



Safer Recruitment Training

The Bichard Inquiry

Recommendations for schools

Recommendation 16:

- Head teachers and school governors should receive training on how to ensure that interviews to appoint staff reflect the importance of safeguarding children.

Recommendation 17:

- From a date to be agreed, no interview panel to appoint staff working in schools and colleges should be convened without at least one member being properly trained.

Objectives of the training

Based on an understanding of offender behaviour to:

- Identify the key features of staff recruitment that help deter or prevent the appointment of unsuitable people
- Consider policies and practice that minimise opportunities for abuse or ensure its prompt reporting
- Help participants begin to review their policies and practice in recruitment with a view to creating a safer culture

NB this is not intended to be a comprehensive workshop on staff recruitment and selection

Training outline

- Scale of the problem – abused and abuser
- Model to understand abusers / abusing
- Application into education context
- Prevention of abuse through recruitment/selection
- Ongoing culture of vigilance

Group agreement

- **R**espect people's right to speak and be heard
- **E**mbrace diversity and **E**njoy the course
- **S**haring information and confidentiality
- **P**articipate safely
- **E**xpress your views and opinions
- **C**hallenge appropriately
- **T**reat yourself kindly

Session 1 – setting the context for safer recruitment

- Background and context
- The scale of abuse
- A model of offending behaviour
- Some characteristics of abusers
- Implications for recruitment and selection and creating a safer environment for children

The wider context

- The Bichard Inquiry Report
- Legal duties on schools, FE colleges and a wide range of partner organisations to safeguard and promote the welfare of children
- Statutory guidance ‘Keeping children safe in education’ (DfE 2020)
- For boarding & residential schools, the National Minimum Standards (NMS)
- Adopting “safer recruitment” practice is an essential feature of the arrangements organisations need to have in place

Exercise 1 – what is harm?

There are four categories of child abuse:
physical, sexual, emotional and neglect

Discuss how children might be harmed by an adult
in a school setting:

- By accident
- As a result of neglect or recklessness
- Deliberately

Statistics – LADO referrals

- Each year, 1 in 4 schools will contact the LADO regarding an allegation or concern about a member of staff
- Schools make up 1/3rd of all LADO referrals
- About 40% of all allegations are for physical abuse and 36% for sexual abuse
- Varied significantly across different regions but 12 – 24% relate to emotional abuse or neglect
- Where it is recorded as a separate category, 9% of allegations relate to conduct outside the workplace

Review of LSCB annual reports 2015-16 / 2016-17 (Eyre 2017)

Statistics – NCTL*

*replaced by the TRA in April 2018

- From April 2016 – March 2017 were 977 initial investigations relation to teachers
- In the same period there were 168 proceedings leading to 119 prohibition orders
- Between 2013 – 2017, 25 prohibition orders were made for alcohol or drugs, 14 for violence and 11 in relation to indecent images
NCTL 2017
- A total of 450 prohibition orders made between 2013 – 2018
- Approx 1/3 of all prohibition orders relate to sexually motivated inappropriate conduct by a teacher
BBC 2018

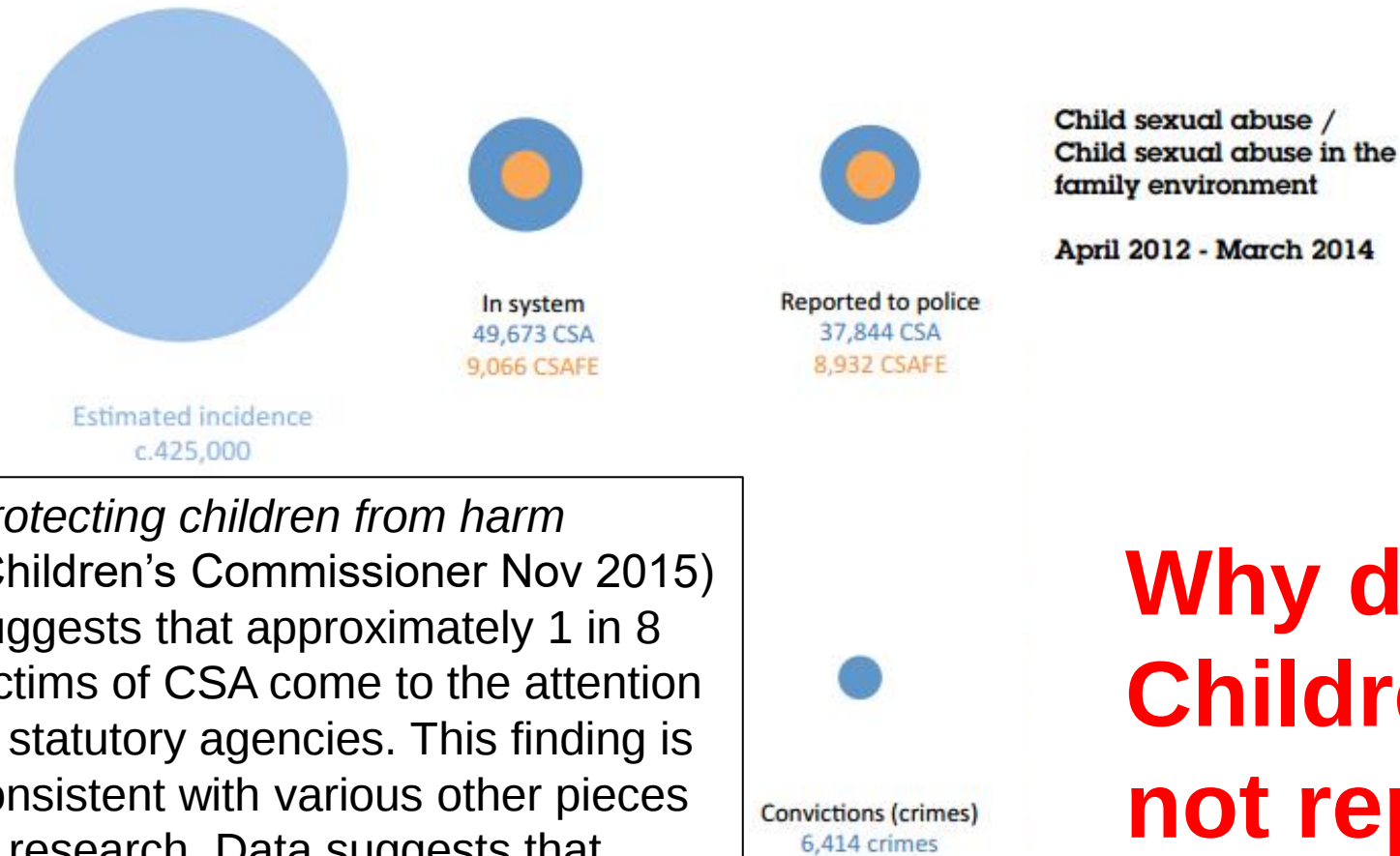


Statistics - DBS

- 7,437 referrals for discretionary barring in 2016/17
- There were 59,530 people on the children's barred list in March 2017
- There were 64,044 people on one or both lists
- Approx 350,000 DBS certificates processed each month
- On average, 6% include Police National Computer data
- 0.2% also include additional info after filtering has been applied
- 0.01% of DBS applications have a barred list match

Disclosure & Barring Service October 2017

Children's experiences of sexual abuse



Protecting children from harm
(Children's Commissioner Nov 2015)
suggests that approximately 1 in 8
victims of CSA come to the attention
of statutory agencies. This finding is
consistent with various other pieces
of research. Data suggests that
about 2/3rds of cases are within the
family environment

**Why do
Children
not report
abuse?**

Reasons children don't report abuse

- it was nobody else's business
- didn't think it was serious or wrong
- didn't want parents to find out
- didn't want friends to find out
- didn't want the authorities to find out
- frightened
- didn't think they would be believed
- desire to protect the abuser
- communication difficulties

Who are the sex offenders?

- 97.8% of those charged with a sexual offence are male
- Victim studies suggest that 1 in 9 sexual offences are committed by a woman
- Between 2004 – 2009 Childline saw a 132% increase in number of children reporting sexual abuse by a woman

Source: Darling 2017

“Between 23-40% of all alleged sexual abuse of children and young people is perpetrated by other young people, mainly adolescents”

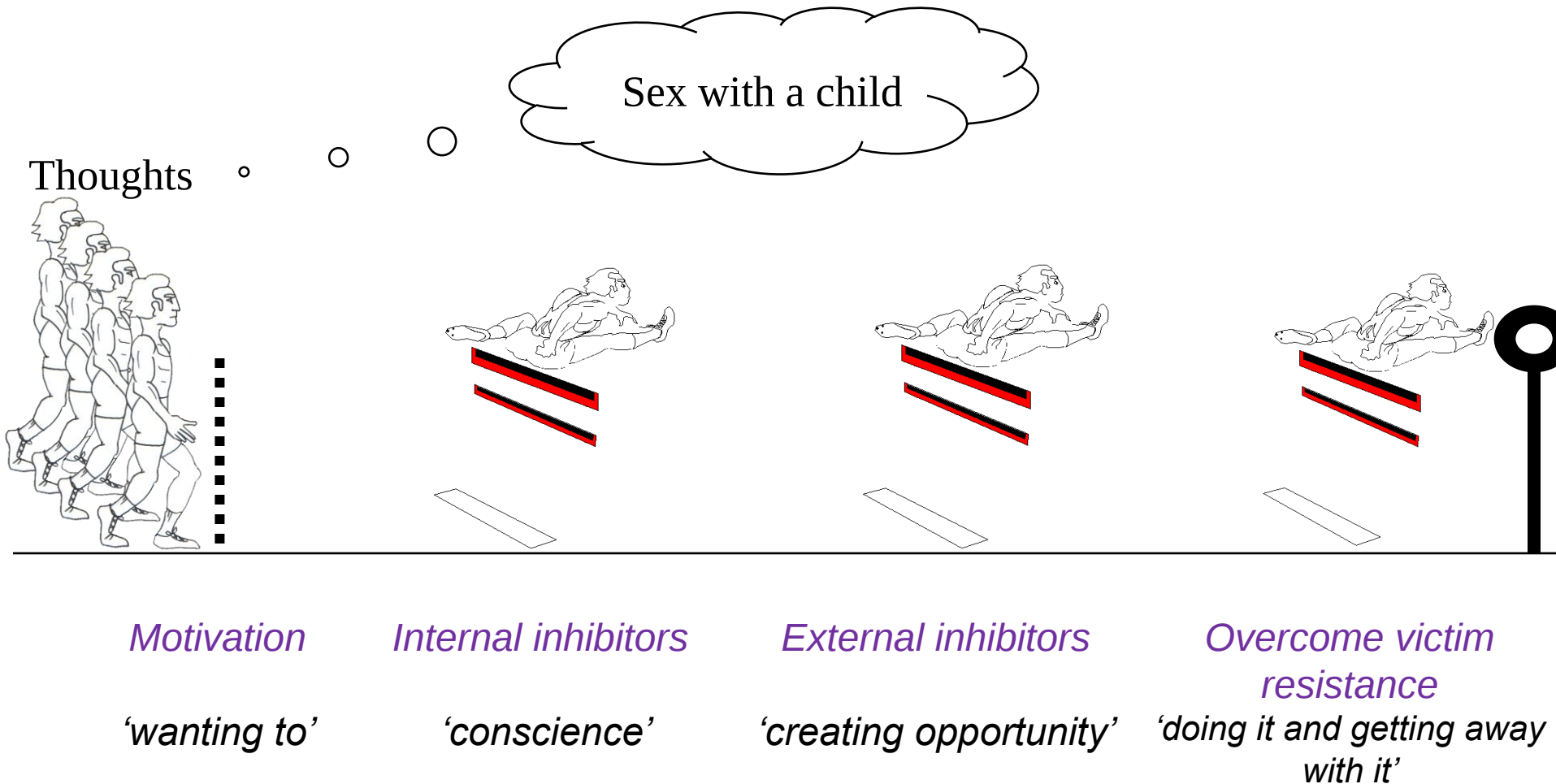
Source: Harmful sexual behaviour NSPCC 2013

“The majority of perpetrators sexually assault children known to them, with about 80% of offences taking place in the home of either the offender or the victim”

Source: Sexual Offending against Children: Understanding the Risk Grubin (1998)

Finkelhor – four preconditions

Adapted from D Finkelhor *Child Sexual Abuse: New Theory & Research* 1986



Exercise 2 - audio presentation

The grid provided in your hand-out contains the stages of Finkelhor's model

- As the clip plays write down, in the appropriate box, what the offender says about this pattern of abusing

‘Professional perpetrators’

- 92.5% aware of interest by 21
- 67.5% offended by 21
- 15% chose career solely to abuse
- 41.5% state abuse part of motivation
- 77.5% arranged meetings outside work for abuse
- 67.5% took children away overnight
- Average of 49 admitted victims
- 41.9% had reputation as ‘touchy’, ‘pervy’ etc.

Source: Sullivan & Beech 2004 – Sample of 41 workers with children who were serious sexual offenders

A culture of vigilance - learning lessons

1. Safer recruitment procedures not in place
2. Lack of safe working practice guidance - staff unclear on boundaries
3. Standard operating procedures not being followed
4. Poor management oversight / issues identified in inspection not actioned
5. Voice of parents / pupils not heard
6. Voice of staff / whistleblowing – raising concerns / exit interviews
7. Human / professional / personal relationships
8. Lack of effective supervision
9. Ineffective governance and challenge

Case reviews tend to raise the same issues over & over again

From left – Ian Huntley, Nigel Leat, Vanessa George, William Vahey, Tracey Wright, Jeremy Forrest, Geoffrey Bettley



Other behaviours often displayed include:

- Poor boundary keeping
- Breaching policy or procedures 'in the best interests of the child'
- Lack of awareness of their behaviour on others
- Charismatic
- Dutiful, over-helpful and committed

Applying the Finkelhor model to recruitment

- **Deter** Application stage
- **Reject** Interview stage
- **Prevent** Appointment and induction
- **Prevent & Detect** Developing and maintaining a culture of vigilance

“For those agencies whose job it is to protect children and vulnerable people, the harsh reality is that if a sufficiently devious person is determined to seek out opportunities to work their evil, no one can guarantee that they will be stopped. Our task is to make it as difficult as possible for them to succeed...”

Bichard Inquiry Report, 2004, p 12 para 79

Safer recruitment assessment

Safer Recruitment Assessment

- You will now be shown 13 questions which should be answered as directed
- Ample time will be given to answer each question.

After the assessment you will be awarded a certificate which will indicate the score achieved

You will then need to identify targets for future professional practice and review. This should be presented as a completed Safer Culture questionnaire and action plan for your organisation

Question 1: Session 1

Which **three** of the following are accurate statements about child sex abusers?

- A** Most mask their sexual preferences with apparently fulfilling sexual relationships with adults
- B** Most will aim to create an environment in which they can exploit vulnerable children
- C** The majority of teachers who sexually abuse pupils enter the profession with the intention of abusing children
- D** They have convinced themselves that abusing children is acceptable
- E** Many strive to be seen as respectable adults with children's welfare at heart

Question 2: Session 1

Describe a typical sequence of child grooming activities by placing the listed activities in the order you think is correct:

- A** Develop a relationship with a susceptible child
- B** Access an environment where there are opportunities for contact with children
- C** Test the boundaries of each child to identify those who show the least rejection of physical contact
- D** Form relationships with several children

Session 2: a safer recruitment process

- Features of a safer recruitment process for : -
employees, contractors, agencies & volunteers
- Sending the right message
- The application form
- The selection criteria
- References
- Review and next steps

Exercise 3: what does a safer recruitment process look like?

- Each group has a set of cards showing the activities that make up the recruitment and selection process
- In groups take 10 minutes to put the cards in the order of the sequence of activities from identifying a vacancy to making an appointment
- Group together any activities that could be done at the same time. Also identify 2 activities that are “red herrings”

Defining the role

- Produce a job description and person specification or volunteer role profile
- Include skills, abilities, experience, behaviours and attitude/motivation and values towards children and young people
- Boundaries of role and expectations
- Responsibility for children in the role and opportunity for contact with children – is it Regulated Activity?

Advertising: Sending the right message

Three deterrents

- State the organisation's commitment to safeguarding and / or the need for DBS certificate / Barred list check in adverts
- Include statements about the safeguarding responsibilities of the post in the job description and person specification
- Send information about the organisation's safeguarding policy and practices to candidates

Key information on application forms

- Personal details
- Present employment and reason for leaving
- Full history since leaving school (education and employment or voluntary work)
- Qualifications
- Referees
- Personal statement to meet person specification
- Signed declaration about any relevant criminal record
- Signed declaration that all information is true

Criminal background: Self-disclosures

Purpose

- To give candidates an opportunity to share relevant information at an early stage
- To allow information to be discussed and considered before the DBS check comes back
- To deter unsuitable people

Process

- It is discriminatory to use disclosed information for shortlisting
- Only consider the information of shortlisted candidates
- Should not rule someone out – apply fair assessment criteria
- Continue with DBS check and compare information

Agreeing selection criteria and process

- Base criteria for shortlisting and assessment process on person specification and job description
- Consistent for all candidates
- Specific to work with children
- Review criteria regularly

Scrutinising applications and short listing

- Take time to properly scrutinise
- At least two people shortlisting
- Identify any inconsistencies
- Application form fully completed
- Evidence provided relating to person specification and job description
- Scrutinise for gaps
- Apply shortlisting criteria equally

Exercise 4 – short listing

In your groups

- Use the example person specification, job description and completed application form
- Choose 1 of the criteria in the person spec that is relevant to safeguarding children
- Use the information on the application form to score the candidate against the chosen criterion
- Also scrutinise the application form and consider whether there are any gaps or inadequacies in the information provided or the way the form has been completed

Would you shortlist the candidate?

References

Important part of process of gathering information:

- Must have a reference from current employer
- If not working with children, at least one reference from previous employers where the role involved working with children
- Ask whether aware of any behaviour that might give rise to concern, including any disciplinary action
- Ask specifically about allegations about their behaviour towards children
- Specific confirmation of the details and responsibilities of previous post given by applicant
- Consideration of any request by an applicant to delay seeking references from their current employer

Reminder KCSiE 2020 paras 134 - 137 – schools are no longer required to seek references prior to interview but KCSiE sets out the benefits of doing so. SR Consortium is clear that seeking references prior to interview remains an essential element wherever possible.

Open references and testimonials

Candidates may sometimes bring 'open' references or letters of recommendation to interview. These:

- May be the product of a settlement agreement to avoid disciplinary action
- Should never be accepted at face value

Always take up your own references and/or contact the author of the open reference to verify the content

Scrutinising references

- Importance of reading references – active consideration
- Equally, importance of comparing information provided by referee with information provided by applicant
- If any inconsistencies, or doubts about suitability, follow up and explore with referee
- Employer should verify that electronic references are from a legitimate source
- In residential settings, references should **always** be confirmed by telephone

Safer recruitment assessment

Question 3: Session 2

What is the main reason for including the phrase 'required to provide a DBS certificate at the appropriate level' and / or a statement about the employer's commitment to safeguarding children in a job advert?

- A** To obtain specific information on the individual and any prior convictions / cautions or bind-overs
- B** To satisfy a legal requirement
- C** To encourage suitable applicants to apply for the post
- D** To deter unsuitable applicants from applying for the post

Question 4: Session 2

From a **safeguarding perspective**, what is the **most important** reason for only accepting fully completed standard application forms from applicants?

- A** To reveal any gaps in an applicant's history
- B** To judge applicants against the same criteria
- C** To ensure consistency of information
- D** To meet equal opportunities requirements

Question 5: Session 2

An applicant supplies an open reference with her application form. Which three of the following statements about an open reference are true?

- A** It is as useful as a normal reference
- B** It might be the product of a settlement agreement
- C** It suggests the applicant might not want you to contact a previous employer
- D** It will save you time and effort in writing for a reference
- E** It should never be considered as part of the recruitment process.

Session 3: making the right decisions

- Importance of making the right decision
- The interview and the selection process
- Pre-appointment checks
- Using criminal disclosure information
- Review and next steps

Safer selection

Good practice

- Range of selection tools – not just an interview
- Explore motives/attitudes as well as skills and experience
- Assessors should be well briefed or trained
- Assess interaction with others – role plays, group exercises
- Appropriate involvement of children

Selecting the right people

Interviews

- At least two people
- Structured questions and criteria previously agreed
- Probe gaps, frequent changes in employment, vagueness or areas of concern
- Ask about attitudes towards children and child protection and where appropriate motives for working with children
- Avoid hypothetical questions and seek positive examples or evidence
- Give and receive information
- Clearly document your decisions
- Beware of prejudices and discrimination

Making decisions using selection criteria and indicators

- Based on the Person Specification
- Indicators – what would you expect a good candidate to say?
- Guide not a tick box
- Bespoke to the position
- Use to make decisions and clarify why someone is suitable or unsuitable for appointment
- Review regularly

Areas of potential concern

- No understanding or appreciation of children's needs
- Wanting role to meet own needs at the expense of children's
- Inappropriate language when talking about children
- Expression of views that are extreme or do not support safeguarding
- Unclear boundaries with children
- Vagueness about experiences and gaps or unable to provide any examples to support what they tell you
- Maverick – non rule-following, unwilling to work with others

Exercise 5 – Interview questions

- Identify one criterion from the person specification relevant to safeguarding children
- Devise an interview question that would test out a candidate's attitudes, motives and suitability for this role
- Discuss what you would expect to hear from a candidate in response to the question you have devised and write down some positive and negative indicators

There is an example of an interview assessment form on p34 of the delegate workbook

Pre-appointment checks

A *conditional* offer of employment can be made pending the following:

- Identity - including DOB
- Eligibility to work in the UK
- DBS Barred List (replaced List 99 & PoCA list in 2009)
- Enhanced DBS check
- That those in 'teaching work' are not subject to a prohibition order or interim prohibition order
- S128 Prohibition from management (independent / free schools / academies and governors of maintained schools)
- Qualifications
- Status: QTS, HCPC, disqualified from EY / later years childcare, etc
- Overseas checks (may include EEA list / overseas criminal certificates / overseas references)

Register of checks

[illegible]

NB s128 column should be completed for all management posts in Independent schools, academies and free schools, plus members of the governing body in maintained schools

Regulated activity & DBS checks

- Individuals employed to work regularly in a school are in *regulated* activity (RA) with children
- It is a legal requirement to check people working in RA are not barred from that work *before* they commence in post
- People not in RA can still be asked to undertake a DBS disclosure (without Barred list check)
- It is unlawful to check the Barred list if the person is not in RA
- Employer must see the original certificate and should only retain a copy in certain circumstances

KCSE says that new regular volunteers should have an enhanced DBS certificate even if they are not in RA and will not be checked against the barred list

DBS Barred list - children

At present people are barred by law from working in RA with children if they are:

- on the DBS children's barred list
- banned by a court on conviction of a specified offence

A DBS certificate obtained in regard to work with children will *usually** show whether the person is barred from RA with children.

* But not in the case of supervised volunteers

People barred from working in RA with adults are not automatically barred from working with children or vice versa

Exercise 6

Relevance of criminal offences

Look at the list of offences

- Discuss whether you think these offences should deem someone unsuitable for working with vulnerable groups, have no relevance or would be a grey area?

Relevance of criminal records

When assessing an applicant's criminal history, consider the offence in terms of

- Nature, seriousness and relevance
- How long ago it occurred
- Whether it was a one-off or part of a history
- Circumstances of it being committed
- Changes in applicant's personal circumstances
- Country of conviction
- Decriminalisation

It is unlawful to take offences that are 'protected' into account

Safer recruitment assessment

Question 6: Session 3

Which one of the following statements describe a best practice approach to interviewing?

- A** Before conducting the interviews, the panel should agree a completely identical set of questions for all candidates and should not deviate from them
- B** The interview panel should consistently pose hypothetical questions in order to uncover an applicant's attitudes about unsuitable behaviour
- C** The interview panel should agree questions for all applicants relating to the requirements of the role and person specification including questions for each one relating to the information provided on his/her application form and in references.

Question 7: Session 3

In an interview, you ask the candidate if he can think of a recent situation in which he took action to help protect a child. In response, he describes a situation in which one of the girls in his tutor group had been threatened by an ex-boyfriend.

He explains that he gave the girl a lift home a few times because she was worried about the boy. Considering his response, which **one** of the following statements about the candidate do you think is **most accurate**?

- A** His behaviour demonstrated a good understanding of safeguarding
- B** His behaviour supported a safe culture in the organisation
- C** His behaviour was justified in the context
- D** His behaviour was inappropriate

Question 8: Session 3

A local resident volunteers to come into school every Friday morning to listen to pupils reading. She will be working in the classroom and will be supervised by staff.

In order to minimise the risk to children, which **one** of the following is the correct level of checks for this situation?

- A Barred list check only
- B Enhanced DBS certificate with barred list check
- C No checks
- D Enhanced DBS certificate without barred list check

Question 9: Session 3

In an interview for a teaching post, you ask the candidate about how he approaches discipline in class. He says: “I never have any discipline problems. The pupils know exactly where they stand with me.”

Considering his response, what question should you ask next?

- A** That's great. We need people who are effective classroom managers.
- B** Please describe a recent situation where you had to deal with disruptive behaviour and explain what action you took?
- C** What do you think you would do if a pupil used offensive language in your class?
- D** Have you ever had an allegation of physical violence brought against you by a pupil?

Session 4: an ongoing culture of vigilance

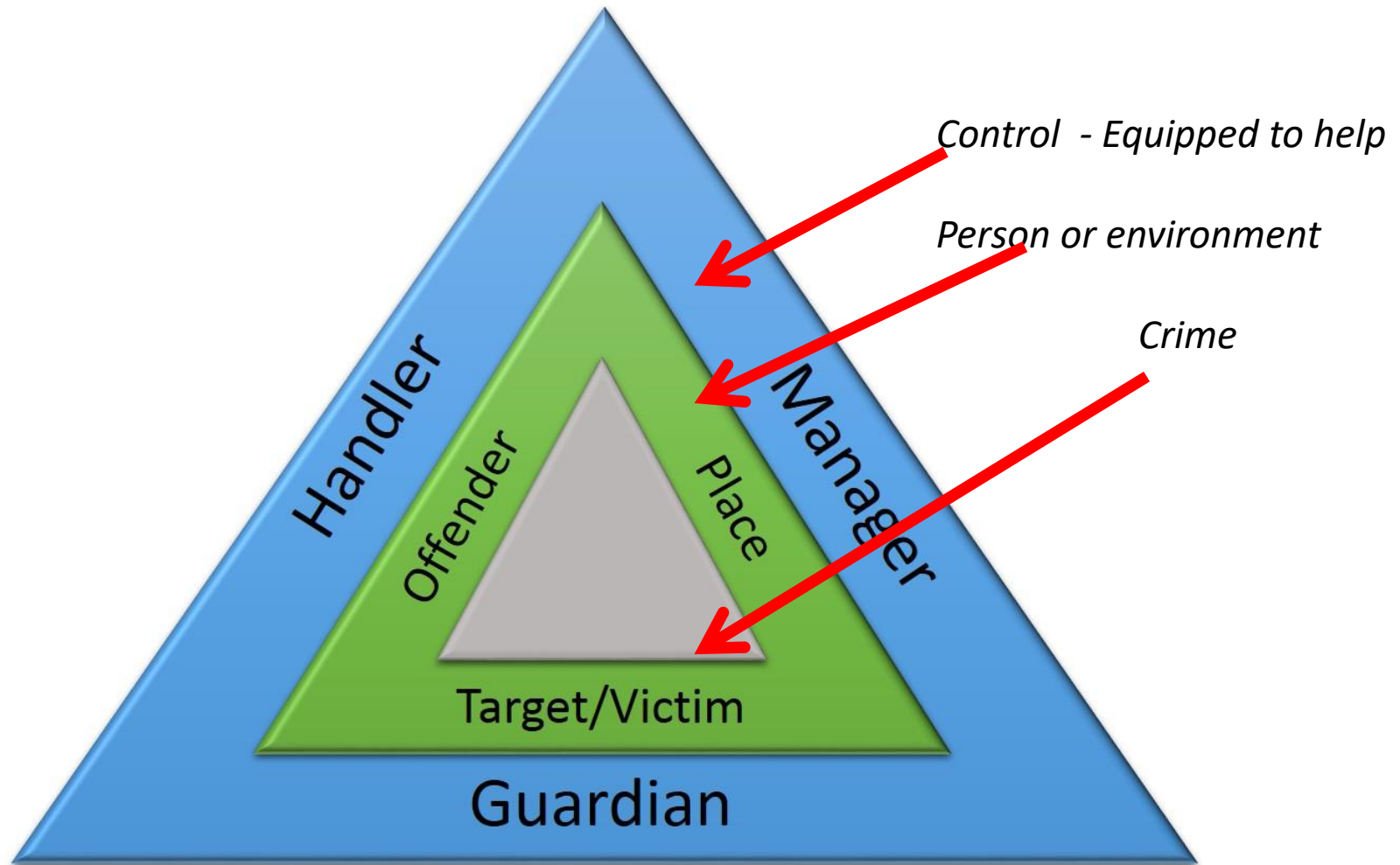
- Features of a safer culture
- Audio presentation
- Creating an open culture
- Individual responsibilities for expressing concern
- Dealing with allegations of professional abuse
- Next steps and other resources

Southbank International School

“A feature of the evidence is that ... staff ... consistently assumed that the fact Vahey (and other teachers) had been subject to a vetting process on recruitment in some way certified him as a person that did not – could not – represent a threat to children.”

Hugh Davies QC, 2014

The crime triangle – Prevent



Offenders can sometimes be controlled by other people: those people are known as handlers.

Targets and victims can sometimes be protected by other people as well: those people are known as guardians.

Places are usually controlled by someone: those people are known as managers.

Understanding the weaknesses in the problem analysis triangle in the context of a particular problem will point the way to new intervention

Alternative exercise 7 – crime triangle

Please consider and discuss in groups:

- What do we already do in schools to create
 - capable guardians
 - competent handlers
 - effective managers?
- What else could we put in place?



Exercise 7 – creating an open culture

Empowering and encouraging members of staff and volunteers to report concerns or allegations about the behaviour of others is essential if we are going to tackle inappropriate or abusive behaviour. Please consider and discuss:

- What might stop me reporting concerns?
- What would help me overcome those problems?

Features of a safer culture

- Open, no secrets
- Belief that 'it could happen here'
- Clear staff behaviour / safe working practice guidelines
- Clear procedures for reporting concerns / whistleblowing
- Support in raising concerns & commitment to take action
- Commitment to safeguarding & an ongoing culture of vigilance
- Policies and procedures put into practice
- Good use of induction and probationary periods

Disclosing potential issues

‘Disqualification under the Childcare Act 2006’ (DfE August 2018) says all schools should have:

- A clear expectation that staff will discuss with managers any relationship / association (in or out of school or online) that may have implications for the safeguarding of children in school

These discussions can help schools

- safeguard their employees’ welfare and contribute to their duty of care towards their staff
- identify whether arrangements are needed to support these staff
- manage children’s safety, providing them with information that will help them consider whether there are measures that need to be put in place to safeguard children (e.g. by putting arrangements in place to stop or restrict a person coming into school where a potential risk to children has been identified)

Dealing with allegations against staff and volunteers in schools

Keeping children safe in education (DfE 2018) outlines the framework that should be followed in all cases in which it is alleged that a teacher, other member of staff, or volunteer in an establishment providing education for children under 18 has:

- Behaved in a way that has harmed a child or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children

Breach of Trust

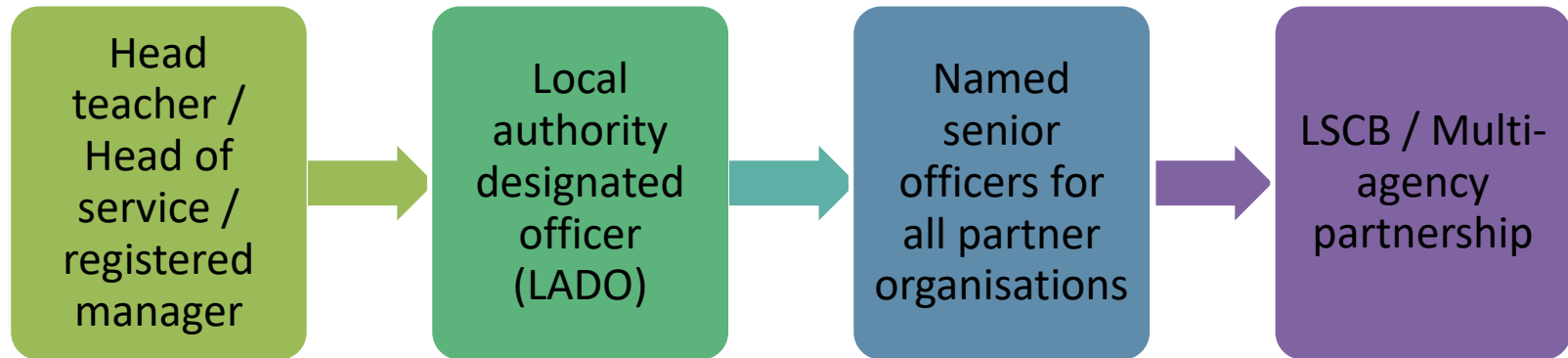
A breach of trust occurs when the boundaries of the relationship between a professional and a child or young person is broken due to inappropriate behaviour by the professional, which involves an abuse of power.

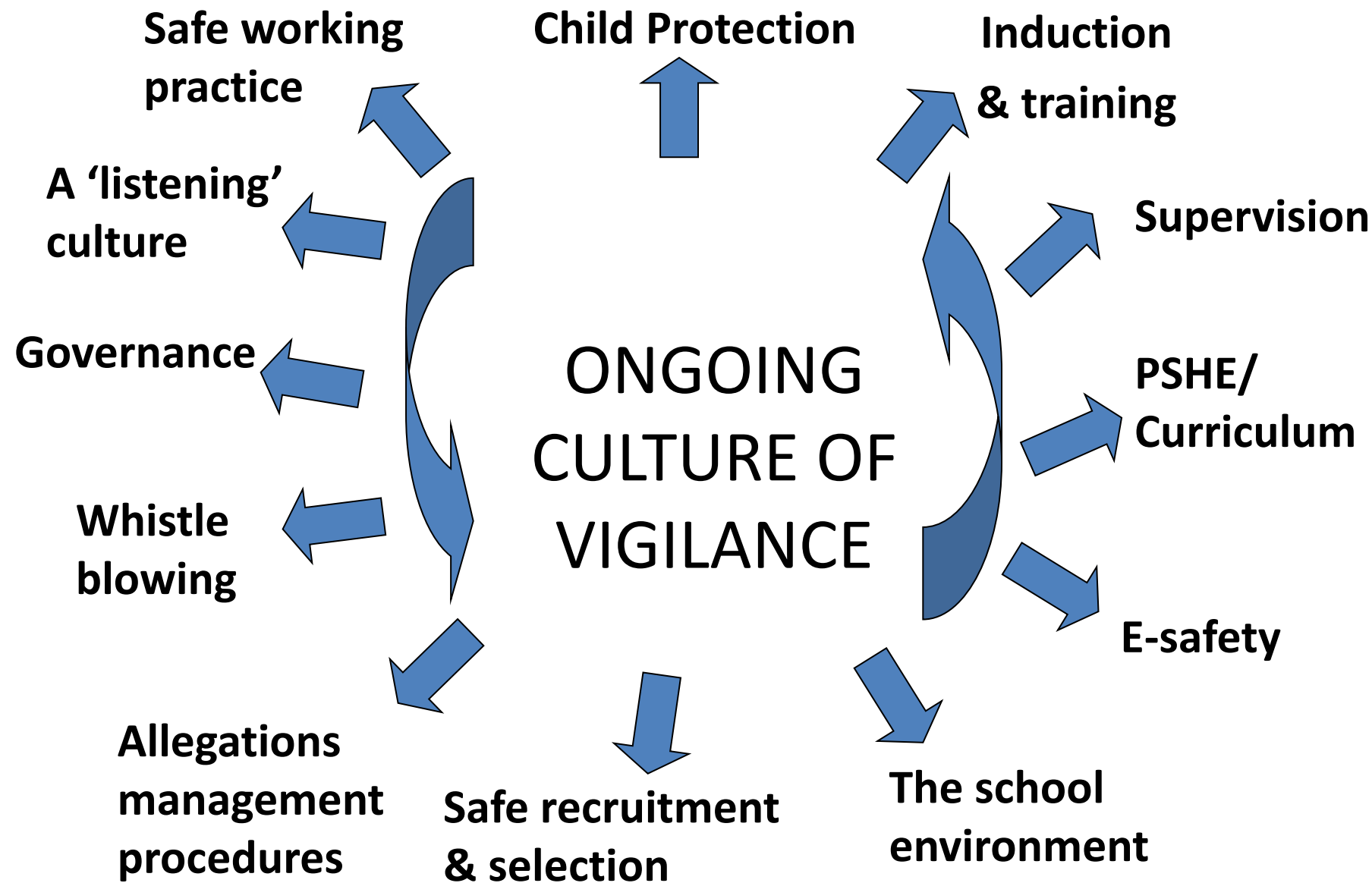
The behaviour itself does not necessarily have to be illegal to breach this trust – even if the child is over the age of consent e.g:

- A youth leader (19 years old) at a youth club starts a relationship with a 16 year old youth club member
- A teacher becomes sexually involved with a 6th form pupil

Structure for managing allegations

Working Together to Safeguard Children (DfE 2018)





Remaining vigilant

- Never think you have done enough in terms of creating a safer culture
- Always believe it could happen here
- Keep safeguarding high on everyone's agenda
- Never rely on any one process to keep children safe

Next steps

Action planning for your organisation:

Please take time to complete the questionnaire on pages 53 – 54 of your workbook and begin to develop an action plan

Handout workbook – do this in your own environments

Safer recruitment assessment

Question 10: Session 4

An NQT joins a Secondary school and undergoes induction training. Later that year she sees her Head of Department leaving an empty classroom with his arm around a female pupil's shoulder. The Head of Department removes his arm quickly when he realises that someone else is present.

The NQT is worried about the incident but despite her suspicions, does not report it. Which 1 of the following is the most likely reason for this?

- A** The incident is not serious enough to report
- B** The school lacks induction training
- C** The NQT needs more experience to make the right decision
- D** The school has failed to put in place effective procedures for whistleblowing and dealing with allegations.

Question 11: Session 4

A school needs a new classroom assistant. Mr. Sinclair, the grandfather of one of the pupils, is the obvious candidate. He has done good work for the school organising events for the PTA and has asked to be considered if a classroom assistant job came up.

If Mr. Sinclair is appointed, which 1 of the following actions is not appropriate?

- A** Provide general training in child protection
- B** Wait until he has been in post for 6 months before reviewing his performance, to allow him time to settle into his role
- C** Provide induction training and copies of relevant policies and procedures
- D** Arrange for Mr. Sinclair to be "mentored" by a more experienced member of staff

Question 12: Session 4

Allegations have been brought against a member of staff, Peter Wright, about his relationship with an 18 year old pupil. You discuss the allegations separately with Mr. Wright and the pupil.

Mr. Wright says: *'We became close after the pupil asked my advice on some personal matters following their 18th birthday. Our relationship has developed since then, but we're not doing anyone any harm and we're very much in love.'*

The pupil says: *'I've consented to everything we've done and Pete's been a perfect star at a very difficult time in my life'.*

On the basis of their responses, which **one** of the following statements most accurately describes Mr Wright's behaviour?

- A it is abusive
- B it is inappropriate but forgivable
- C it is inappropriate, a breach of trust, and possibly abusive
- D it is naïve

Question 13: Session 4

Which **2** of the following topics are a statutory requirement of induction training for new staff in schools and FE colleges?

- A** First aid training
- B** Staff code of conduct
- C** Child protection arrangements
- D** Physical intervention / restraint
- E** E-safety



Working to Protect Children



The Safer Recruitment Consortium

© 2018