

**Haringey
Local Safeguarding Children Board**

**Practice Guidance:
The Recruitment and Selection of
Staff**



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This practice guidance was commissioned by Haringey LSCB in 2005 from Pamela Mansell Associates. It will be reviewed annually in order to ensure that it complies with changes in legislation.

Safeguarding Children and Young People

Recruitment and Selection Practice Guidance

Context

1. Experience shows how important it is that organisations providing services to children operate recruitment and selection procedures that help deter, reject, detect and remove people who might abuse or harm children, or are otherwise unsuited to work with them. Making safeguarding and the promotion of children's welfare a priority is an essential part of creating safer organisations.
2. The Haringey Local Safeguarding Children Board (LSCB) objective through the development and application of this practice guidance is to build consistency in the safeguarding standards of local organisations. It sets out an agreed minimum standard of practice for the recruitment and appointment of employees and workers to work in positions affording direct and indirect access to children. Appendix 7 to this guidance gives a breakdown of positions that need to be considered within the definition of 'working with children'.
3. 'Children' refers to all children and young people up to the age of 18.
4. The guidance embraces nationally recommended standards in recruitment and selection arising from key reports such as *Choosing with Care* (Warner 1992); *People Like Us* (Utting 1997); *Lost in Care* (Waterhouse 2000);, the findings of the Bichard Inquiry (2004) following the Soham murders; and the *Second Joint Chief Inspectors Review of Children's Safeguards* (2005). The practice guidance is also consistent with the guidance issued by the DfES in June 2005, *Safeguarding Children: Safer Recruitment and Selection in Education Settings*, and the Department of Health resource pack *Towards Safer Care*, issued in 2001.
5. The "Good Practice" recommendations highlighted in the text go beyond a minimum practice standard but reflect proven practice, which has helped organisations prevent the appointment of high risk and unsuitable people.

Statutory Duties

6. All organisations that work with children share a commitment to safeguard and promote their welfare. For many organisations a statutory duty (or duties) underpins this.
7. Local Authorities, NHS Bodies (Strategic Health Authority, designated special health authority, Primary Care Trusts, NHS Trusts, and NHS Foundation Trusts), the Police (including British Transport Police), probation and prison services, youth offending teams, secure training centres and Connexions all have a duty under Section 11 of

the Children Act 2004, to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Guidance for these organisations about their duty under Section 11 is contained in *Making Arrangements to Safeguard and Promote the Welfare of Children*, published by the DfES in 2005.

8. Local authorities also have a duty to carry out their functions with a view to safeguarding and promoting the welfare of children under s175 of the Education Act 2002. In addition, maintained (state) schools and Further Education institutions, including 6th Form Colleges, also have a duty under s175 to exercise their functions with a view to safeguarding and promoting the welfare of their pupils (students under 18 years of age in the case of FE institutions). The same duty is put on independent schools, including Academies and Technology Colleges, by regulations made under s157 of the 2002 Act. Guidance to local authorities, schools, and FE institutions about these duties is contained in *Safeguarding Children in Education* published by DfES in September 2004.
9. The Children and Family Court Advisory and Support Service (CAFCASS) also has a duty under s12 (1) of the Criminal Justice and Court Services Act 2000 to safeguard and promote the welfare of children involved in family proceedings in which their welfare is, or may be, in question.
10. Whilst some organisations are not specifically named in their duty to safeguard and protect young people up to the age of 18, they do have a common law duty of care that includes safeguarding young people.
11. Appendix I provides a synopsis of key legislation and government guidance relating to the safeguarding of children.

Organisational Safeguards

12. In general the vast majority of people who work with children and young people have their safety and welfare at heart. However, research, Inquiries, child protection and disciplinary investigations all alert to the fact that some people seek access to children in order to abuse them or cause them harm, and that abused children very often do not disclose the abuse at the time.
13. Children can also be abused and harmed when employees fail to act to report abusive behaviour, including malpractice and professional misconduct. It is often hard to believe that a long-serving and trusted colleague can be involved in the abuse of children and for many reasons employees, both paid and unpaid, fail to voice their concerns. This colludes with and protects the high risk, unsuitable adult rather than safeguarding the interests of children and protecting them from abuse or harm.
14. It is important not to be preoccupied with child sexual abuse. Physical and emotional abuse, including bullying and intimidation, are also continuous threats in organisational life.

15. There are a number of cases year on year in which professionals and others working within organisations affording access to children are convicted of criminal offences involving the abuse of children or dismissed from posts because of professional misconduct. However, only a very small percentage of people who persistently abuse children have a criminal conviction or are entered on the mandatory Lists.
16. All entry points into an organisation are opportunities to deter and identify those who wish to harm children and young people and those who do not have an aptitude to work with children. However there are also those people who are already employed within the organisation, together with contractors, agency workers, other professionals and visitors to the organisation, who may seek the opportunity to build up inappropriate contact and relationships with children and use that contact outside the organisation.
17. This practice guidance in relation to robust recruitment and selection processes therefore needs to co-exist alongside a number of different elements, which include:
- Recruitment and Selection Policy and Protocols;
 - Whistle-blowing procedures;
 - Complaints procedures;
 - Human Resource Management processes
18. Collectively they can support an overall strategic and operational approach to:
- **Prevent and identify** unsuitable people gaining access to your organisation;
 - **Detect** malpractice and professional misconduct promptly by having effective codes of practice, codes of conduct, defined policies and processes in which safeguarding standards are fully integrated.
 - **Remove** unsuitable people quickly by having consistently high standards in child protection and disciplinary rules.

Staff and workers covered by this practice guidance

19. This practice guidance covers the appointment of all employees, both paid and unpaid, working in:
- Roles affording direct access to children;
 - Supervisory or managerial positions in relation to such employees;
 - Managerial capacity which enables them to influence the formulation and implementation of policies, protocols and standards relating to the organisation's delivery of operations and strategic development;
 - Positions that enable access to personal information relating to children.

Unpaid Workers: This includes volunteers, trustees of charities, management committee members, Governors of schools and colleges;

Paid: Directors, managers, practitioners, support staff and people with access to personal and detailed information relating to young people.

20. All entry points into an organisation are opportunities to deter and identify those who wish to harm children and young people and those who do not have an aptitude to work with young people.

Contractors

21. Many organisations providing services and access to children use contractors in one way or another or have other professionals involved in work with children. Organisations should therefore try and ensure that the terms of any such contract also require the contractor to concur with the minimum standards of practice described in this guidance. They should also monitor the contractor's compliance.
22. When other professionals are regularly based in a host organisation or exert significant influence in relation to children, such as psychiatrists, psychologists, and medical personnel, it is important to ensure comparable processes are applied in their recruitment.
23. This guidance should also apply to sport and leisure services when they are providing services specific to children and young people.

Employment Agencies providing temporary staff

24. Many organisations need to use temporary staff provided through employment agencies in order to quickly fill vacant posts. It therefore makes sense to demand the same standards of practice in relation to recruitment that would be applied were the post to be filled permanently.

Good Practice Recommendation

Many agencies do not employ people who understand the complexity of issues relating to the safeguarding and protection of children. It is therefore crucial that contracts with employment agencies stress the organisation's requirement that they apply standards consistent with this guidance.

It is also important that the contracting organisation periodically audits the standards being applied by the employment agency. The contracting organisation should also seek verification from the employment agency when they are placing an employee, that they have applied the recommended standards. The contracting organisation should insist that they are provided with a synopsis of the outcome of the employment agency's assessment of the candidate, highlighting strengths and weaknesses. This enables the contracting organisation to conduct a proper assessment of risk.

The Elements of Safer Recruitment Practice

Recruitment and selection policy statement

25. The employer should have an explicit, written recruitment and selection policy statement. This should declare the organisation's commitment to safeguarding and promoting the welfare of children and say how the recruitment and selection processes applied by the organisation proactively support this commitment.

26. Sample Statement:

“This authority/school/college/organisation is committed to safeguarding and promoting the welfare of children and young people, engages with children and staff in policy and practice development, and proactively encourages feedback”.

27. It is consistent with national recommended practice for such a statement to be included in:

- Publicity material;
- Recruitment websites;
- Job advertisements;
- Candidate information packs;
- Person Specifications;
- Job Descriptions;
- Competency frameworks;
- Induction training.

Good Practice Recommendation

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 is built into:

- Codes of Conduct
- Codes of Practice
- Contracts of Employment
- Disciplinary Rules

Planning

28. It is important that any information provided to candidates (advertises, job descriptions, person specifications, information about the role and/or organisation) is consistent about the priority given to the safeguarding of children and the promotion of their welfare. Information about the selection process should help applicants to understand how criteria, including those designed to assess personal suitability, will be assessed (See Appendix 3).

29. Within the advert and information to the candidate, reference should be made to the need for the employer to obtain a criminal record Disclosure via the Criminal Records Bureau (CRB), including checks against the statutory Lists.
30. This properly enables candidates to make informed decisions about whether or not they want to apply.

Good Practice Recommendation

It is good practice to create a checklist in relation to all recruitment to which this practice guidance applies. This can then be used as a permanent record and filed with all papers relating to the appointment of the successful applicant. This provides an audit trail that can evidence the thoroughness of the process.

It is also good practice for the recruitment and selection papers to be retained as a permanent record in the personnel file for the successful candidate.

These should include the assessment of the candidate's skills and capabilities together with an assessment of their motivation and aptitude to work with children. These should then contribute to an induction programme and staff development and supervision plan.

See **Appendix 2**

Job Description

31. This should clearly state:

- The main duties and responsibilities of the post;
- The post-holder's individual responsibility for promoting and safeguarding the welfare of children within the context of their role.

Person Specification

32. The Person Specification should:

- clearly convey the selection criteria against which 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, ie. by interview, presentation etc.

33. It is crucial that candidates are aware that, in addition to their ability to perform the duties of the post, they will also be assessed in relation to their personal suitability for the role. This includes:

- Their motivation to work with children;
- Their attitude towards the use of authority and control;

- Their integrity and ability to form and maintain appropriate professional relationships with children;
- Their emotional resilience when working with challenging behaviours and situations.

34. If such characteristics are to be assessed they must be built into selection criteria for the role to facilitate a transparent, fair, and open process.

Good Practice Recommendation

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 facilitates a more objective, evidence-based approach to selection.

Sample competency-based selection criteria, including criteria relating to personal qualities, are attached as Appendix 4.

Application form

35. Employers should use an application form to obtain a common set of core data from all applicants. It is **not** good practice to accept a CV drawn up by applicants in place of an application form because this will only contain the information the applicant wishes to present and may leave out relevant details.

36. It is important the application form is designed to enable the gathering of full information in relation to the applicant. This information should then be used as part of the full vetting and verification of short-listed candidates.

37. Information that is essential for this full vetting and verification is:

- Full identifying details of the applicant including current and former names, date of birth, current address, and National Insurance number;
- A statement of any academic and/or vocational qualifications the applicant has obtained, including awarding body and name of institution;
- A full chronology of employment since leaving secondary education, including any periods in any post-secondary education/training, and part-time and voluntary work as well as full-time employment, with start and end dates, explanations for periods not in employment or education, and reasons for leaving each period of employment;
- All part-time and full-time training and education post-secondary education, including dates;
- A declaration of any family or close relationships/friendships to existing employees or employers (including councillors, governors, trustees);
- Details of two referees. Normally two references should be sufficient, but for a range of reasons you may need to take up more references so the candidate should be alerted to this fact. One referee must be from the applicant's current or most recent employer. The form should make clear that references from

relatives or people writing solely in the capacity of friends would not be accepted.

38. The Application Form should include an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974 and therefore that all convictions, cautions and bind-overs, including those regarded as 'spent' or '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 regulatory body, such as the General Teaching Council (GTC), and either has no convictions, cautions, or bind-overs, or has attached details of their record in a sealed envelope marked 'Confidential'.
39. The Application Form should make clear to all prospective applicants that:
- Where appropriate the successful applicant will be required to provide a satisfactory Disclosure from the CRB at the appropriate level for the post. This is Enhanced Level for all posts involving contact with children and young people;
 - The prospective employer will seek references on shortlisted candidates, and may approach previous employers for information to verify particular experience or qualifications before the interview;
 - If the applicant is currently working with children, either on a paid or voluntary basis, his/her previous employer will be asked about disciplinary offences relating to children, including any in which the penalty is 'time-expired' (for example, where a warning could no longer be taken into account in any new disciplinary hearing).
 - The applicant should also be asked to declare whether they have been subject to any child protection investigations, including allegations relating to abuse, bullying, intimidation, professional malpractice or professional misconduct. If they have, then details must be provided.

Good Practice Recommendation

It is good practice for a separate, confidential, form to be used to gather information from applicants relating to any criminal history or child protection investigations, including allegations or any disciplinary investigation and action. **See Appendix 5.**

In relation to child protection, it is also important to find out whether the person has had a child or children on a child protection register or had children for whom they had responsibility removed from them or placed in care. This can all influence a person's attitudes to child protection, and children's welfare. It does not mean the person is unappointable but it is information you will need to explore with the candidate in order to make informed decisions.

When the candidate has no such history they can make a formal declaration to that effect. This then provides a formal record.

Candidates can be assured that the "confidential envelope" will only be opened if and when they are short-listed. If the candidate is not short-listed the confidential form should be returned unopened.

Vetting: References

40. 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. Open references and testimonials, i.e. "To whom it may concern", together with references provided by the applicant, are unreliable, as they may have been forged. Also open references and testimonials may be the result of a "compromise agreement" and are unlikely to include any adverse comments.
41. **Key points** to note in relation to references:
- Take references seriously and use them as an integral part of the vetting of candidates;
 - Obtain two written references from employment or education. One must be from the current or last employer. If this employment has only been for a short period of time you should seek a reference from the employer before that.
 - One of the references should be from employment involving direct or indirect access to children. If this has not been provided but the candidate has previously worked in such employment then she/he should be informed that you intend to take up a reference from a named employer;
 - Employment references must be on headed paper and signed by a senior line manager;
 - Referees should ideally have first-hand knowledge of a candidate's work involving direct, or indirect, access to children;
 - All requests for references should seek objective, verifiable information and not subjective opinion. The use of reference proformas can help achieve that;
 - The referee should be asked whether they are completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the referee's concerns and the reasons why the referee believes the person might be unsuitable;
 - Referees should be contacted by telephone to follow up information or clarify their validity. Where possible this should be done before the interview;
 - All referees should be asked to comment on any disciplinary investigations or outcomes – including those that are pending - and any allegations relating to abuse, bullying, intimidation, malpractice or professional misconduct, involving children, families, colleagues or professional others.
 - This should be cross-referenced with the information provided by the applicant.
42. When the applicant has worked through an agency, references should be taken up with the last place of employment, not just with the agency.
43. Do not accept referees who are personal friends or relations.
44. Some companies will only provide you with the minimum of detail even when asked for more. There is little you can do if this happens as there is no legal obligation to comply with any practice guidance. This makes it all the more important that the other areas of your recruitment process are robust.

Good Practice Recommendation

The following is recommended in both the DfES Guidance “Safeguarding Children: Safer Recruitment and Selection in Education Settings” and the Department of Health Resource pack “Towards Safer Care”

References should be taken up prior to interview. Candidates should be briefed about this process. If they strongly object to their current employer being contacted as it may have adverse consequences for employment then the current employer may need to be taken up after the interview. But two references should then be taken up from previous employment or education.

There should be a presumption conveyed to applicants that references will be taken up before the interview unless they give reasons why they do not want their current employer contacted.

If references can be considered prior to interview, it makes it easier to explore specific information during the interview.

Referees should be informed that references are seen as part of the organisation’s safer recruitment and selection practices designed to safeguard children. As such the reference will be taken seriously and will contribute to the overall assessment of the candidate in relation to the role for which they have applied. Referees should be given a date when the reference needs to be returned. They should also be informed that they might be contacted to verify the authenticity of the reference and to discuss its contents.

See Appendix 6.

Vetting: Qualifications and Training

45. All short-listed candidates should be required to bring original qualifications or certificates correlating with those specified in the application form with them to interview. During the interview they should be cross-referenced to the application form. Copies should be taken and kept with the recruitment and selection information on each candidate.
46. Remember it is very easy for an unscrupulous candidate to falsify qualifications. When there is any doubt as to their authenticity, further checks with the awarding bodies must be made.

Vetting: Identity

47. It is important to ensure that the person attending for interview is the actual candidate who has applied for the role and been short-listed. Ask candidates to bring photographic evidence to the interview. The Chair of the Panel, or person responsible for making the decision in relation to the appointment, must verify the evidence, take a photocopy and hold within the recruitment and selection papers.

48. Acceptable forms of identification include:
- Passport and new style driving license, together with
 - A utilities bill that confirms the person's name and address.
49. Name, date of birth, and address must be matched with the information provided on the application form and CRB Disclosure if one is available.

Vetting: Criminal Records Bureau Disclosures

50. All organisations that employ staff or volunteers to work in regulated positions with children are required by law to make reasonable efforts to ensure they are suitable for the position. Checks with the Criminal Records Bureau form part of these efforts.
51. The Police Act 1997 introduced three levels of certificate: Basic Disclosure, Standard Disclosure, and Enhanced Disclosure.
52. The **Basic Disclosure** shows details of convictions held on the Police National Computer which are unspent under the Rehabilitation of Offenders Act 1974 or will state if there are no such convictions. It is issued to individuals on request, not employers. This is **not** recommended as having any value.
53. The **Standard Disclosure** shows details of both spent and unspent convictions, and cautions, formal reprimands and final warnings held on the Police National Computer. It also states if there is nothing on record.
54. The **Enhanced Disclosure** contains the same details as the Standard. It may also reveal police intelligence, or 'soft' information that may suggest cause for caution. It should also reveal whether the applicant is on the List 99 or PoCA. Under proposed new legislation this will be the only valid disclosure. **Haringey LSCB considers an Enhanced Disclosure to be mandatory for all posts that may involve contact with children.**
55. List 99 checks (the DfES list of people who are unsuitable to work with children) are only acceptable as part of an enhanced CRB Disclosure. They should never be accepted as sufficient on their own.
56. Following the recommendations of the Bichard Inquiry 2004, the Government is to create a new centralised vetting and barring scheme for people working with children or vulnerable adults (paid or unpaid). This will enable organisations to update CRB Disclosures regularly without additional charge, but only if that Disclosure was originally done at Enhanced Level.
57. In order to embrace this, two further changes are to be made to current legislation regarding entitlement to Enhanced Disclosures. Firstly, all disclosures for work with children and vulnerable adults are to be at enhanced level. Secondly, entitlement to Enhanced Disclosures is to be extended to ensure comprehensive coverage of the child-related and vulnerable adult-related workforce.

58. It is proposed the scope of entitlement to Enhanced Disclosures for people in child related employment will include:
- as now, all those who work primarily and directly with children and young people and their managers;
 - those in other jobs whose work offers them the opportunity for regular contact (including indirect contact by phone or internet) or places them in positions of trust in relation to children;
 - those who have substantial access to personal and sensitive information about children and young people.

Disclosures in Schools or School Settings

59. Advice issued by the Secretary of State for Education on 26th January 2006 proposed the following changes to strengthen the existing DfES guidance for schools:
- CRB Disclosures will become mandatory for all newly appointed school employees;
 - Updated CRB Disclosures will also be needed for staff who change schools within a Local Authority area;
 - There is still no **mandatory** requirement to check existing staff who may never have had a CRB Disclosure. If an employer has concerns, they may seek an Enhanced Disclosure but only with the consent of that member of staff. Existing staff should, however, be checked when they seek a new appointment, have a break in service of more than 3 months or move to a job with considerably more responsibility for children;
 - Teaching agencies will be required to ensure that teachers have a CRB Disclosure.
 - Headteachers have discretion in allowing people to start work pending the result of a CRB Disclosure, providing that they are confident that checks against the Lists have been made and that they have made arrangements to ensure that children would not be at risk.
60. The position of Haringey LSCB is that arrangements to safeguard children should be consistent across agencies and as such we are recommending a position to schools that goes beyond the national requirements. The recommended position is that:
- All staff employed by schools should have an Enhanced CRB Disclosure in line with DfES guidance;
 - Newly appointed staff that do not have an up-to-date Enhanced Disclosure (ie. issued within the previous three years) should not begin work until this is obtained;
 - Staff that have had an Enhanced Disclosure issued by another organisation within the last 3 years may start work pending receipt of a new Disclosure, but it is the responsibility of the Headteacher to assess any possible risk to children and to manage these pending receipt of the Disclosure;
 - Where CRB Disclosures reveal convictions, cautions, reprimands, warnings or other information that could pose a risk to children, this will be thoroughly explored with the member of staff and a judgement made on their suitability to work.

Developing a Process for Managing CRB Disclosures

61. It is imperative that clear and consistent processes are established to ensure that:
- The person(s) accountable for requesting Disclosures and managing the process is identified;
 - Monitoring takes place to ensure that relevant people have a CRB check at the required level;
 - Appropriate and nominated staff are responsible for verifying documentation and decision-making in relation to information received;
 - There is a process for assessing potential causes for concern and associated risks;
 - Information is evaluated consistently and fairly;
 - There is a process for ensuring that paper copies of Disclosures are not retained for longer than 6 months;
 - Secure systems are in place for ensuring only designated officers have the correct information about employees/potential employees.
62. It is not uncommon for applicants to become anxious about the Criminal Records process. All applicants should be provided with information about Criminal Records Disclosures and assured that a criminal offence does not necessarily bar them from working with children. However, they should be advised that if they are called for an interview the information relating to any criminal history will be discussed with them.
63. This does not apply when the offence is one that bans the person from working with children under 18 and also makes it an offence to apply for such employment.
64. Under the Protection of Children Act and the Criminal Justice and Courts Services Act 2000 a number of people are banned from working with children. These are attached as Appendix 7. If a person who is banned from working with children applies for a post, the information must be provided to the Police, as it constitutes a criminal offence.
65. When a person has a criminal record or there is information held on the Lists, decisions about suitability should be made on a case by case basis. To ensure consistency on decisions relating to adverse information, including criminal convictions, it is advisable that a nominated manager, in consultation with a senior manager from human resources, conducts the risk assessment and makes the decision. This should be done in line with the specific organisation's risk assessment process.

Checks on Overseas Applicants

66. CRB Disclosures, together with checks against List 99 and PoCA checks, should be completed on staff from overseas unless it is verified that the applicant has not previously lived and worked in the UK. If that is the case, the checks will serve no purpose because the individual will not have a criminal record in this country and will not appear on DfES List 99 or on the PoCA List.

67. In all cases where an applicant has worked or been resident overseas in the previous five years, the prospective employer should, where possible, obtain a check of the applicant's criminal record from the relevant authority in that country. Not all countries provide that service, but the CRB provides an Overseas Information Service.
68. Further information about the Overseas Information Service can be obtained from www.crb.gov.uk/services_overseas.asp or by telephoning the CRB enquiry line on 08700 100 450.
69. In cases where a criminal record check is not possible, particular care should be taken with the other required checks, especially those of identity and qualifications, and to obtain satisfactory references.

Selection Assessment

70. There are a substantial range of selection processes that can help to test candidates' capacity in relation to the defined selection criteria, such as role play, task setting, group exercise, presentations, interviews, including interviews by young people.
71. Research shows that specially designed selection assessment centres using a combination of specifically designed occupational tests and interviews can give an increased validity between performance at selection assessment and performance in the role. Most organisations will not routinely use such centres, but can usefully employ various selection techniques themselves. The more direct contact a post has with children and young people, the more valuable such a mixture of methods will be.

Face-to-Face Interview

72. Interviews should be evidence-based and robust. They should enable a comprehensive assessment of the person in relation to experience, skills, and personal suitability as defined in the Person Specification.
73. Interviews are an opportunity to:
 - Question gaps in employment history and/or frequent changes in employment/education including reasons for leaving;
 - Explore gaps and strengths demonstrated in the application form and personal statement;
 - Expand on the candidate's understanding of the role and their duty of care to safeguard the welfare of children.
74. In addition to the candidate's ability to perform the duties of the post, the interview should also explore issues relating to safeguarding and promoting the welfare of children including:

- Motivation to work with children and young people;
- Ability to form and maintain appropriate relationships and personal boundaries with children;
- Emotional resilience in working with challenging people and situations;
- Behaviour and attitudes in relation to authority and control;
- Values and ethics in relation to children, safeguarding, and child protection.

75. At least two people should form an interview panel.

76. At least one Interviewer should have undertaken training that equips them to deal with safeguarding concerns and interview training. Both should hold a current CRB check.

Good Practice Recommendation.

Personal Interview

The concept of the personal interview stems from many Inquiries and reports into the abuse of children in organisations. It is a very useful method of ensuring that the motivation, values, attitudes, behaviour and temperament of the candidate are consistent with valuing and safeguarding children, and building open, socially inclusive organisations.

It is important to create an environment and interview process which facilitates a robust and rigorous exploration of the candidate's personal suitability with or around children. This is often better achieved through an interview specifically designed for the purpose. Often, these interviews use competencies as measures.

A sample competency might be:

Integrity: Demonstrates the capacity to build and sustain professional boundaries and appropriate relationships with young people, colleagues, and other professionals.

Why it matters:

High standards of personal and professional behaviour are a prerequisite in all children's services. We know that people can cross over the boundaries to meet their own needs, to encourage emotional dependency, or as part of the grooming behaviour of a high-risk person. Crossing over the boundaries in relationships with children can confuse their thinking as to what is acceptable and unacceptable in the relationship.

Involving Young People

77. Involving young people in the recruitment and selection process in some way is recognised as good practice. It can increase young people's involvement in and commitment to the process and can make them feel valued partners in the service

being delivered for them.

78. Young people can be involved in a number of ways. They can conduct a separate interview, or observe candidates during case studies, group exercises, or role plays.
79. It is, however, very important that young people are properly empowered by being trained in the selection method, have contributed to the design of the selection criteria, and understand their role and the ways in which they will contribute to the decision-making process.

Decision Making

80. It is crucial that the person responsible for the decision-making has access to all the papers and information relating to the successful candidate and is satisfied that the person is suitable to work directly or indirectly with children prior to any decision to appoint being made.
81. The person responsible for the appointment decision must be satisfied with:
- Verification of the person's identity and qualifications and that they are consistent with those specified on the application form;
 - Receipt of two satisfactory references from acceptable referees;
 - Verification of professional status where required;
 - The information relating to criminal offences, disciplinary investigations and action, and child protection/safeguarding allegations;
 - The overall assessment of the candidate, including the assessment of personal suitability. When a candidate does not demonstrate personal suitability when tested against the defined competencies/selection criteria they should not be appointed.

Conditional Offer of Appointment: Pre-Appointment Checks

82. It is good practice for all references and checks, other than CRB and checks of DfES List 99 and PoCA, to have been undertaken during the interview and selection process.
83. Where this has not occurred an offer of appointment to the successful candidate should be conditional upon:
- The receipt of two satisfactory references;
 - Verification of the candidate's identity (if that could not be verified during or immediately after the interview);
 - A satisfactory CRB Disclosure, plus a check of DfES List 99 and PoCA List.
 - Verification of a candidate's medical fitness for the position appointed to;
 - Verification of professional status where required;
 - Satisfactory completion of the probationary period;
 - (For teaching posts) verification of successful completion of statutory induction

period (applies to those who obtained QTS after 7 May 1999).

84. Immediately following the successful candidate's acceptance of the appointment a personnel file should be started and the recruitment papers – checklist, application form, and outcome of the selection assessment, references, evidence of identity and qualification verification must be transferred into the personnel file, together with the paperwork relating to the actual appointment.
85. The outcome of the assessment should contribute to formulating the new employee's induction programme and staff developmental plan.

Contracts of Employment

Recommended Good Practice

It is recommended good practice for Contracts of Employment to specify the employee's duty of care and personal responsibility to contribute to the organisation's policies, protocols and practice to safeguard children, protect them from abuse, and promote their welfare in addition to other required elements.

Post Appointment Induction

86. There should be an induction programme for all new employees and volunteers. The purpose is to:
 - provide training and information about the organisation's policies and procedures;
 - support individuals in a way that is appropriate for the role that they have been employed to carry out;
 - confirm the conduct expected of all employees, both paid and unpaid;
 - provide opportunities for new members of staff or volunteers to discuss any issues or concerns they have about their role or responsibilities; and
 - to enable the person's line manager to recognize any concerns or issues about the person's ability or suitability at the outset and address them immediately.
87. As part of maintaining an overall culture committed to the safeguarding of children, it is important that all staff in an establishment, both paid and unpaid, have appropriate training and induction so that they understand their roles and responsibilities and are confident about carrying them out. It is also essential that staff, children, and parents feel confident that they can raise issues/concerns about the safety or welfare of children, and that they will be listened to and taken seriously.
88. The content and nature of the induction process will vary according to the role and previous experience of the new member of staff or volunteer, but as far as safeguarding and promoting the welfare of children is concerned the induction programme should include information about,;

- Policies and procedures in relation to safeguarding and promoting welfare, e.g. child protection, preventing the abuse of trust, process for dealing with allegations, anti-bullying, anti-racism, physical intervention/restraint, internet safety and any local safeguarding/child protection procedures and practice guidance;
- Safe practice and the standards of conduct and behaviour expected of staff and young people in the organisation;
- Details of how and with whom any concerns about these issues should be raised; and
- Other relevant personnel procedures e.g. disciplinary, capability, and whistle-blowing.

89. The programme should also include attendance at child protection training appropriate to the person's role.

Monitoring and Audit

90. Periodically auditing recruitment processes and induction arrangements will allow for standards to be properly monitored and action to be taken when they are not being properly adhered to.

APPENDIX I

Legislation providing for safeguards in the appointment of employees (both paid and unpaid)

	Key Aspects	Relevance to R & S
<i>The Police Act 1997</i>	This act makes provision for the establishment and use of the Criminal Records Bureau. It was designed to improve access to information about potential employees seeking work with children. The brief was to provide information about people who may wish to harm children.	Recruitment and Selection CRB checks.
<i>The Data Protection Act 1998</i>	The Act makes clear the sharing of information should not be a barrier if: <ul style="list-style-type: none"> • There are concerns about the welfare of a child • Information about the child is shared with Social Services or other relevant professionals • The disclosure is justified under the common law duty of confidence 	Provides the framework for the sharing of information if it is to protect a child or prevent a serious crime
<i>The Human Rights Act 1998 and UN Convention on the Rights of the Child (ratified by the UK Government 1991)</i>	Articles 3 and 19 of the UN Convention state that a child's best interests are of paramount consideration and that governments should take measures to protect children from all forms of injury, abuse and neglect. Both the Human Rights and UN Convention make provision for the right to privacy and freedom from interference in family life. However the paramountcy of a child's welfare overrides this right to privacy.	Sharing of information to prevent potential or actual harm to a child
<i>Protection of Children Act, 1999</i>	It is a statutory requirement for 'child care organisations' to check the names of individuals applying for 'child care positions' against the PoCA and DfES List 99 Lists It requires organisations to refer the names of individuals to these lists if they have cause for concern (see definitions in the Act)	<i>Recruitment and selection</i> <ul style="list-style-type: none"> • CRB Checks • Referring staff who are

	<p>The Act defines childcare organisations but encourages other organisations to apply the provision of the act.</p> <p>The Act provides the framework for identifying those people who are considered to be unsuitable to work with children and young people. This includes placing people's names on the PoCA list and DfES list 99. It can include those who have not been convicted of any offence but about whom there is sufficient cause for concern. All agencies are encouraged to refer unsuitable people to those lists. This includes people who have been dismissed.</p>	deemed unsuitable to work with children
<p>Criminal Justice and Court Services Act 2000</p>	<p>Provides eight categories of 'regulated positions', which includes people working with children and young people. This means that those working in these positions are exempt from the Rehabilitation of Offenders Act 1974</p> <p>"An institution which is exclusively or mainly for the detention of children" and "normal duties include work on day care premises" – this covers all staff who work at premises where they are in daily contact with children, even those they may not be primary carers for children (includes ancillary staff)</p> <p>Positions that by the nature of the influence and status they hold, could give access to children – for example, charity trustees are specifically mentioned - and other similar positions should be considered.</p> <p>"A position whose normal duties include supervising or managing an individual in his work in a regulated position" even if they do not have direct child contact themselves</p> <p>This legislation is only compulsory if positions also come under the Protection of Children Act 1999.</p> <p>It is not a criminal offence not to use these safeguards but such safeguards could be a defence in any subsequent legal action. This Act also states that:</p>	<p>Recruitment and selection</p> <ul style="list-style-type: none"> • Identifying relevant positions • Rigorous vetting • Rigorous selection assessment • CRB

	<p>If an individual who is disqualified from working with children knowingly applies for, offers to do, accepts or does any work with children, or becomes disqualified while working with children, they must inform their employer and cease working with them immediately.</p> <p>An individual must not knowingly offer work with children, or procure work for an individual who is disqualified from working with children, or allow an individual to continue in such work.</p> <p>It is a criminal offence for a convicted sex offender to seek employment to be appointed to work with children</p> <p>It is a criminal offence if an employer does not take sufficient measures to determine whether a potential employee is unsuitable to work with children and gives a job to someone who is unsuitable, particularly if the appointment is to a regulated position.</p>	
Education Act 2002	Section 175 of the Education Act 2002 places a duty on local education authorities, governing bodies of maintained schools and governing bodies of further education institutions to safeguard and promote the welfare of children.	Mandate for implementing safeguarding procedures within education services
Safeguarding Vulnerable Groups Bill 2006	This Bill provides the legislative framework for a new vetting and barring scheme for people who work with children and vulnerable adults.	

APPENDIX 2

CHECKLIST: Appointment of New Employees (paid and unpaid)

	Signature	Date
Preparation		
<i>Job Description</i> reviewed plus statement relating to safeguarding included		
<i>Selection Criteria/Person Specification</i> reviewed – criteria relating to safeguarding/child protection and motivation, behaviour, attitudes, and temperament included		
<i>Application form</i> seeks all relevant information and includes relevant statements about references, requests disclosure of information, alerts to liability relating to falsification of information and dismissal		
Other information provided to candidates on: <ul style="list-style-type: none"> the organisation's commitment to safeguarding; the selection assessment process and how it is designed to assess their personal suitability as it relates to safeguarding; CRB checks 		
Vacancy advertised (where appropriate)		
Advertisement includes reference to safeguarding policy i.e. statement of commitment to safeguarding and promoting the welfare of children, and need for successful applicant to be CRB checked		
Shortlisting		
All shortlisted applications scrutinised. Any discrepancies, gaps, anomalies or concerns in employment history noted to explore further with the candidate		
Check for any disclosures made by the candidate relating to allegations, disciplinary investigations, child protection concerns, or criminal history.		
When there are disclosures, arrangements must be made for a nominated manager to discuss these with the candidate in a face to face meeting to reach a decision as to the implications for the personal suitability and appointment of the candidate.		
References		
References should be sought directly from referees on all short-listed candidates. Relevant questions asked relating to safeguarding and suitability to work in positions affording access to children.		
Records kept of date requested and dated received		
References on all short-listed candidates should be available before the interview/assessment if possible.		
Chair of panel may need to phone referee. Record in writing any telephone conversation with referee seeking further information, chasing, or clarifying points in reference.		
References on receipt – checked against information on application; scrutinised; any discrepancy/issue of concern noted to take up with applicant at interview/or with referee prior to interview		

Invitation to Interview/Assessment		
Includes full instructions relating to the interview/assessment process. Provides guidance so that people know how they are to be tested against the selection criteria, including the criteria relating to the safeguarding of children		
Interview/Selection Assessment		
Explores and assesses candidate's suitability for work with children as well as competence in relation to the post; Assessment methods may include: Skills interview; personal screening/safeguarding interview; interview by young people; occupational tests; etc		
Check made of candidate's original academic and training qualifications. Copies made for the file		
Proof of Identity: Check made of candidate's driving licence and birth certificate and any other proof of identity. Change of name supported by legal documentation.		
Copies taken for file, including a photograph		
CRB Check		
Taken up on preferred candidate		
Record date satisfactory CRB received		
Information disclosed and held confidentially		
Where relevant and permissible, disclosure information discussed with candidate and assessment made as to implications for appointment		
Nominated senior manager accountable for decision making when information is disclosed makes the decision in relation to the appointment of the candidate.		
Health		
Fitness to work verified		
Decision to Appoint		
Manager responsible for actual decision to appoint confirms satisfaction with the outcome of the: <ul style="list-style-type: none"> • selection assessment, including assessment of personal suitability; • references; proof of identity; disclosure of information; and CRB checks 		
Induction		
New employee is inducted into the organisation including familiarisation with contract of employment, code of conduct, disciplinary rules and code of practice, child protection policy and protocols.		

APPENDIX 3

Sample Information Pack

Information sent to people requesting recruitment packs for practitioner and management roles affording both direct and indirect access to young people and vulnerable adults. Indirect access is likely to include posts affording access to personal information about individual young people which may be through HR roles, IT and administrative roles in frontline projects.

Safeguarding Children and Young People

Please read these notes carefully before completing your application form.

Approach to Recruitment

[**Organisation's name**] is fully committed to the promotion of equalities throughout its operations and takes seriously its responsibilities to protect and safeguard children. We aim to provide all applicants for posts within the organisation with a robust, transparent, and fair recruitment and selection experience that genuinely reflects the requirements of the role.

The decision to shortlist you will be made from the information you give us in your application form. We therefore ask you to take particular note of the information you provide to support your application form, ensuring you specifically address the areas we request through the person specification.

As part of our Duty of Care to safeguard and protect young people and vulnerable adults, the recruitment and selection process followed is consistent with nationally recommended standards. Short-listed candidates applying for designated posts will be required to demonstrate their personal suitability to contribute to and maintain safeguarding standards. The competencies designed to assess personal suitability are built into the person specification and will be tested through the Personal Interview (PI).

The Personal Interview

The Personal Interview focuses on your motivation, behaviour, integrity, ethics and temperament as they relate to the work rather than your technical abilities to do the job.

Involvement of Young People

The selection assessment process for short-listed candidates may also include an assessment by young people, which may be either an interview by young people or their observation of candidates in a group exercise. Their assessment contributes to the overall assessment of candidates.

Rigorous Vetting and Validation

This organisation also applies a rigorous approach to vetting all short-listed candidates, checking information you provide on your application form together with references from previous employers. You will also be required to provide proof of identity, including any change of name, together with original certificates evidencing qualifications. Please note that all evidence of identity and qualifications will need to be the original documents. We will also explore your employment history with you.

Information to Candidates on Completion of Application Form

At all times you must make the information you provide as accurate as possible. If you are appointed and it is subsequently found that you have provided inaccurate and misleading information, depending upon the seriousness of this it may lead to your dismissal.

Employment History

When completing your employment history, you should provide full information from when you finished school. Employment relates to both paid and unpaid (volunteering) work. You are required to provide the full name and address of employers, together with dates of employment (month and year are the minimum) and whether the employment was full-time, part-time or sessional. If you are undertaking two jobs simultaneously you should make this clear. You are also requested to provide us with your reasons for leaving each job.

Any elements of the information you provide in your application form that are unclear will be explored by the interview Panel .

If you currently work or have previously worked through an employment agency, you must provide the names of clients with whom you worked on assignments and the relevant dates for each as well as the employing agency for each.

We do require you to disclose your date of birth and age. This is to enable us to properly understand your age when you left school and commenced either full time education or employment. Age does not form part of the selection criteria unless specifically stated but we do need to know your age to properly verify the details you have given us.

Criminal Vetting

If you are the preferred candidate then we will take up checks through the Criminal Records Bureau. You are requested to complete the CRB form as part of your application.

Since this post is considered exempt from the provisions of the Rehabilitation of Offenders Act (1974) (Exceptions Order 1980) you should note that no convictions are considered spent. In completing your application form you should therefore tell us of any conviction, including formal warnings, you have received to-date.

Under the Criminal Justice and Court Services Act 2000, it is an offence for an individual who has been disqualified from working with children to knowingly apply for, offer to do, or accept any work in a 'regulated position'. This includes the role for which you are applying.

Safeguarding Form - Declaration of Specific Information

You are asked to complete the Safeguarding Form. This requests a range of confidential information. This form will only be opened if and when you are short-listed. If you declare information you will be invited to a meeting with a senior manager. As a result of this meeting the manager may take up further checks. You will then be informed whether or not the organisation is able to continue with your application.

These questions will also be explored with your referees.

Qualifications

As already indicated, you are required to produce the original certificates in relation to your qualifications.

Person Specification – Selection Criteria

Please read the Job Description and Person Specification carefully. The Person Specification clarifies the selection criteria against which you will be assessed during the selection assessment process and the selection method that will be used. In the completion of your application form we expect you to be able to demonstrate your understanding of the job and how you believe you meet the selection criteria, particularly addressing those criteria which will be used to shortlist candidates. These criteria are clearly indicated in the application pack.

The Person Specification contains specific criteria relating to your motivation, behaviour, attitudes, ethics and temperament. These will be assessed through the personal interview.

We will not use CVs to shortlist candidates. You must complete the application form in full.

References

References should be from your current and previous employers, and from a senior manager in the organisation who has personal experience of your work. Personal references from friends and family are not acceptable. You should make clear the relationship of the referee with yourself, e.g. immediate line manager.

In providing referees, you should think about the people who are most likely to be able to comment on your capacity in relation to the role for which you have applied. We reserve the right to take up additional references to those you have provided, but we will seek your agreement before doing so. We also reserve the right to phone your referees and discuss your reference with them.

We will take up references, including current employer references, on all short-listed candidates prior to assessment/interview, unless you give us reasons why we should not do this. We recognise that for some candidates you may prefer us not to go to your current employer until you have been interviewed. If this is the situation, then you must still provide us with referees whom we can approach following short-listing. However, we will not offer employment until we have a satisfactory reference from your current employer.

Referees who do not respond by the date requested will be contacted by phone so a contact number should be provided.

Candidates with disabilities

As part of our overall commitment to equalities and the employment of people with disabilities, you are invited to tell us if you have a disability, together with any adjustments that you require to facilitate your taking part in the selection assessment process. We will then contact you to clarify the arrangements.

APPENDIX 4

Sample Person Specification for a Practitioner Role

	Assessed by
<p>1. Qualifications</p> <p>Relevant qualification in education, training, guidance, counselling, youth and community work, health or social services.</p> <p>Trained or willing to undertake training in.....</p>	
<p>2. Direct work with young people</p> <p>Substantial experience of working directly with young people.</p> <p>Ability to contribute to the personal development of young people.</p>	
<p>3. Analysis, Judgment and Decision-Making Skills</p> <p>Demonstrates the capacity to conduct a formal assessment of a young person's needs and, with the young person, to formulate and implement plans to make a positive difference in their circumstances</p> <p>Demonstrable analysis and problem solving techniques with the capacity to contribute to the development of new approaches to meet the needs of young people.</p>	
<p>4. Effective member of a team</p> <p>Able to work effectively with others, to co-operate with colleagues and help the team to achieve its goals.</p> <p>Ability to accept personal accountability for actions and personal development.</p>	
<p>5. Interaction with a range of external others</p> <p>Excellent communication and interpersonal skills, demonstrably able to build and sustain ongoing working relationships with a range of people across different organisations.</p> <p>Able to negotiate and achieve outcomes from a range of support services for young people, including for example: schools, GPs, Local Authority and Health Services.</p>	
<p>6. Task management</p> <p>Able to prioritise competing and conflicting demands to achieve outcomes on time and within the allocated resources whilst being responsive to the needs of young people.</p>	

<p>Ability to use ICT to a good level of competence, including word processing, e-mail and data management.</p> <p>Able to communicate in writing and verbally, according to the needs of the intended audience(s).</p> <p>7. Personal Qualities</p> <p>Motivation Able to reflect constructively on personal experience as a means of understanding personal development and influences on young people.</p> <p>Behaviour Uses personal authority to provide direction and build the capacity of others</p> <p>Temperament Able to work with young people and critical others who are challenging and undermining.</p> <p>Integrity Demonstrates the capacity to build and sustain professional boundaries and appropriate relationships with young people, colleagues, and other professionals.</p> <p>Ethics Demonstrates values and attitudes consistent with the safeguarding and protection of children and young people.</p>	
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APPENDIX 5

SAMPLE SAFEGUARDING FORM

Safeguarding Young People and Vulnerable Adults

This form should be completed and returned in a sealed envelope with your name, address and the post applied for on the front. The envelope will not be opened unless you are short-listed. If you are not short-listed the unopened envelope will be returned to you.

Your application will not be considered unless you complete this form and return it with your application form.

If you are invited to attend for interview you will be asked to bring original documents that verify the information given on both this and your application form.

If we think that the information you provide on this form may be relevant to safeguarding young people or vulnerable adults, or if our checks reveal child protection or adult protection related concerns, you will be invited to a face to face meeting with a senior manager to explain the circumstances. If you choose not to attend this meeting, we will not proceed with your application.

If we decide not to proceed with your application on the basis of the meeting with you or information obtained through our checks, we will let you know.

In relation to safeguarding young people and vulnerable adults, we only consider relevant cautions or convictions. We operate strict protocols to ensure that people who declare criminal convictions or cautions are treated fairly and their personal information is held securely.

If we discover information about a criminal or disciplinary offence that you have not previously disclosed, we will regard this as a fundamental breach of trust. If we have offered you employment, the offer will be withdrawn immediately and without compensation. If you are already in the new post this may result in your instant dismissal.

Safeguarding Children and Young People Information Request Declaration of Confidential Information

Surname:	
All forenames:	
Previous surnames:	
Date of Birth:	
Place of Birth: (Town/County and Country)	
Present address (with postcode):	
Length of time at present address:	
Professional registration number e.g. GSCC, DfEE (or other professional body if appropriate):	
Name of awarding body:	

Certain positions where employees have both direct and indirect access to young people and vulnerable adults are exempt from the Rehabilitation of Offenders Act 1974 & all subsequent amendments (England & Wales) and the Rehabilitation of Offenders Order 1978 and all subsequent amendments (Northern Ireland). For these positions you are not entitled to withhold information about convictions that would otherwise be considered “spent”.

Have you ever been convicted of any offences, cautions or bind overs?	
Yes/No	If yes, please give details
Are you subject to any pending prosecutions or current criminal investigations?	
Yes/No	If yes, please give details

Are you disqualified from working with children and young people, either through a court imposed disqualification order or through your inclusion on either the Department of Health or Department of Education and Skills Lists of those banned from working with children or the PoCA Register?	
Yes/No	If yes, please give details
Are you subject to any pending disciplinary action, complaints or investigations in your current employment?	
Yes/No	If yes, please give details
Has a previous employer ever taken disciplinary action against you or have you been subject to a disciplinary investigation?	
Yes/No	If yes, please give details
Have you ever been dismissed by a previous employer?	
Yes/No	If yes, please give details
Has a young person made an allegation against you involving abuse, malpractice or professional misconduct?	
Yes/No	If yes, please give details
Have you OR a member of your family living with you OR a person not related to you but living in your home, been the subject of a child protection investigation or enquiry either currently or in the past?	
Yes/No	If yes, please give details

Have you ever had a child for whom you had caring or parental responsibility removed from your care?

Yes/No If yes, please give details

Have you ever had a child for whom you had caring or parental responsibility on the child protection register?

Yes/No If yes, please give details

Signature:

Date:

REFERENCE ENQUIRY PROFORMA

The officer requesting this reference is:

Name

Position

Address

.....

Fax Number

Tel Number

Please address enquiries about this request to the above-named officer.

Recruitment Deadlines

We are currently recruiting to this post and it is necessary to have your reply by Your assistance is much appreciated.

Confidentiality

Please note that this reference may be made available to an employee under our policy of open access to personal files. Under the Data Protection employment guidance, an individual has the right to request access to such information from us.

Candidate's Name	
Organisation Name	
Dates employed by the organisation	
Capacity in which employed/ job title	
Salary wage rate	
How long have you known the above person?	
In what capacity have you known this person?	

Post Applied For:

Please see attached Job Description & Person Specification

Applicant's Attendance Record

Number of days and number of occasions absent in last full year or, if employed for less than one year during the period of employment (excluding maternity related absence):

How does this compare to other years?

Annual Leave Record

Please enclose a copy of the applicant's annual leave history, including details of their remaining entitlement.

Applicant's Disciplinary Record

Does the applicant currently have any formal warnings recorded against them under your performance, disciplinary, sickness or any other management policy?

 YES NO

If YES, please state reasons and relative dates:

Is any management action pending or is the applicant currently the subject of a management investigation?

 YES NO

If the applicant has left your employment was any management action pending or was the applicant the subject of a management investigation at the time he/she left your employment?

 YES NO

If YES, please give details:

Are you aware of any convictions recorded against him/her? If so, please specify:

(This post is exempt from Section 4(2) of the Rehabilitation of Offenders Act 1974. It is therefore not contrary to the Act for you to reveal such information).

Please give a short summary of the applicant's attitude to work and quality of performance whilst in your employment, highlighting any particular strengths or weaknesses.

Please comment on the person's capacity to form relationships with young people, colleagues and other professionals and their capacity to build and sustain professional boundaries

Please comment on the person's capacity to work as a member of a team

Please comment on the contribution the person made to the creation of an environment committed to the safeguarding and protection of young people.

If no longer in your employment, please state the reason for leaving:

Following your usual recruitment and selection procedures, would you consider employing this person again?

YES

NO

If no, please state why

Signature		
Name		
Position		
Date		
Tel Number		Ext:
Name & Address of Organisation		

Thank you for your co-operation in completing this request. Please note that it is our general policy is to allow open access to personal files, which is consistent with current legislative requirements.

APPENDIX 7

People banned from working with children

Under the Protection of Children Act 1999 and the Criminal Justice Act 2000, a number of people are banned from working with children.

These are:

- People on the DfES List 99
- People on the DoH (PoCA) List
- People on the National Assembly of Wales List
- People aged 18 or over convicted of certain specified (schedule four) offences against those aged under 18 (or 16 in some instances) and given a hospital or guardianship order or custodial sentence of 12 months or more¹.

The specified 'Schedule Four' offences are:

- Murder or manslaughter
- Rape or burglary with intent to commit rape
- Grievous bodily harm
- Cruelty to children
- Kidnapping, false imprisonment and abduction
- Indecent assault on a man or a woman
- Sexual intercourse with a child under 13
- Sexual intercourse with a girl aged between 13 and 16
- Buggery with a child under 16
- Indecency between men
- Abuse of trust
- Incest and related offences
- Assault with intent to commit buggery
- Indecency with children under the age of 14
- Offences related to or encouraging child prostitution
- Offences relating to child pornography

The Protection of Children Act 1999 requires childcare organisations to refer the names of individuals considered unsuitable for work with children to the Criminal Records Bureau for inclusion on the DoH and DfES lists.

It is an offence for a person banned from working with children and young people to apply for such work. If this occurs the matter must be reported to the police. It is also an offence for an employer of a childcare organisation knowingly to employ a banned person in a position within such a capacity.

¹ Suspended sentences of 12 months or more are treated as qualifying sentences.

Working with Children

The term '**working with children**' covers a number of areas. According to the Guide on the Protection of Children, broadly these are:

- Employment in certain establishments which provide services for children such as schools, children's homes, hospitals.
- Employment in day care premises; this can include cleaners and caretakers.
- Caring for, training, supervising or being in sole charge of children.
- A position where normal duties involve unsupervised contact with children; this includes drivers, minicab drivers, outreach workers, escorts.
- Child employment – where the young person is under the age of 16, those responsible for caring for them in the course of their employment would be covered by the definition.
- Positions of influence and control over children which could place them at risk.