



Cambridgeshire and Peterborough Safeguarding Children's Boards

Key Safeguarding Employment Standards

1. INTRODUCTION

- 1.1.** The Key Employment Standards that follow are aimed at ensuring that children and young people when placed in the care of others, are treated with respect and free from all forms of abuse or mistreatment.
- 1.2.** Safer employment processes extend beyond recruitment to encompass an organisation's whole approach to using human resources. Safer practices should extend beyond the employment of paid staff to include volunteers and third party suppliers or anyone who may come into direct contact with children and young people
- 1.3.** A safer employment process will help promote a safer culture generally, and complement other fundamental processes including Health and Safety, Security and Compliance (e.g. secure access to buildings, preventing violence in the workplace etc).
- 1.4.** It is vitally important that all organisations which employ people to work with children and young people adopt safer employment procedures which help to deter, reject or identify people who might abuse the vulnerable. However, policies and procedures themselves are unlikely to offer the necessary levels of protection. They must be accompanied by the creation and maintenance of a safer working culture within each organisation so that every worker understands their duty of care as well as which behaviours constitute safer practice and which should be avoided.
- 1.5.** These standards have been developed as a minimum to be attained to assist managers to reach safer levels of recruitment, training and the management of staff. A commitment to safeguarding is the central focus at every stage of the recruitment process from the planning stages through to placing an advert (which will have a clear commitment to safeguarding prominent within it) short-listing, obtaining references, providing information for candidates, conducting

the interview itself, making appropriate checks of identity and qualifications as well as undertaking any other appropriate vetting.

- 1.6. Best practice at the point of recruitment will help to dissuade some unsuitable people from accepting a post and it will also help managers to identify some unsuitable candidates. However, thorough and careful recruitment procedures consistently applied will not completely eliminate the risk of appointing an abuser who is determined to gain employment which will give them access to children and young people. It is imperative, therefore, that each organisation develops a respectful and open culture which is committed to safeguarding and promoting the welfare of those for whom it cares. The foundation of such a safer working environment is based on the development of clear, safer policies and procedures which make explicit the practice that all workers are expected to adhere to. These are demonstrably embedded in daily practice and all workers see the policies as 'living and breathing' within each work place.
- 1.7. It is an expectation that all agencies are compliant with the Cambridgeshire and Peterborough Safeguarding Children Board inter-agency procedures relating to handling matters of safeguarding in employment and if in any doubt about such matters organisations should refer to the relevant Local Authority Designated Officer (LADO) see contact numbers Appendix B.
- 1.8. Partner agencies will be required to submit information as part of a Section 11 audit as requested by the Boards. Any identified shortfall will be incorporated into an action plan and it will be expected that remedial action should take place without delay.

2. THE KEY STANDARDS

2.1. Recruitment

2.1.1. Information for managers should provide:

- Comprehensive, general guidance about the need to focus on safeguarding throughout recruitment and selection processes
- Specific guidance about personal interview questions, also known as Warner interviewing (see Appendix A for further information)
- Clear guidance about the disciplinary consequences for non-compliance with policy.
- Job descriptions and person specifications

2.1.2. Before the job is even advertised, managers should consider:

- The behaviours and competencies relevant to the post in question and which are required to support the safeguarding agenda
- What are the expected professional standards required for this post
- What are the behaviours or personal qualities someone with a responsible attitude towards safeguarding would have?
- These behaviours and competencies need to be incorporated into the job description and person specification. In addition the safeguarding responsibilities and opportunities for contact with children should be made clear.

2.1.3. Advertising

Any advertising should include:

- A precise statement about the organisation's clear commitment to safeguarding so as to immediately begin to deter unsuitable candidates
- Confirmation that a criminal record disclosure will be undertaken
- Confirmation that the post is exempt from the Rehabilitation of Offenders legislation

2.1.4. Information packs for candidates

- The job description and person specification should be provided to each applicant with:
 - The organisation's safeguarding policies
 - Details of the selection process
 - A clear statement that an application form should be completed (and that CVs will not be considered)

2.1.5. Shortlisting

- Shortlisting should be undertaken by at least two people and it is highly recommended that at least one of these should have received safer recruitment training.
- Shortlisting criteria must be applied equally and any gaps and inconsistencies should be identified for further exploration

2.1.6. References

- A reference request template should be used to ensure consistency of information and to clearly identify any gaps
- References should be sought directly from the referee
- Open-ended, 'to whom it may concern' references are *never* accepted
- Written references are subject to verification and should always be followed up verbally
- If the post is being filled by an agency worker then the references should be checked by contacting the candidate's last place of employment
- In particular, referees are asked specific questions in relation to the following:
 - The referee's perception of the individual's suitability to work with children and young people.
 - Whether they have any concerns about the candidate working with the particular client group
 - Whether they have any knowledge of the individual being personally subjected to any disciplinary or any other HR processes

2.1.7. Interviewing

- Wherever possible the process should include a range of selection tools which assess the applicant's interaction with others
- Recruitment panels should normally be made up of the same two people who undertook the shortlisting. It is highly recommended that at least one has undertaken safeguarding training., and is fully committed and aware of the safeguarding agenda
- Interviews should always be 'face to face', even if there is only one candidate.
- Notes should be taken of the interview, and retained and destroyed only in accordance with the organisations local and national retention and destruction policies.

- Interviews explore issues relating to the safeguarding of children and young people. The interviewers should:
 - Investigate any apparent sizeable gaps in the employment history to check for credible reasons
 - Explore concerns or discrepancies arising from the information provided by the candidate and/or their referee
 - Ask the candidate if they wish to declare anything in light of the requirement for them to undertake a Disclosure and Barring Service (DBS) check
 - Make use of 'personal interview questions when selecting staff who will work with children, and young people (See Appendix A for further information about personal interviews)
 - Ensure that the questions focus on what the applicants have actually done rather than what they have said in theory.
- Hypothetical questions should be avoided
- The interview process should also make use of children / young people recruitment panels as appropriate
- Candidates should bring original documents to verify their identity, qualifications and to fulfill the right to work in the UK requirements
- Candidates who have completed an online application must be asked to sign a hard copy of their application form to verify the accuracy of the information provided including the self disclosure of any criminal record

2.1.8. Employment Checks

- When undertaking employment checks, proof of identification is obtained by referring to appropriate documentation. This is restricted to the scrutiny of original copies of either birth certificates, passports, driving licences or naturalisation certificates. No other documents are acceptable.
- Professional registration for appropriate posts should also be checked
- An appropriate level DBS check commensurate with the degree of contact with the vulnerable client base the job requires should be undertaken for each person appointed together with any

additional checks appropriate to the organisation e.g:
Independent Safeguarding Authority barred list checks and
health checks

- In exceptional circumstances it could be possible for a newly appointed worker to start work under supervision pending the receipt of a DBS check providing they have completed a clear self disclosure statement and a risk assessment has been undertaken and countersigned by the appropriate senior manager
- Failure to receive an outcome from any checking process must be rigorously pursued and no employee should be confirmed in post until every one of the checks is in place and is acceptable. If a positive trace is returned on a DBS check then a positive trace risk assessment or similar process should be undertaken

2.2. Post-recruitment

- 2.2.1. Induction and probationary periods for workers should be thoroughly utilised to develop worker understanding and grounding in the safeguarding policies, ethos and culture.
- 2.2.2. Relevant organisations should use the Common Induction Standards
- 2.2.3. During the induction and throughout the probationary period, the worker must receive regular formal and informal supervision, and where applicable probationary review meetings in accordance with the organisation's supervision and probationary policies.

2.3. Training

- 2.3.1. Training to facilitate a sound understanding of key guidance and practices about safeguarding and child protection is mandatory and should be updated regularly and embedded in performance management systems.
- 2.3.2. Additional training with a specific focus on safeguarding should be undertaken by those who recruit staff; this should be regularly updated.
- 2.3.3. All relevant managers are accountable for evidencing that such training for themselves and their staff has been undertaken
- 2.3.4. Relevant training is mandatory for workers who do not have direct contact with children and young people but who do have access to information systems containing the details of these client groups

2.4. Safer Working Culture

- 2.4.1. A positive obligation for safeguarding children and young people is placed on all workers
- 2.4.2. Children and young people needs are paramount, they are listened to and any concerns in relation to their welfare are acted upon promptly
- 2.4.3. All workers are monitored by their line managers both in the probationary period and beyond to ensure that all staff comply with expected behaviours and attitudes that constitute best practice within individual agencies in relation to safeguarding
- 2.4.4. Such monitoring is evidenced through performance management and professional development arrangements such as training and appraisal systems
- 2.4.5. Job descriptions should be subject to regular review as demands require

2.5. Whistle-blowing and complaints

- 2.5.1. A rigorous whistle-blowing policy is in place to ensure that all concerns about staff conduct are reported and acted upon in a fair and timely manner
- 2.5.2. There is evidence that the whistle-blowing procedure is being used appropriately to improve outcomes
- 2.5.3. An accessible complaints procedure is in place for service users to raise concerns
- 2.5.4. There is evidence that complaints are fully investigated and recorded accurately.

2.6 Allegations

- 2.6.1 Each organisation should have a separate allegations policy which is available to all staff volunteers and service users
- 2.6.2 Each organisation should have a Nominated Senior Officer to whom any allegation against a member of staff or volunteer must be reported without delay.
- 2.6.3 The Nominated Senior Officer will then consult with the Local Authority Designated Officer (LADO) adhere to the relevant procedures set out in the Local Safeguarding Children's

Board Procedures and agree any further action including information sharing.

- 2.6.4 The organisation will not investigate an allegation, advise the member of staff or interview children until consultation has taken place with the LADO as doing so may compromise any police investigation
- 2.6.5 The organisation will ensure that any disciplinary proceedings against staff relating to safeguarding matters are concluded in full even when the member of staff is no longer employed. Notification of any concerns will be made to the Disclosure and Barring Service and any other relevant professional bodies and included in references where applicable. This notification responsibility will apply if the organisation ceases to use the services of an agency worker or volunteer when there have been concerns as to unsuitability

2.7 Policies and Procedures

- 2.7.1 Managers are responsible for ensuring that all Human Resources and safer employment policies, procedures and practices are adhered to during the recruitment selection and training of staff
- 2.7.2 Appropriate disciplinary procedures in line with Human Resources policy should be applied where safeguarding measures are not strictly adhered to
- 2.7.3 There must be clear, appropriate and rigorously enforced policies and procedures in place concerning the transportation of children and young people , to ensure that safeguarding principles are strictly adhered to
- 2.7.4 Service providers who supply drivers for the transportation of these client groups are under a contractual obligation to provide drivers and escorts that are appropriately vetted; e.g. CRB checked
- 2.7.5 Guidance on safer working practices should be provided for each worker and includes clarity in relation to such areas as:
 - Non-routine events, such as school trips
 - Child injury/illness
 - Internet use (including social networking/blog sites such as MySpace, Bebo, Twitter, Facebook and Google+) and mobile phones

- The use, supervision and handling of text and photographic media.
- 2.7.6 Workers should sign a statement to signify their understanding and compliance with the safe working practice guidance
- 2.7.7 Workers should be clear about the requirement to disclose any personal information which may have an impact on their ability to meet their safeguarding responsibilities

2.8 Monitoring Systems

- 2.8.1 Monitoring systems and quality assurance are embedded to ensure that policy is followed through into practice.
- 2.8.2 Formal audits of sufficient quality and quantity should be conducted regularly, allowing ample time for improvements to be made post audit, with results recorded and reported effectively
- 2.8.3 Managers must monitor the day to day work environment
- 2.8.4 Workers must demonstrate their commitment to providing a protective environment for children and young people. For example, they monitor the supervision of children and young people and demonstrate good practice in relation to physical contact with children and young people

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Bibliography

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Safeguarding Children and Safer Recruitment in Education, 2006, London: HMSO

Appendix A

Criteria for Personal (aka Warner) Interviewing

Personal interviews, also known as Warner interviews, have typically been used, alongside the formal interview, in residential social care settings. The mandate for this type of interview came from 'Choosing with Care: The report of the Committee of Inquiry into Selection, Development and Management of Staff in Children's Homes' (Warner, 1992). According to Lord Warner, preliminary interviews can be seen as a 'less structured and more informal process than the final interview'. (Choosing with Care Chapter 4 Selecting Staff para 4.37)

Warner recommended that employers should undertake a 'preliminary interview' to ask questions that would probe candidates about their personal life, attitudes and motivations in order to establish a fuller picture of the character of the applicant and their suitability to work with the client group. Warner considered that any concerns about the infringement of equal opportunities on the grounds that different questions are asked of different candidates, are misplaced. He goes so far as to say that an employer could be considered to be negligent in not making use of a preliminary interview to explore sensitive personal issues to assess the suitability of a candidate to work with children. He goes on to propound that large interview panels are unsuited to undertaking such a task. Proper staff training for those undertaking preliminary interviews is essential.

'The aim should be to achieve a full and rounded picture of the candidate, providing more detailed and complete information than is possible with the traditional application form - interview system.' (Choosing With Care as above para 4.5)

Warner recognised that the 'exploration of personal issues or spontaneous follow-up questions are seen as difficult by some employers, particularly local authorities' (Choosing with Care Chap 4 Selecting Staff para. 4.3) Nevertheless it is important that questions are focussed around attitudes to control and punishment of children and the stability of the candidates' emotional and sexual relationships. The questions asked at a pre-interview session should be on a one-to-one basis with the interviewer and the candidate. Ideally, the process will also enable candidates to have a full understanding of the requirements of the post and its complexities.

The purpose of the preliminary interview is twofold: to explore questions which may have been raised by any of the early selection and recruitment processes such as the application form and/or references and to consider questions which are more difficult to address in the formal interview setting. For example, issues around sexual relationships should be included as part of this process so that the extent to which a candidate's character is strong enough to resist sexual temptation from children in their care is tested. It can also provide information about whether their sexual interests might cause

them to pursue sexual relationships with children for their own gratification. As part of preliminary interview process, the emotional stability of the candidate as well as the stability of their sexual relationships will need to be explored. Motivation to work with children as well as attitudes to power and authority should also be looked into.

‘...assessment of candidates should be capable of considering the ability to contribute to the social, emotional, physical and spiritual needs of children and ... the methods used should focus on the values of staff, their commitment to working within and contributing to a team, their ability to work with others, including parents, and their self-confidence as people.’ (Choosing with Care, 1992, Chapter 4, Selecting Staff para. 4.2)

Organisations that employ staff to work with children are best placed to determine who within their organisations should conduct such interviews. In order for the interviews to remain informal, they should be carried out by no more than two people. Written records of the interview should be made and shared with those making the final decision to appoint.

The following specific criteria should be applied when considering whether or not a particular post should carry a requirement for a personal or Warner interview:

The post requires the post-holder to work with highly vulnerable children, for example:

- Looked After Children;
- Children who are at potential risk of significant harm;
- Disabled children (who may have intimate care needs)
- Children who are excluded from school
- Children who live away from home
- Sick children

Posts where staff work with children in vulnerable situations and where they have sole care or responsibility for a child or group of children. For example:

- Staff who supervise children on activities away from home such as residential trips
- Peripatetic professionals who work on a one to one basis with children without being supervised during such work

Any candidate who has had information disclosed about them as part of the CRB process.

Post-holders, who as part of their job description, will work with abusive images of children on the internet, for example: Police Officers who work in special units, auditors of IT systems, Police forensic computer examiners.

Appendix B

Contacts

Cambridgeshire LADO

Peterborough LADO