

KEY SAFEGUARDING EMPLOYMENT STANDARDS

INTRODUCTION

The Key Employment Standards that follow are aimed at ensuring that children, young people and vulnerable adults, when placed in the care of others, are treated with respect, free from all forms of abuse or mistreatment. It is vitally important that all organisations which employ people to work with children and the vulnerable adopt safe recruitment and selection 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 safe working culture within each organisation so that every worker understands their duty of care as well as which behaviours constitute safe practice and which should be avoided.

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 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 appropriate vetting.

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, young people and the vulnerable. It is imperative, therefore, that each organisation develops a respectful and open culture which is committed to safeguarding and promoting the welfare of those it cares for. The foundation of such a safe working environment is based on the development of clear, safe policies and procedures which make explicit the practice all employees are expected to adhere to. These are demonstrably embedded in daily practice and all employees see the policies as 'living and breathing' within each work place.

THE KEY STANDARDS

1. Recruitment

Information for managers provides:

- 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.

2. Interviewing

- Recruitment panels contain a minimum of two interviewers, at least one of whom is safeguarding trained, and/or aware of the safeguarding agenda;
- Interviews are face to face even if there is only one candidate;
- Notes are made and retained of candidates' responses;
- Interviews explore issues relating to the safeguarding of children, young people and vulnerable adults, for example they:
 - Investigate any apparent sizeable gaps in employment to check for credible reasons;
 - Explore concerns or discrepancies arising from the information provided by the candidate and/or referee;
 - Ask the candidate if they wish to declare anything in light of the requirement for a CRB check;
 - Make use of 'personal interview questions when selecting staff who will work with children, young people and vulnerable adults (See Appendix A for further information about personal interviews).

3. References

- References are sought directly from the referee;
- Open-ended, 'to whom it may concern' references are *never* accepted;
- Written references are subject to verification and are always followed up verbally;
- When employing agency staff references are 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, young people or vulnerable adults;
 - Whether they have any concerns about the candidate working with the particular client group;
 - Whether they have any knowledge of the individual being personally investigated over safeguarding issues, but which may have come to nothing.

4. 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;

- An appropriate level CRB check is undertaken for each person appointed commensurate with the degree of contact with the vulnerable client base the job requires;
- Any additional checks appropriate to an organisation are also made, e.g. List 99 checks for schools; PoVA checks for residential homes for the elderly;
- Those posts which involve the handling of sensitive information also carry a requirement for CRB checking, even when the post-holder does not have direct access to the client group;
- No newly appointed employee is permitted to work with children or vulnerable adults without supervision unless there is documented evidence of a clear check and a documented risk assessment undertaken and approved by an authorised manager;
- Failure to receive an outcome from a checking process is rigorously pursued and the employee's position is reviewed at regular intervals.

5. Post-employment

- Induction and probationary periods for employees are thoroughly utilised to develop employee understanding and grounding in the safeguarding policies, ethos and culture;
- During this stage of employment, the employee works under supervision on a regular basis.

6. Training

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

7. Safe Working Culture

- A positive obligation for safeguarding children, young people and vulnerable adults is placed on all employees;
- Children, young people and vulnerable adults' needs are paramount, they are listened to and any concerns in relation to their welfare are acted upon promptly;

- All employees 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. (See Appendix C for further details of codes of conduct and safe working practice guidelines for a range of settings);
- Such monitoring is evidenced through performance management and professional development arrangements such as training and appraisal systems.

8. Whistle-blowing and Complaints

- 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;
- There is evidence that the whistle-blowing procedure is being used appropriately to improve outcomes;
- An accessible complaints procedure is in place for service users to raise concerns;
- There is evidence that complaints are fully investigated and recorded accurately.

9. Policies and Procedures

- Managers are responsible for ensuring that all Human Resources and safe employment policies, procedures and practices are adhered to during the recruitment selection and training of staff;
- All staff are provided with clear codes of conduct/safe working practice guidelines;
- Appropriate disciplinary procedures in line with Human Resources policy are applied where safeguarding measures are not strictly adhered to.

10. Monitoring Systems

Monitoring systems and quality assurance are embedded to ensure that policy is followed through into practice.

- Formal audits of sufficient quality and quantity are conducted regularly, allowing ample time for improvements to be made post audit, with results recorded and reported effectively;
- Managers monitor the day to day work environment;
- Employees demonstrate their commitment to providing a protective environment for children, young people and vulnerable adults. For example, they monitor the supervision of children, young people and vulnerable adults and demonstrate good practice in relation to physical contact with children and vulnerable groups;

- There are clear, appropriate and rigorously enforced policies and procedures in place concerning the transportation of children, young people and vulnerable adults, ensuring that safeguarding principles are strictly adhered to;
- Service providers who supply drivers for the transportation of these client groups are under contractual obligation to provide drivers and escorts that are appropriately vetted; e.g. CRB checked
- Guidance on safe working practices (See Appendix C for examples) is provided for each member of staff and includes clarity in relation to such areas as:
 - Non-routine events, such as school trips
 - Child injury/illness
 - Internet use
 - The use, supervision and handling of text and photographic media.

Appendix A: Personal Interviewing (also known as 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).

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. For example, questions may focus around attitudes to control and punishment of children and the stability of the candidates' emotional and sexual relationships. The questions are asked at a pre-interview session on a one to one basis with the interviewer and the candidate. An additional person (usually an HR adviser) should also be present so that responses of the candidates can be fully recorded. Such interviews require considerable skills on the part of the interviewer. Careful training in the use of appropriate questions and techniques used during the interview is essential.

HR advisers in each organisation will be able to offer specific advice and support in relation to personal interviewing.

Appendix B: Risk assessment for employees for whom a valid CRB certificate has not been received at the time s/he is due to commence duties¹

This form is **only** for use in exceptional cases to request an exemption from the requirement to obtain a valid CRB certificate prior to appointing a member of staff to work with children. It should not be used as an alternative to submitting CRB forms at the earliest possible date. This form must be retained on the employee's personal file indefinitely.

Post to be filled	
Date post became/becomes vacant	
Alternative arrangements for covering post if employee does not commence duties	
Date of interview	
Date CRB form submitted to HR department/personnel provider	
Has HR manager been asked to enquire on progress if more than 2 months have elapsed?	
Level of disclosure sought	
Name of current/last employer	
Length of service with current/last employer	
Has there been a break in employment since last employer?	
Has this been satisfactorily explained by employee?	
Has advice been sought from the Head of HR if there are any concerns about the employee's background?	

Please complete Line Manager's declaration overleaf.

Line Manager's Declaration:

- **I confirm that this post is essential to the provision of a statutory service which my establishment is bound to provide.**

¹ Taken from Kevin Manley's original document sent out to schools on 7 June 05 and adapted

- I confirm that I have obtained references from at least one referee with recent and relevant knowledge of the employee and that I have followed up at least one reference orally. I am satisfied that the referee has no reservations as to the applicant's suitability to work with children and young people.
- I confirm that an appropriate check has been carried out (e.g. List 99, PoVA, PoCA) and written confirmation received of satisfactory outcome.
- I confirm that medical clearance has been given for this appointment.
- I confirm that I will ensure appropriate levels of supervision and/or monitoring will be maintained at all times (for example, unplanned visits by senior staff to employee's work area and avoiding the person working alone with individual children).
- I confirm that the employee will not be given responsibility for high-risk activities e.g. the person will not be left in sole charge of a child/young person/vulnerable adult until appropriate CRB clearance arrives.
- I confirm that the established child protection procedures, standards and ethos of this establishment provides clear expectations of all staff in matters of child protection.
- I confirm that as part of the employee's induction, the above standards and expectations will be made clear.
- I have discussed the details of this appointment and assessed the potential risk(s) with my Authorised Manager (for schools=Chair of Governors) and a copy of the risk assessment is attached.

Signed	Name
Job Title	School
Date	

Decision: Exemption endorsed / not endorsed (please delete as appropriate)

Signed:.....**Date:**.....
Authorised Manager(i.e. Chief Executive and/or Deputy) or for schools, Chair of Governors

Appendix C: The following is a list of sources of information including codes of conduct and safe working practices relating to a range of settings taken from the DFES/IRSC Guidance, 'Safe Working Practices', June 2005

Source Documents

Alberta Teacher's Association (2003) *Code of Professional Conduct* Alberta Teacher's Association
www.teachers.ab.ca/professional/code.html

Amateur Swimming Association (ASA) (2000) *Code of Ethics*
<http://www.motherwellfc.co.uk/vsite/vfile/page/fileurl/0%2C11040%2C4716-137778-154994-37063-0-file%2C00.pdf>

Australian Psychological Society Ltd *Code of Ethics* www.aps.psychsociety.com.au

Berryman J H (1998) Canada's Courts Say Teachers Must Be Role Models. *Professionally Speaking*, Ontario College of Teachers www.oct.on.ca/english/ps/june_1998/role.htm

Booth L (2000) *A Code of Practice for Adults working in Services and Schools* Manchester City Council

British Institute of Sports Coaches (BISC) (1989) *Code of Ethics*

Cambridgeshire County Council *Code of Conduct*

Canadian Child Care Federation *Code of Ethics* Canadian Child Care Federation

Chailey Heritage Child Protection Working Group 1996) *Charter of Children's Rights*

Chartered Institute of Personnel and Development 'Code of Professional Conduct and Disciplinary Procedures' (2002) <http://www.cipd.co.uk/>

Cheshire County Council (1995) *Code of Conduct for Teachers, Contextual Statement and Procedures for Dealing with Allegations of Abuse against Teachers*

Child Wise *Choose with Care pack (Chapter 5)* Child Wise, Australia http://www.ecpat.org/projects/choose_with_care.html

Devon County Council (2002) *Model Policy for Schools on Physical Contact between Staff and Pupils*

Farquhar S (2003) How to Protect your Child in *The Press Newspaper, Christchurch, New Zealand*
<http://www.childforum.com/articles.asp>

General Social Care Council (2002) *Draft Codes of Conduct and Practice for Social Care Workers and Employers of Social Care Workers* http://www.gssc.org.uk/pdf/Codes_of_Practice.doc

General Teaching Council for England *Code of Professional Values and Practice for Teachers*
www.gtce.org.uk/gtceinfo/code.asp

Hepworth United Football Club *Child Protection Policy* www.hepworthunited.co.uk/cpp/code.html

Home Office (1999) *Good Practice Guide, Appendix D in Police Integrity: securing and maintaining public confidence* <http://www.homeoffice.gov.uk/docs/integapd.pdf>

Home Office Code of Practice and Code of Ethics for Intermediaries in *The Role of Intermediaries in the Criminal Justice System* <http://www.homeoffice.gov.uk/docs/integaps.pdf>

Illinois Institute of Technology (1997) Human Resources Policies & Procedures *Employee Conduct and Responsibilities* <http://www.iit.edu/policies/personnel/e1.htm>

Investigation and Referral Support Co-ordinator Network (IRSC) (2002) *Definitions and Thresholds for Referral Guidance for LEA Officers, Headteachers, Governors and Managers* DfES

Lancashire County Council (1996) *Code of Conduct for Employees of LCC*

Lancashire County Council (1998) *Code of Professional Conduct for Employees in the Youth and Community Service*

Lancashire County Council (LCC) (2001) *Handling Allegations Against Staff - Underpinning Principles* LCC

Law Society of Saskatchewan (1991) *Code of Professional Conduct* www.lawsociety.sk.ca/code.htm

McKissock and Crime Concern (2003) Code of Practice and Code of Ethics for Intermediaries Appendix 3 in *New Beginnings: A practical guide to setting up a Community Parenting Scheme*. Crime Concern
<http://www.crimereduction.gov.uk/activecommunities23.htm>

Methodist Church (2000) *Safeguarding: A Policy for Good Practice in the Care of Children and Young People*.
Methodist Church <http://www.methodist.org.uk/index.cfm?fuseaction=information.content&cmid=5>

National Coaching Accreditation Scheme (Australia) *Coach's Code of Ethics* www.coachingaus.org/ethics.htm

National Coaching Foundation (2004) *Code of Ethics and Conduct for Sports Coaches*
<http://www.brianmac.demon.co.uk/ethics.htm>

National Employers Organisation for School Teachers/ Teacher Unions (2002) *Education Staff and Child Protection: Staff Facing an allegation of Abuse: Guidelines on Practice and Procedure* Education Employers Bulletin 467 National Employers' Organisation for School Teachers (NEOST) http://www.lg-employers.gov.uk/documents/pay_conditions_stats/education/joint_guidance_staff_facing_allegation_of_abuse.doc

National Employers Organisation for School Teachers/ Teacher Unions (2002) *Guidance about Conduct for Staff, Volunteers, Governors, etc, whose work brings them into contact with Young People* Education Employers Bulletin 467 National Employers' Organisation for School Teachers (NEOST) http://www.lg-employers.gov.uk/documents/pay_conditions_stats/education/neost_guidance_on_conduct.doc

National Union of Teachers (NUT) *Code of Ethics and Code of Professional Conduct for NUT Members*
<http://www.suffolknut.org.uk/conduct.htm>

NCH Action for Children *Code of Conduct and Practice Guidelines addressing acceptable boundaries and limits for children and young people*

Northamptonshire County Council *Appendix I in A Code of Conduct for Employees whose work brings them into contact with Young People*

OFSTED (2000) *Code of Conduct for Inspectors*
<http://www.ofsted.gov.uk/howwework/index.cfm?fuseaction=howwework.inspections&id=10#code>

Ontario College of Teachers (1999) *Professionally Speaking: Fostering Resilience in Troubled Students*
http://www.oct.ca/english/ps/december_1999/resilience.htm

Partridge J and Walmsley M (1999) *Child Protection: Good Practice in the Care of Children*

Quinton P (2003) Code of Conduct for Police Officers, Appendix B in *An Evaluation of the New Police Misconduct Procedures*. Home Office Online Report 10/03 <http://www.homeoffice.gov.uk/rds/pdfs2/rdsolr1003.pdf>

Sage G (1997) *Code of Conduct for Teachers: Contact with Pupils* Association of Teachers and Lecturers (ATL)

Sage G (1999) *Child Abuse and the Children Act*: Association of Teachers and Lecturers (ATL)

Scouts Canada (2001) *Duty of Care* <http://www.scouts.ca/media/documents/dutyofcare.pdf>

Smith DR (1993) *Safe from Harm: A Code of Practice for Safeguarding the Welfare of Children in Voluntary Organisations in England and Wales*. Home Office <http://www.homeoffice.gov.uk/docs/harm.html>

Unitarian Universalist Association (1995) *A Code of Ethics for Adults Working with Children and Youth The UUA Congregational Handbook* www.uua.org/cde/handbook/conghand-14h.htm

Vale Royal Sports Council *Child Protection and Sport* http://www.vrsportscouncil.co.uk/Fact_Sheets/vrscpprotleaflet3.pdf

Volunteer Development Agency (2000) *Our Duty to Care: Principles for Good Practice for the Protection of Children and Young People*. Volunteer Development Agency, Northern Ireland <http://www.volunteering-ni.org>

