



Recruiting safely

Summary safer recruitment guidance helping
to keep children and young people safe

Introduction



The children and young people's workforce is extremely large and diverse. It covers a broad range of different activities, settings and organisations. This includes small faith-based or community projects in the voluntary sector to medium-sized private childcare providers and large departments within local authorities or other public sector bodies. The Department for Children Schools and Families (DCSF) estimates that there are currently over 2.5 million children's workers excluding volunteers.

All those organisations and individuals who work with children and young people, or are involved in providing services for them, have a duty to safeguard and promote their welfare. This is clearly stated in the publication *Working Together to Safeguard Children*, 2006. For many organisations, this will also be underpinned by inspection requirements imposed by regulators such as Ofsted and the Care Quality Commission (CQC) as a condition of grant funding, or as part of a contract with an organisation to which they provide services.

Whatever the background, making sure that we do everything we can to prevent appointing people who may pose a risk to children is an essential part of safeguarding. As Sir Michael Bichard stated in his report into the Soham murders:

“The harsh reality is that if a sufficiently devious person is determined to seek out opportunities to work their evil, no one can guarantee that they will be stopped. Our task is to make it as difficult as possible for them to succeed...”

We recognise that many organisations, particularly the smaller community groups, projects and faith-based organisations (typically linked to places of worship), may be less familiar or less experienced in working with the wider implications of safeguarding and how this relates to recruitment. For many organisations recruitment is only one of many tasks they have to undertake with small numbers of staff, limited resources and without the support of a human resources department.

This summary of the safer recruitment guidance is aimed at anyone responsible for, or involved in the recruitment of staff or volunteers in England, who will work with or provide services to children and young people. Our intention is to be helpful to the broadest range of organisations and support their efforts to make their recruitment practices and processes safer.



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We have developed the Recruiting safely: safer recruitment guidance resource toolkit (CD-Rom resources toolkit). It contains a range of example documents, pro-formas and templates suitable for different settings. It also contains the full guidance document for reference. It can be requested from CWDC or downloaded from www.cwdcouncil.org.uk/safeguarding/safer-recruitment

Both this summary and the full guidance are supported by training which is available online or, from 2010, as a face-to-face workshop. For details of the training and how to access it please see the safer recruitment training section in the CD-Rom resources toolkit. This summary is designed to provide a concise guide to the contents of the safer recruitment guidance. It is not intended to replace the need for that guidance and should be read in conjunction with the CD-Rom resources toolkit as an aid to effective implementation.

Please note the following:

- From this point forward in the document, all references to ‘children’ should be read as all children and young people under the age of 18.
- ‘Staff’ is used in this document to describe both paid and unpaid staff (volunteers) unless specifically stated.
- This guidance does not primarily relate to schools or further education settings as DCSF has produced separate guidance for them (Safeguarding Children Safer Recruitment in Education 2007). However, these settings may wish to make themselves aware of this guidance and any implications for their own services.

Section one: summary



This section of the safer recruitment guidance provides an overview for individuals and organisations seeking to understand the task of safer recruitment within the wider safeguarding agenda. It also provides a list of the key issues that need to be considered when undertaking safe recruitment.

1.1. The safer recruitment guidance is not about what action an individual should take to safeguard a child they suspect may be being harmed or abused. That guidance is contained in the separate publication, *What To Do If You're Worried A Child Is Being Abused*, 2006. More information about the practice and legislation relating to safeguarding and promoting the welfare of children can be found in the CDROM resources toolkit.

1.2. The guidance details a range of best practice about recruiting people to work with children and will be particularly helpful for:

- Staff and managers who take part in recruiting and selecting people to work in organisations working with children (see CDROM resources toolkit).
- People and organisations that provide personnel or human resources advice or services to those organisations.
- Employment agencies and businesses that provide temporary, interim and other staff to work in organisations working with children.
- Non child-focused organisations that contract with other organisations working with children.

1.3. The guidance applies to everyone employed in a role (paid or volunteer) within an organisation working with children, who is likely to be seen by the children as a safe and trustworthy adult. These are not the only people who regularly come into contact with children, or who will be responsible for children, as a result of their work. There are also people who regularly work in a setting such as a children's centre or youth and community project where children are present, whose role is a support function (eg administration, catering, caretaking). The latter people may not have direct contact with children as a result of their job, but they are also likely to be seen as safe and trustworthy because of their regular presence in the setting and may have access to personal and sensitive data relating to children.



Section two: recruitment and selection



This section of the guidance provides a detailed description of the process for the safe recruitment and selection of staff, which forms an essential part of any efforts to safeguard children. Recruitment and the checks that are undertaken as part of this process are the organisation's first chance to make robust efforts to prevent unsuitable individuals from working with children.

2.1. Regardless of the size or nature of your organisation, a consistently applied and robust process is always needed to ensure the safest levels of staff recruitment. The following 12 steps to safer recruitment checklist provides a brief overview of the steps that should be taken when recruiting staff (shown overleaf).

2.2. Further detailed information about each of the 12 steps can be found in the full guidance document and the CDROM resources toolkit.

Preliminary note on volunteers

2.3. Volunteers make up a huge part of the children and young people's workforce and are also seen by children as safe and trustworthy adults. If an organisation is actively seeking volunteers and is considering candidates about whom it has little or no recent knowledge, it should adopt the same recruitment measures as it would for paid staff.

2.4. In other circumstances, for example where an organisation approaches a person who is well known to them to take on a particular role, a streamlined procedure can be adopted. This could involve seeking references, checking to ensure others in the community know of no concerns and can make a positive recommendation, conducting an informal interview to gauge the person's aptitude and suitability and obtaining a Criminal Records Bureau (CRB) disclosure. Organisations may also wish to consider the completion of a risk assessment as a matter of good practice in such circumstances.

2.5. Where a volunteer's role will be a one off, such as accompanying staff and children on a day outing or helping at an event, these measures would be unnecessary provided that the person is not to be left alone and unsupervised in charge of children.

12 steps to safer recruitment

Before you release your post . . .

- Step 1** Ensure that you have an up to date recruitment and selection policy that describes the process and roles before you begin
- Step 2** Ensure that your organisation has a safeguarding policy and that a statement about the organisation's commitment to safeguarding is included in all recruitment and selection materials
- Step 3** Ensure that you have an up to date job description and person specification for the role(s) you wish to recruit to, that have been agreed with the recruiting manager
- Step 4** Ensure that you have an appropriate advertisement prepared that contains all necessary information about the role, timetable for recruitment and your commitment to safeguarding
- Step 5** Ensure that you have compiled a suitable candidate information pack containing all the required information about the organisation, role, recruitment timetable, safeguarding policy/statement and application form

Before you interview...

- Step 6** Ensure that each application received is scrutinised in a systematic way by the shortlisting panel in order to agree your shortlist before sending invitations to interview
- Step 7** Ensure that all appropriate checks have been undertaken on your shortlisted candidates, including references and ISA checks from 2010
- Step 8** Ensure that all shortlisted candidates receive the same letter of invitation to interview, supplying them with all necessary information

Before you select your preferred candidate...

- Step 9** Ensure that a face-to-face interview is conducted for ALL shortlisted candidates based on an objective assessment of the candidate's ability to meet the person specification and job description
- Step 10** Ensure that all specific questions designed to gain required information about each candidate's suitability have been asked, including those needed to address any gaps in information supplied in the application form

Before you formally appoint ...

- Step 11** Ensure that you are able to make a confident selection of a preferred candidate based upon their demonstration of suitability for the role
- Step 12** Ensure that your preferred candidate is informed that the offer of employment (including volunteer positions) is conditional on receiving satisfactory information from all necessary checks

Section three: vetting and checking candidates

This section of the guidance provides more detailed information about the recruitment and vetting checks that need to be undertaken for all people who wish to work with children, including overseas and agency staff. It also explains the roles of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).

3.1. This section provides guidance on the recruitment and vetting checks to be carried out on staff, paid and unpaid, including trustees and others concerned with governance, before an offer of appointment is made. It also advises on the records that need be kept of those checks.

3.2. Some organisations are required to make checks such as CRB disclosures by law, while for others a requirement to make checks is imposed by a regulator such as Ofsted or the CQC. But for all it is a matter of good practice. It is important that organisations find out and understand which requirements apply to them and their specific setting.

3.3. From October 2009 it became a criminal offence to knowingly appoint someone to work with children who has been barred from doing so by the ISA's vetting and barring scheme (VBS). Regardless of the legal position, we strongly recommend that all organisations undertake all the checks described in this section on people they propose to appoint to work with children.

Professional and character references

3.4. The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They should always be sought and obtained directly from the referee.

3.5. Ideally, references should be sought on all short-listed candidates, including internal ones. They should be obtained before interview so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview. It may not be possible in all circumstances to obtain references for all candidates prior to interview, because of limited resources (eg in smaller, private and voluntary organisations), delay on the part of the referee or because a candidate strongly objects to their current employer being approached at that stage. However this should be the aim wherever possible. It is up to the person conducting the recruitment to decide whether to agree to a candidate's request to approach his or her current employer only if s/he is the preferred candidate after the interview, but it is not recommended as good practice.



3.6. In any case where a reference has not been obtained on the preferred candidate before interview, you should ensure that it is received and scrutinised and any concerns are resolved satisfactorily, before the offer of appointment is made.

Vetting and barring scheme

3.7. The ISA is a non-departmental public body which is responsible for all the barring decisions of the new VBS. From November 2010, if you are an organisation working with children you must check the ISA registration status of all new potential recruits prior to appointment. This will determine whether or not you can employ them (or take them on as volunteers) and may affect what activities they can undertake for your organisation.

3.8. The ISA divides work with children into two categories, known as controlled and regulated activities (see www.isa-gov.org.uk for further information).

Implementation timetable of the VBS

3.9. **October 2009**, increased safeguards introduced:

- The barring lists (POCA, POVA and List 99) have been replaced by two new barred lists administered by the ISA rather than several government departments.
- These lists will apply to the full range of regulated and controlled activities, further enhancing protection of children and vulnerable adults.
- The eligibility criteria for enhanced CRB checks have been extended to include anyone working in a regulated position. A check of the relevant list is included in any enhanced disclosure for work with children or vulnerable adults.
- Employers, children's service and professional regulators have a duty to refer to the ISA any information about individuals who have been dismissed or would have been dismissed had they not left of their own volition.

In addition, employers, children's service and professional regulators should report any individual they believe may pose a risk, ensuring potential threats to vulnerable groups can be identified and dealt with.

- There are criminal penalties for barred individuals who seek or undertake work with vulnerable groups and for employers who knowingly take them on.

3.10. **July 2010**, the following applies:

- Newly appointed staff and volunteers and those who are changing jobs will be able to become ISA registered. So as not to disrupt normal recruitment over the traditionally busy summer period the requirement will not become compulsory until November 2010. Those who currently work with vulnerable groups but are staying in their current role will not have to become registered until later in the five year transitional period.
- Individuals will be able to apply for ISA registration and a CRB check (including an ISA check) on one new application form.
- When a person becomes ISA registered they will be continuously monitored and their status reassessed against any new information which may come to light.

3.11. **November 2010**, the following applies:

- Newly appointed staff and volunteers and those who are changing jobs, must register with the ISA before they can start work.
- Employers and voluntary organisations working with children and vulnerable adults cannot recruit workers who are not ISA registered.
- There will be criminal penalties for people who undertake work in a regulated activity without being registered and for employers that allow people to undertake regulated or controlled activity without checking their registration status.



3.12. April 2011 onwards, the following applies:

- Existing employees and volunteers with no CRB check must apply for ISA registration.
- All existing employees and volunteers with CRB checks will also need to have registered with the VBS by July 2015, starting with staff whose CRB checks are the oldest. For further information visit www.isa-gov.org.uk or call the VBS contact centre on 0300 123 1111.

Criminal Records Bureau (CRB) disclosures

3.13. In addition to the checks that will need to be made with the ISA, the CRB will continue to operate, providing disclosures as previously.

3.14. From October 2009 all organisations working with children should obtain an enhanced CRB disclosure for anyone appointed to a post within the definition of regulated activity (see above) including people from overseas. For some organisations this will already be necessary in order to comply with regulatory requirements. This also applies to existing employees/volunteers who move from a post that is not regulated activity to one that is.

3.15. In addition to those in paid and voluntary roles, CRB disclosures should be sought for students on placement, trustees, directors and others in governance roles within organisations.

Qualification and registration checks

3.16. Employers must always verify that the candidate has actually obtained any qualifications or professional registrations claimed in their application, which are legally required for the job or the employer regards as essential.

Previous employment history checks

3.17. Employers should always ask for information about previous employment and obtain satisfactory explanations for any gaps in employment. If a candidate for a post is not currently employed in work with children and/or young people, it is also advisable to check and confirm with the previous employer the details of their employment and reasons for leaving.

Health checks

3.18. Anyone appointed to a post involving regular contact with children or young people must be medically fit. Employers should satisfy themselves that individuals have the appropriate level of physical and mental fitness before an appointment offer is confirmed. If you are disabled, your disability should not be used as a reason for singling you out for a health test without good reason. It's unlawful to treat disabled people less favourably because of their disability. This doesn't mean that it will always be unlawful for an employer to ask a disabled person to have a health check, even if other candidates are not asked. It will depend on the nature of your disability and the needs of the job.

Further checks

3.19. Checks should be made for applicants from overseas and those who have lived outside the United Kingdom in the same way as for those resident in the UK.

Right to work in the UK

3.20. Employers must confirm the right of those they employ to work in the UK. Further information and details on permission to work in the UK can be found at the Direct Gov website www.direct.gov.uk/en/Employment/Understandingyourworkstatus/

Section four: safer practice



This section of the guidance addresses issues to do with child protection and safeguarding and promoting the welfare of children at every stage of the recruitment process. It also includes staff management development and training following appointment. Throughout your organisation's processes of recruitment and selection, it is important that applicants for positions working with children are aware of your commitment to safer recruitment and safeguarding children in general. Ensuring that safeguarding features highly in all your processes, policies, procedures and practice sends a clear message to applicants, existing staff and volunteers. It also helps to deter unsuitable individuals and inappropriate behaviour.

4.1. It is vital that the measures described in this guidance are applied thoroughly whenever someone is recruited to work with children. Childcare settings are safe environments for the great majority of children and the vast majority of people who work with children have their safety and welfare at heart. But we must not be complacent. We know that some people seek access to children in order to abuse and that abused children very often do not disclose the abuse at the time.

Post appointment – induction and probation

4.2. Regardless of role or previous experience of working with children, there should be an induction and probation programme for all new staff and volunteers in an organisation.

4.3. The content of the induction and probation process will vary according to the role and previous experience of the new member of staff or volunteer, but should always include information relevant to safeguarding, including policies, procedures, codes of conduct and how to identify and raise concerns about the welfare of children.

Maintaining a safer culture

4.4. Earlier we describe the need for continued vigilance with safeguarding issues. It is important that all staff in your organisation have appropriate training, induction, probation and appraisal so that they understand their roles and responsibilities and are confident about carrying them out. Everyone needs to feel confident that they can raise issues or concerns about the safety or welfare of children and that they will be listened to and taken seriously.

Monitoring

4.5. Monitoring of both the recruitment process and induction and probationary arrangements will allow for future recruitment practices to be better informed. Feedback from new appointees and other employees may assist in understanding how improvements can be achieved.

Training

4.6. Ongoing training is essential to maintaining a safe workforce. Information about the training programme that complements this guidance can be found on the CDRM resources toolkit.

Section five: managing allegations against staff

This section of the guidance provides detail on how organisations need to manage allegations made against staff they employ (including volunteers). It is crucial that everyone working in any organisation providing services or activities for children is aware of these issues and the need to adopt ways of working and appropriate practice to help reduce allegations. It is equally important that everyone is able to raise concerns about what seems to be poor or unsafe practice by colleagues and that those concerns along with concerns expressed by children, parents or others are listened to and taken seriously.

5.1. The framework for managing cases set out in this guidance is taken from Working Together to Safeguard Children, HM Government, 2006. It applies to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or is likely to suffer, significant harm.

5.2. It also caters for cases of allegations which might indicate that the alleged perpetrator is unsuitable to continue to work with children in his or her present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed, or may have harmed, a child.
- Possibly committed a criminal offence against, or related to, a child.
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

Further details about managing allegations against staff can be found in the Working Together to Safeguard Children publication.



The Children's Workforce Development Council leads change so that the thousands of people and volunteers working with children and young people across England are able to do the best job they possibly can.

We want England's children and young people's workforce to be respected by peers and valued for the positive difference it makes to children, young people and their families.

We advise and work in partnership with lots of different organisations and people who want the lives of all children and young people to be healthy, happy and fulfilling.



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