allowed to scrutinise applications carefully, returning any forms not fully or properly completed and identifying any gaps in the person's history or any discrepancies or inconsistencies.
- 6.3 The same criteria from the person specification to each applicant should be applied consistently.

## 7. Interviewing

- 7.1 It is important not to rely on an unstructured or unplanned interview as they only tell you limited information, and often what a candidate wants to tell you or how he or she wants to be seen. You need to plan each interview and ask probing questions to get relevant information.
- You should explore not just someone's previous experience of working with children (if any) or their relevant qualifications or skills, but also if they are the right person with the right attitudes and motives to work with children. There is no point having a very qualified teacher, youth worker or nursery nurse if they dislike children or do not have the right motives for working with children.
  - Ideally assessors and interviewers should be well briefed and trained. This is not always possible due to lack of resources, but the least that should happen is that those involved in a selection process should be involved in the planning and be clear on what they are required to do.

- Probe gaps, frequent changes in employment, and any vagueness or areas of concern.
- You can't properly assess how well someone interacts with others by asking them to tell you as no one will say that they can't do it. Role plays and group exercises are really useful ways of assessing this.
- Involvement of children in selection processes can be really powerful and useful but must be well planned.
- Warner-style interviews (Warner Report, 1992) probe attitudes and motives and not just skills and experience.
- You should ensure that any agencies you use to provide staff or volunteers use the same standards and apply them rigorously when recruiting people. Remember that agency staff and volunteers will have the same access to children as people you recruit and may also be a risk to children.
- Interviews should always be conducted by at least two people
- Give and receive information
- Clearly document decisions
- Beware of prejudices and discrimination

## **7.2 Possible questions to ask at interview:**

- Have you ever felt uncomfortable about a colleague's behaviour towards children in a previous job? What were your concerns, what did you do, and how was the issue resolved?
- Safeguarding children is an important part of our work? Can you give me some examples of how you would contribute to making the organisation a safer environment for children?
- Tell me about a time when a child or young person behaved in a way that caused you concern. How did you deal with that? Who else did you involve?
- Why do you want to work with children? What do you think you have to offer?
- Give an example of how children have benefited from contact with you.
- Bullying is often a serious issue that has to be dealt with in all areas of work with children. In your experience what is the best way to deal with it?
- How did your previous organisation tackle the problem?

## **8. Vetting Arrangements following interview**

- 8.1 All organisations should carry out the mandatory check of List 99 and / or the Protection of Children Act List (POCA) for the previously defined posts

- (It is an offence to employ an individual who is the subject of a Barring Order). These can be carried out in conjunction with the **Mandatory** enhanced disclosure via the Criminal Records Bureau (CRB).
- 8.2 Research demonstrates that many individuals who pose a risk to children will not have any convictions or barring orders, so it is essential that robust checks of employment history and references from previous employers are obtained. **Testimonials presented by the candidate should not be accepted.** Any breaks in employment or anomalies should be actively pursued with the individual.
- 8.3 Soft information that may be disclosed as part of the CRB enhanced disclosure (e.g. no conviction but individual was subject of Section 47 investigation) must be discussed with the candidate before an informed decision can be taken on their suitability to work with children. In such circumstances organisations should consult with the LADO and / or their HR provider.
- 8.4 Overseas Candidates:** Employers need to ensure that overseas candidates have the legal right to work within the UK and verification of identity is essential. Once this has been established applicants from overseas should be subject to checks other than CRB which would not generally show offences committed by individuals whilst living abroad (other than Service Personnel and their families). In these circumstances employers should seek to obtain a certificate of good conduct from the relevant Police force or Embassy in their country of origin and candidates can request such disclosure themselves which should be followed up by employers. Further information regarding the overseas information service can be obtained from [www.crb.gov.uk](http://www.crb.gov.uk) or telephone CRB Enquiry line on 08700 100
- 8.5 It should be recognised that the new Vetting and Barring scheme as defined by the Vulnerable Group Act 2006 is likely to be implemented in Autumn 2009 and this will require that all professionals working with children, including those employed in an advisory capacity, will be required to register as part of the scheme. The scheme will be administered by the Criminal Records Bureau. Further details can be obtained from the Medway Safeguarding Children Board website ([www.msbc.org.uk](http://www.msbc.org.uk)).

## 9. References

- 9.1 Obtaining and checking references for people seeking work with children  
References are often thought of as something of a formality. They are

frequently regarded as one of the post-interview checks made after a decision about who is to be offered the post has been taken. There is an unstated assumption in this that references are unlikely to reveal any information that will help the selection process or anything that is detrimental to the applicant. That can be the case if references are only used to confirm details of a person's present or previous job, or to obtain general testimonials about the person's character. However, it is considered to be bad practice where people are seeking work with children. Experience shows that how a person has behaved in the past is one of the most reliable indicators of how he or she will behave in the future. It is vital therefore that references on people seeking work with children are seen as, and used as, a tool to obtain relevant information to guide decisions about selection.

- 9.2 Making sure that references are obtained on shortlisted candidates at the right time, from the right people, and asking for specific, relevant information, will play an important part in the selection process. This will help the organisation to ensure that it selects someone who is suitable to work with children and avoid taking on an unsuitable or dangerous person.

**Who should be asked to provide a reference?**

- 9.3 If an applicant has worked with children previously, whether on a paid or voluntary basis, at least one reference should be obtained from the person or organisation that employed the applicant in work with children even if that is not the applicant's current or most recent employer. That may mean requesting an extra reference where the person is not currently employed with children.

**What should referees be asked?**

- 9.4 All requests for references should enclose a copy of the job description and person specification. It should also ask for the referee's opinion about how the person meets the requirements of the specification, and his or her capacity to carry out the duties set out in the job description. Every request should also ask the referee to state whether they are aware of anything that might give rise to concern about the person's suitability to work with children and, if so, to provide details. Those questions are in addition to the normal questions to an employer about details of a person's salary, sick record, duties etc.
- 9.5 In addition, requests for references in connection with current or previous work with children should ask not only about concerns in respect of suitability, but also specifically about whether the person has been the subject of allegations about their behaviour towards children. If this is the

case, there should be a request for a comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached. The request for references should also ask for details of any disciplinary action the person may have been subject to in relation to behaviour involving children, including any in which any sanctions imposed are expired (see Appendix 3). In some cases, a person's employer may be reluctant to provide more than an institutional reference ie confirming details of a person's salary, sick record, duties etc. That is sometimes the case where references are provided by the HR department of a large organisation. In those cases a reference should also be sought from the individual's direct manager or supervisor.

- 9.6 Requests made to the person's current employer should also seek specific confirmation of the details and responsibilities of the person's current post as he or she has described them in their application. Unfortunately it is not unknown for people to exaggerate or embellish their status or responsibilities when applying for a new job.

#### **When should references be obtained?**

- 9.7 It is essential that wherever possible this information, or confirmation that there is no information or reason that might cast doubt on a person's suitability to work with children known to the referees, is available before interview so that it can be taken into account and if necessary issues explored further before or at the interview. That must be explained in the information sent to applicants and on the application form. Very careful consideration will need to be given to any request by an applicant to delay seeking references if they are offered the post. Such a request should only be agreed in exceptional circumstances.

#### **Scrutinising references**

- 9.8 It is very important to read references carefully and thoroughly to make sure that:
- the referee has answered all your questions
  - there are no vague or ambiguous statements
- 9.9 It is also vital to compare the information about the applicant provided by the referee with the information the applicant has given about him or herself and his or her experience and background.
- 9.10 If the references reveal any discrepancies or inconsistencies, or any doubts or concerns about the person's suitability, the issues should be followed up and explored with the referee. This is probably best done by telephone, but it is important to keep a written record of the conversation

and if the issues are significant, to confirm your understanding in writing to the referee. This is particularly important if the information is such that you decide not to consider the person further, or that you need to explore the issues with the applicant.

- 9.11 Specific questions regarding conduct and sickness record etc, can be put to previous employers in the form of a questionnaire. It is also good practice to follow up anomalies by telephone with referees directly where appropriate.
- 9.12 Employers also need to consider how they respond to reference request for individuals who have been the cause for concern. References should provide objective and verifiable information and not subjective opinions.

## 10. Health

- 10.1 'Working Together to Safeguard Children (2006)' emphasises the importance of anyone appointed to a post involving regular contact with children or young people must be medically fit to do so. It is a statutory duty for employers to satisfy themselves that candidates have the appropriate level of physical and mental fitness **before** appointment. Assessment of physical fitness must also be considered within a context of disability discrimination legislation that allows for reasonable adjustments.

## 11. Involving Children and Young People

- 11.1 It is good practice to empower service users and involve them in the selection process once relevant risk factors have been considered and overcome.
- 11.2 Agencies should develop a culture of listening to and engaging in dialogue with children – seeking their views in a manner that is appropriate to their age and understanding.

## 12. Conditional Offer of Employment

- 12.1 Any conditional offer of employment to the successful candidate should be made subject to all satisfactory checks being undertaken **before** they take up the post.
- 12.2 Diligent planning of the recruitment process should prevent individuals taking up their post **prior** to all vetting checks having been completed. Only in exceptional circumstances should this not be adhered to after risk factors have been considered and no substantial unsupervised access to

children has been ensured. Such action should require the written consent of the Organisation's Senior Officer for Child Protection.

### 3. Single Central Records

- 13.1 All employers should maintain a single centrally held record of staff employed, dates of appointment, qualifications held and evidence of identity checks and vetting undertaken.
- 13.2 Information disclosed as part of a CRB Disclosure must be treated as confidential, however before the disclosure is destroyed in line with CRB guidance, records need to be kept detailing the date the disclosure was obtained, who obtained it, the level of disclosure and the unique reference number. Apart from this being good safeguarding practice, it is also a source of primary evidence for regulatory bodies who will be looking closely at Safe Recruitment Practice. The MSCB have published a Safer Recruitment and Employment Audit Tool which is appended at Appendix 1 and an Exemplar Single Central Record of Vetting (Appendix 2) (with acknowledgement to Kent Safeguarding Children Board).

### 14. Arrangement for Multi-Usage Settings

- 14.1 Increasingly, agencies are co-locating staff to enable integrated services to be delivered. This will enable the needs of children and families to be met more appropriately and in a more responsive way. Where staff from different agencies work on the same site, there is a need for lines of accountability to be clear, and written agreements of standards and expectations provide a format for achieving this.
- 14.2 Registered early years settings for children under 8 years will apply via Ofsted for CRB Enhanced Disclosures in the case of the registered person and the manager. Ofsted will also request Local Authority checks as part of the 'fit person' process. It is the responsibility of the childcare provider to make sure that any new member of staff, or new people who live or work on the premises are suitable to care for or have regular contact with children. Generally, in order to fulfil this responsibility they will have to apply to the CRB for an Enhanced Disclosure.
- 14.3 Written agreements should be in place between any third party providers or groups using a multi-use site including extended schools. These should set out the respective responsibilities of the Governing body/Accountable body and those of the provider or group, for areas such as health and safety, recruitment, vetting checks and insurance arrangements.

## 15. Complaints Procedures

- 15.1 All Agencies will have Complaints Procedures in place for customers/service users who feel aggrieved about a particular aspect of provision. These generally relate to Service Standards or the conduct of staff. It is inappropriate for the Complaints Procedure to be used whenever an allegation is made against a member of staff when child welfare is the concern. In these circumstances specific MSCB procedures informed by 'Working Together to Safeguard Children (2006)' and related guidance should be adopted to ensure effective multi-agency working and transparency.

## 16. Whistle blowing Procedures

- 16.1 All Agencies should have appropriate Whistle blowing procedures as legislated for in the Public Disclosure Act 1998 and encourage an organisational culture that enables concerns about staff conduct in relation to child welfare to be reported without fear of reprisal.
- 16.2 Safeguarding children is everyone's business and all professionals have a duty to share concerns. It is a potential disciplinary offence not to share concerns that subsequently are discovered to have been known, but not reported.
- 16.3 It is recognised that whistle blowing is a sensitive and potentially divisive issue and staff are fearful of getting it wrong. It is therefore essential that all agencies build this into their recruitment and selection policies and include detail and expectations in induction training for new staff.

## 17. Managing Allegations Against Staff

- 17.1 The framework for managing allegations of abuse against people who work with children is set out in 'Working Together to Safeguard Children (2006)'. Appendix 5 of this guidance has helped to inform how MSCB is implementing these procedures. All agencies must have a Named Senior Officer who is accountable for ensuring such processes are in place.
- 17.2 Children can be subjected to abuse by those who work or have contact with them in any and every setting. All allegations of abuse and maltreatment of children by a professional, staff member, foster carer or volunteer must therefore be taken seriously and treated in accordance with consistent procedures. MSCB has responsibility for ensuring that there are effective inter-agency procedures in place for dealing with

- allegations against people who work or have contact with children, and for monitoring and evaluating the effectiveness of those procedures.
- 17.3 Indicative time-scales for completing investigations as laid out in Appendix 5 of 'Working Together to Safeguard Children (2006)' should be adhered to by all agencies whenever possible.
- 17.4 Detailed guidance can be found in Chapter 11 of the Kent and Medway Safeguarding Children Procedures (2007). Any agency/organisation that has a concern and is not sure how to respond can access advice from the Local Authority Designated Officer (LADO) on 01634 331299.

## 18. Referral to Registering / Regulatory Bodies

- 18.1 In addition to employers checking an individual's registration with professional bodies (e.g. GSCC, GTC, GMC etc.) and the relevant barring lists at the time of appointment, referrals also need to be considered following criminal prosecution or serious disciplinary action taken against a member of staff.
- 18.2 Protocols are in place within the statutory agencies (Police and Social Services) for the release of evidence, when appropriate, to help inform agency disciplinary investigations. On the conclusion of the case following an allegation against a member of staff, a view will need to be taken by the employer (after consulting with the statutory agencies and HR advisors) whether a referral will need to be made to the registering professional body and/or the Secretary of State for consideration for inclusion on the barring list (List 99, POCA and POVA).
- 18.3 Referrals need to be made directly to the respective professional registering bodies for consideration in line with their standards and procedures.
- 18.4 Referrals to the Secretary of State for consideration for inclusion on a barred list are currently heard by the Children's Safeguarding Operations Unit at the DCSF. (The Safeguarding Vulnerable Groups Act 2006 provides the primary legislation that leads to the implementation of the new Vetting and Barring arrangements in Autumn 2009. The Independent Safeguarding Authority will assume responsibility for merging the existing barring lists under one body and decisions will be taken by a panel of experts established by Sir Roger Singleton).

## References

**AMA Network (2007)** "Guidance for Safe Working Practice for adults who work with children and young people"

**DfES (2006)** "Safeguarding Children and Safer Recruitment in Education"

**Kent Safeguarding Children Board (2007)** "Safe Recruitment and Employment Minimum Standards"

**HM Government (2006)** "Working Together to Safeguard Children"

**IRSC (2002)** "Definitions and Thresholds for Referral Guidance"

**NCSL (2007)** "Safer recruitment Workshop Training Handbook"

**NSPCC (2007)** "Safe Communities" Training pack

Children Act 2004

## Appendix 1



### SAFER RECRUITMENT AND SELECTION AUDIT TOOL

Section 11 of the Children Act 2004 and Sections 157 and 175 Education Act 2002, place a duty on key persons and bodies to make arrangements to ensure that in discharging their functions, they have regard to the need to safeguard and promote the welfare of children. In terms of safer recruitment, these arrangements mean that robust recruitment and vetting procedures should be put in place to help prevent unsuitable people from working with children, including:

- carrying out thorough checks
- always taking up references
- appropriate training for those who recruit staff to work with children
- routinely carrying out a criminal record review where mandatory on employment, and
- where appropriate, obtaining a CRB disclosure and making any necessary checks of the POCA list and List 99

The measures put in place by organisations should cover everyone who works with children (whether paid or unpaid), including those who may not have direct contact, but because of their regular presence are likely to be perceived by children as safe and trustworthy.

This audit check list is designed to help organisations working or in contact with children, ensure that their employers have robust safer recruitment procedures in place, and to enable the MSCB to monitor the effectiveness of those procedures.

<b><u>DOES YOUR ORGANISATION MEET THE FOLLOWING STANDARDS?</u></b>	<b>Yes</b>	<b>No</b>	<b>If yes, what is the evidence to show the requirement is met? If no, what needs to be done to ensure the requirement is met?</b>
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<b>1. PRE INTERVIEW PLANNING/PREPARATION</b>			
<b>JOB DESCRIPTION - CLEARLY STATES:</b>			
Main duties and responsibilities of post			
Extent of responsibility for safeguarding children coming into contact with			
<b>PERSON SPECIFICATION – EXPLAINS:</b>			
<b>Qualifications/experience and other requirements needed for the role</b>			
<b>Competences/qualities the applicant should be able to demonstrate</b>			
<b>How above requirements will be tested/assessed during selection process</b>			
<b>ADVERTISING</b>			
Includes explicit statement of commitment to safeguarding			
Highlights robust vetting process incl. CRB checks			
Post openly advertised or reasons recorded if not			

### 3. INFORMATION PACK

#### APPLICATION FORM – INCLUDES:

Explanatory notes about completing form			
Statement that post is exempt from Rehabilitation of Offenders Act 1974			

#### APPLICATION FORM – REQUIRES:

Full chronological history since leaving school incl. full/P/T/voluntary work, further education or training, start/end date, reasons for gaps/leaving			
Declaration of any family/close relationship with employees/ers			
Full identifying details including current and former name(s), date of birth, address, NI number			
Statement of any relevant academic and/or vocational qualifications, plus detail of awarding body and date(s)			
Signed declaration that not barred, disqualified, or subject to sanctions re work with children			
Signed declaration that no convictions, cautions, or bind-overs, or details in a sealed envelope			

Details of referees (not a relative or solely a friend)			
Statement of relevant personal qualities and experience			
<b>INFORMATION PACK – INCLUDES DETAILS/STATEMENTS REGARDING:</b>			
Job description and person specification			
Establishment's safeguarding policy statement			
Seeking references for short-listed applicants			
Requirement for CRB disclosure if successful			
Exploration at interview of candidate's suitability to work with children			
Asking relevant employer about any child related disciplinary offences incl. time expired			
Asking relevant employer whether subject of any CP concerns incl. outcome			
Liability if false information provided			
Statements re recruitment process, equal opportunities policy etc			

<b>4. SCRUTINISING APPLICATIONS AND SHORT-LISTING</b>			
Candidates assessed equally against person specification			
Incomplete applications returned for completion			
Notes made for exploration e.g. discrepancies, anomalies, gaps in employment, unusual or repeated career changes etc			
Short-listed applicants informed of documents needed at interview			
<b>5. REFERENCES</b>			
Obtained direct from referee			
Obtained prior to interview <i>(Record reasons if not obtained prior to interview, but obtain and scrutinise before confirmation).</i>			
Minimum of two referees incl. current/most recent employer required			
Additional reference required if previously worked with children, but not for current employer			
<b>INFORMATION FOR REFEREES INCLUDE:</b>			
Job description and person specification			
Statement that reference must be accurate and contain no material misstatement or omission			

Statement that content may be discussed with applicant			
Reference pro-forma			
<b>REFERENCE PRO-FORMA ASKS FOR FOLLOWING:</b>			
Relationship with candidate & time known			
Whether or not satisfied re ability and suitability for post incl. specific comments and reasons			
How candidate meets the person specification			
Current post, salary and sick record			
Performance history and conduct			
Any disciplinary matters where sanctions current			
Any child welfare/safety related allegations or concerns and outcomes, incl. time expired			
<b>ON RECEIPT OF REFERENCES:</b>			
Checked that questions answered satisfactorily			
Checked for discrepancies or issues of concern			
If answers not given or vague, referee phoned and asked for written answer or amplification			
Areas identified for further exploration at interview			

## 6. INTERVIEWS

### INVITATION – INCLUDES:

Interview arrangements, time, place, panel membership etc			
How interview will be conducted			
Areas to be explored including suitability to work with children			
Statement re vigorous identity checks and requirement to complete CRB application if successful			
Instructions to bring current Driving Licence or passport including photograph or full birth certificate, plus utility bill or financial statement with current name and address, and any change of name documentation			
Instructions to bring original or certified copies of educational and professional certificates or diplomas or written confirmation from awarding body			
<b>INTERVIEW PANEL:</b>			
Has its membership documented			
Has authority to make decisions about appointment			
Has a minimum of 2 interviewers with at least one trained in Safer			

Recruitment			
Agrees standards to be met			
Agrees assessment criteria in accordance with person specification			
Agrees issues to be explored, based on application and references, and who will ask about these			
Agrees set of questions relating to job requirements			
<b>THE INTERVIEW</b>			
Conducted face to face			
Explores attitude toward children/young people			
Explores ability to support organisation's agenda for safeguarding and promoting the welfare of children			
Explores gaps in employment history			
Explores discrepancies or concerns in info from candidate and/or referee			
Candidate is asked if he/she has anything to declare in light of: <ul style="list-style-type: none"> <li>• CRB check</li> <li>• Questions for referees (where prior reference not obtained)</li> </ul>			

<b>7. PRE-EMPLOYMENT CHECKS</b>			
<b>OFFER OF APPOINTMENT CONDITIONAL UPON:</b>			
Two satisfactory references			
Satisfactory List 99/POCAL and CRB checks as appropriate			
Verification of identity			
Verification of qualifications			
Verification of medical fitness			
Verification of professional status e.g. GTC, GMC			
Satisfactory completion of statutory induction period (for teaching posts)			
Satisfactory completion of probationary period for non-teaching posts			
<b>8. OVERSEAS STAFF</b>			
List 99, POCA and CRB checks completed as appropriate			
Criminal record check from country where worked/resident in previous 5 years ( <i>See CRB Overseas Information Service</i> <i><a href="http://www.crb.gov.uk/services_overseas.asp">http://www.crb.gov.uk/services_overseas.asp</a> Tel: 08700 100 450</i> )			
Other checks carried out as required above			
<b>9. DOCUMENTATION RETAINED ON PERSONNEL FILE OR EQUIVALENT INCLUDES:</b>			
Written confirmation of all checks,			

including those for supply staff and volunteers			
CRB disclosure (usually retained for 6 months)			
Date CRB disclosure obtained, who by, level and unique reference no.			
Photocopies of identity & qualification documents			
<b>10. INDUCTION ARRANGEMENTS</b>			
<b>NEW EMPLOYEE PROVIDED WITH THE FOLLOWING (IN WRITING WHERE APPROPRIATE)</b>			
Child protection training appropriate to his/her role			
Details of relevant policies/procedures and identity of designated staff			
Support as appropriate			
Opportunities to discuss issues or concerns about role & responsibilities			
Means for line manager or mentor to recognise and address ability and suitability concerns			
Information re safer practice and expected standards of conduct			

**11. TRAINING FOR THOSE INVOLVED IN RECRUITING STAFF TO WORK WITH CHILDREN**

Head teachers and governors undertake on-line training provided by the NCSL			
Appointed staff attend NCSL/DfES or MSCB training for trainer courses on safer recruitment			
Training disseminated to staff designated to train those involved in recruiting staff to work with children			
Arrangements in place to monitor take up of above training on safer recruitment			



**APPENDIX 3      OBTAINING REFERENCES**