



Safer Recruitment

Best Practice Guidance

for Ofsted Registered Early Years and Childcare Providers

(Revised February 2021)





Contents:

Introduction	3
Background information	3
Safer employment the beginning to end process:	4
1. Job description and person specification	4
2. Planning the interview and assessment in advance	5
<i>Questions</i>	5
3. Advertising	6
4. Shortlisting for interview	7
<i>Example: Shortlisting record sheet</i>	8
5. The interview and assessment process	10
6. Decision making	10
<i>Example: Interview Checklist</i>	11
<i>Example: Checklist for Health and welfare issues relevant to post</i>	12
<i>Example: Checklist for Application Information</i>	12
7. References	13
<i>Example: Letter Requesting References (part 1)</i>	15
<i>Example: Employer Reference Request Form (part 2)</i>	16
8. Employment checks	17
9. Disqualification (including by association)	17
10. Confirmation of offer	18
11. Induction, supervision and appraisal	18
12. Training	19
13. Safer working culture	21
14. Whistle blowing and complaints	22
15. Policies and procedures	22
16. Monitoring systems	23
Appendices:	
A: Child Safeguarding Competences for Staff who Work with Children	24
B: Red Flag Behaviours: Child Safeguarding Competencies for Staff who Work with Children	25
C: Safer Recruitment Self-Evaluation Checklist	26



Introduction

As an organisation that employs people to work with children you are required by law to safeguard children. By having robust safer recruitment policies and procedures in place you minimise the risk of employing anyone who may pose a risk to children.

Those responsible for recruitment need to demonstrate their understanding of safer recruitment practices and that these are followed when employing **all staff** not only early years' practitioners.

By clearly stating a commitment to safeguarding at every stage of the recruitment process you can ensure that your procedures are robust. This document sets out guidance for you to follow. Further information for safeguarding within the recruitment process can be found on the NSPCC learning pages.

<https://learning.nspcc.org.uk/media/1079/safeguarding-standards-and-guidance.pdf>

By having an open culture which is committed to safeguarding and promoting the welfare of children you can support all staff members, students and volunteers to fully understand their roles and responsibilities.

The Statutory Framework for the Early Years Foundation Stage 2017 states:

- Providers must be alert to any issues of concern in the child's life at home or elsewhere.
- Providers policies and procedures should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB).
- Providers must have regard to the Government's statutory guidance 'Working Together to Safeguard Children 2018'.

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

(The Suffolk Safeguarding Partnership (SSP) referred to throughout this document is the same organisation as the Local Safeguarding Children Board referred to in the EYFS framework)

Background information

Regulated Activity

The Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012 sets out the activities and work which are 'regulated activity'. Ofsted is the Office for Standards in Education, Children's Services and Skills and they inspect and regulate services that care for children and young people, and services providing education and skills for learners of all ages.

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>



The Disclosure and Barring Service (DBS)

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Legal Framework:

The Adoption and Children Act 2002

The Apprenticeships, Skills, Children and Learning Act 2009

The Borders, Citizens and Immigration Act 2009

The Children Act 1989, 2004

The Children and Adoption Act 2006

The Children and Families Act 2014

The Children and Young Peoples Act 2008

The Counter Terrorism and Security Act 2015 (Section 26)

The Education Act 2002

The Education Act 2011

The Equality Act 2010

The Female Genital Mutilation Act 2003

Multi-agency statutory guidance on female genital mutilation July 2020

The Safeguarding Vulnerable Groups Act 2006 as amended by the Freedoms Act 2012

The Small Business, Enterprise and Employment Act 2015

The Statutory Framework for the Early Years Foundation Stage April 2017

Safer employment the beginning to end process

1. Job description and person specification

Before the job is advertised decide what behaviours and competencies are needed to carry out the role and develop a job description:

- What are you looking for in terms of professional standards and qualifications? Information on full and relevant qualifications can be accessed at:

<http://www.education.gov.uk/eypgd/search/search.cfm>



- What are the behaviours and personal qualities someone with a responsible attitude towards safeguarding children would have?
- The job description must also refer to the responsibility for safeguarding and promoting the welfare of children.
- Example safeguarding behaviour competencies for those working with children are shown in Appendix A.

2. Planning the interview and assessment in advance

- Good preparation and planning are important for the interview process to ensure that it is fair and equitable for all candidates.
- Your interview panel must include at least two interviewers, one of whom must have attended safeguarding training and, we strongly recommend one has attended safer recruitment training.
- Prepare the questions that you intend to ask, agree a scoring system to rate candidates' responses so that fair scoring is in place.
- Plan to hold face-to-face interviews that explore candidates' suitability to work with children as well as their suitability for the post.
- The more information you get about an applicant, the more reliable your selection decision is likely to be. For this reason, you should consider other assessments as well as an interview. This could include the candidate giving a presentation to the interview panel or observing the candidate leading a music activity, playing a game or reading a story with the children. Whatever you decide, plan for this in advance.
- In line with your policies and procedures if the candidate is doing an activity with the children as part of the assessment process they must always be observed and under no circumstances be left unsupervised with the children.

Training for 'Safer recruitment practice for early years and childcare settings' is available via: www.suffolkcpd.co.uk (Code E-SR). The course is specifically designed for managers, leaders and relevant committee members working within early years PVI settings and equips managers to fulfil their statutory obligation to ensure they employ staff and volunteers who are deemed suitable to work with children.

Questions:

To support robust safer recruitment practices, you need to ask open questions which promote a detailed response based on prior experience.

The four key areas to consider are:

- Motivation to work with children and young people.



- Ability to form and maintain appropriate relationships and professional boundaries with children and young people.
- Emotional resilience working with challenging behaviours.
- Attitudes towards the use of authority and maintaining discipline.

Consider competency-based questions, using open ended questions such as:

- Tell me about ...
- Give an example of ...
- How do you go about ...?
- Follow-up questions to check the candidate has done what they say they have done. Continue to probe until you feel that the response is sufficient to inform your decision. (Remember past performance is the best predictor of future performance.)
- Avoid hypothetical questions and make sure you focus on what applicants have 'actually' done rather than what they say in theory.

When employers are recruiting staff, there are limits on the health or disability related enquiries they can make during the recruitment process.

You can only ask about health or disability if:

- There are necessary requirements of the job that cannot be met with reasonable adjustments.
- You are finding out if someone needs help to take part in a selection test or interview.
- You are using 'positive action' to recruit a disabled person.

For further information please see: www.gov.uk/employer-preventing-discrimination

3. Advertising

Your advertisements, leaflets and policies must make it clear that you are committed to keeping children safe. Using a safeguarding statement in your job advertisements will prevent some unsuitable people from applying in the first place.

An example safeguarding statement:

At [add setting name here] we are committed to child protection and safeguarding children against harm. We promote the welfare of children and young people and expect all staff members and volunteers to share this commitment as informed by our robust policies and procedures.

Job advertising

Advertising is expensive and the Suffolk Advertising Team can help you place recruitment and event adverts in the press (local and national) and on websites at cost effective rates.



See further information: www.suffolkjobsdirect.org/GenText.aspx?page=Page28

[What equality law means for you as an employer: when you recruit someone to work for you | Equality and Human Rights Commission \(equalityhumanrights.com\)](http://www.equalityhumanrights.com)

4. Shortlisting for interview

- Use the personal qualities and behavioural criteria as detailed within the job description/person specification as well as qualifications and work experience to decide who to shortlist.
- Check there are no unexplained gaps in employment on the candidate's application form. If there are, telephone or write in advance and ask for reasons, or, if this is not possible, ask at interview.
- Rate each candidate to decide if they should be shortlisted. For example:

0 No answer/evidence or poor performance

A response which is not relevant to the question or lacks any content

1 Answer/evidence factually incorrect

Incorrect answer or inadequate

2 Insufficient answer/evidence

Response had some relevance but was rather superficial and did not show any depth of understanding

3 Adequate answer/evidence

Answer relevant to the question and showed some understanding

4 Good answer/evidence

Answer showed a good understanding and knowledge relating to the question

5 Excellent answer/evidence

Full answer which showed an in-depth knowledge and understanding of the question and subject matter.

- This will allow you to compare candidates fairly and not let one area dominate all others. However, you can put greater emphasis on one or more important skills or competencies that are needed to fulfil the role.
- You should have very good reasons for shortlisting any candidates who do not meet your essential requirements. (For example, candidates are awarded ratings below 3, 4 or 5.)
- Make sure you send your child protection/safeguarding policy to each candidate.



Example: Shortlisting record sheet

Notes when using the short-listing record sheet:

Link to the job description/person specification to make scoring judgements:

- 0** No answer/evidence or poor performance
- 1** Answer/evidence factually incorrect
- 2** Insufficient/evidence answer
- 3** Adequate answer/evidence
- 4** Good answer/evidence
- 5** Excellent answer/evidence

- Consider qualifications. Does the candidate hold the required qualifications? If not, why are you interviewing them? Would it be better to re-advertise?
- Consider experience. Does the candidate have sufficient relevant and appropriate experience for the post?
- Consider behaviours and personal qualities, does this link closely to the job description/person specification? Do any comments cause concern?
- Consider employment history. Are any gaps and/or patterns of change in employment explained to your satisfaction?
- Consider the date of most recent DBS check. Does this link with their employment history?
- Check the level of the DBS check and if it was for the children's or adult's workforce.



Please note: You should have very good reasons for shortlisting candidates who do not meet the essential criteria. (Those awarded below a 3, 4 or 5 rating.)

Example score sheet:

Name (Initials)	Qualifications	Score	Experience	Score	Behaviours & personal qualities	Score	Employment history	Date of most recent DBS	Comments	Invited to interview



5. The interview and assessment process

You must make a note of each candidate's responses. The interview must explore issues relating to the safeguarding of children, for example:

- Investigate any apparent sizeable gaps in employment to check for credible reasons for these.
- Explore concerns or discrepancies arising from the information provided by the candidate or referee.
- Ask the candidate if they wish to declare anything considering the need for enhanced criminal record checks and barred list checks to be undertaken.
- At least one safeguarding question must be asked. This could be about your safeguarding policy or the candidates previous professional experience of safeguarding.

Areas to consider when interviewing:

- Selection decisions tend to be made early (in the first four minutes) and interviewers tend to be attracted to people like themselves. This is neither good practice, nor reliable, so ensure you are aware of this.
- Do not believe what people say without examining the evidence of what they have done.
- Be aware of over-familiarisation, for example, if you know the candidate personally, do not make assumptions about what you think they can do.

6. Decision making

- You should use your notes about each candidate to compare them and keep decision-making objective.
- Score each candidate against an agreed scoring system to decide on the best candidate for the job (see example on page 7).
- Look at the ratings against individual criteria as well as overall scores.



Example: Interview Checklist

Name of candidate: _____ Date of interview: _____

Personal details relevant to position:

1. Breaks in employment history: Yes/No (If yes, please provide all dates and reasons)

From: _____ To: _____

Reason:

From: _____ To: _____

Reason:

2. Does the applicant have any convictions, cautions, court orders, reprimands, warnings that may affect their suitability to work with children?

.....

3. Date of last DBS check undertaken and by whom?

.....

4. Does the applicant have the right to work in the United Kingdom? www.gov.uk/legal-right-work-uk

5. Full and relevant qualification(s) applicable to post.

.....

6. Original certificates seen: Yes/No (If no, explain why.)

.....

7. The candidate is willing to drive as part of their job role. (If applicable to post, please see the candidates original driving licence.)

.....



Example: Checklist for Health and Welfare issues relevant to post

You can only ask about health or disability if:

- There are necessary requirements of the job that cannot be met with reasonable adjustments.
- To find out if someone needs help to take part in a selection test or interview.
- To use 'positive action' to recruit a disabled person: www.gov.uk/employer-preventing-discrimination

1. Is there any known medical reason which would prevent the applicant from carrying out the essential duties of the position? Yes/No

2. Would the applicant need any reasonable adjustments to enable them to do the job? Yes/No

3. Reasonable adjustments needed:

Example: Checklist for Application Information

- To be used to check the authenticity of the application form and signature of the applicant.
- Ensure the applicant has fully completed the application form and it is signed.
- If the application form has been received via email, ask the applicant to sign the reverse of this at the interview stage.

.....

Ask the candidate is there anything else they wish to tell you in respect of their application for this post:

Comments/questions raised by the applicant and any further actions:

Applicant's signature: Name in Print:

Interviewer's signature: Name in Print:

Date:



7. References

- Ideally, references should be requested from current and/or most recent employers before an interview. You must always ask candidates' permission prior to requesting references before the interview. Also make the candidates aware you may contact referees with any follow up questions about the references you have received.
- Open references addressed 'to whom it may concern' are not acceptable, neither are testimonials brought by the candidate on the day of the interview.
- Always follow up at least two referees and, where possible, references should cover the last five years work history, especially that of the current/last employer.
- References need to include information which is based on fact. Referees who hold supervision and performance management records should be asked to refer to these to ensure any disciplinary issues are included.
- The reference should be relevant to employment working with children. Or, if the applicant has come directly from studying, a reference should be requested from the place of study. (A second character reference can then be obtained from another source for example, voluntary/community work.)

To ensure that you follow safer recruitment practices you should ask for the following information:

- The referee's relationship to the candidate.
- Specific and verifiable comments about the applicant's performance history and conduct.
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, factual details of the referee's concerns and the reasons why the referee believes the person may be unsuitable.
- On receipt, all references should be checked to ensure that all specific questions have been answered satisfactorily.
- If all questions have not been answered or the reference is vague or unspecific, telephone the referee and ask them to provide further detail as appropriate. Telephoning the referee will support you in confirming their identity.
- When telephone references are taken up, ensure that these are formally recorded and that they are confirmed as soon as possible in writing.
- Compare references with the application form to ensure that the information provided about the candidate and his/her previous employment by the referee is consistent with the information provided by the applicant on the form, taking up any discrepancies with the candidate.
- You can make a conditional offer of employment - one of those being that satisfactory references are received, and the employer determines the start date accordingly.
- Keep records where appropriate relating to recruiting staff as evidence of safe recruitment. According to the EYFS (2017) This should include "*staff qualifications and identity checks and vetting processes that have been completed (including the criminal records check reference number, the date a check was obtained and details of who obtained it)*". <https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>



It is recommended that recruitment application forms and interview notes (unsuccessful candidates) are retained for between 6 months to a year. The documents for successful job applicants will be transferred to the personnel file, which should be retained for a recommended period of 6 years after employment ceases. [Retention of HR Records | Factsheets | CIPD](#)

- Providers must meet their responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm (3.13 EYFS Statutory Framework 2017). In view of this when taking up references ensure that you are satisfied that this requirement has been followed if applicable by the previous employer.

For further information please see: www.acas.org.uk/index.aspx?articleid=5072



Example: Letter Requesting References (part 1)

Private and confidential

Name of your provision

Address

Postcode

Our ref:

Enquiries to:

Email:

Date:

Dear

Re: (Name of candidate)

The person named above has applied for a job with (insert the name of your provision) and has given your name as a referee. Details of the post applied for are enclosed.

To support our safer recruitment procedures and help us to assess (insert name of applicant) suitability for the role, please complete the enclosed form. If you would prefer to send a letter, then please include the information that we have asked for in the 'Essential Information' box on the form. We may share this information with the candidate if they ask to see it.

The post may have unsupervised access to children and is therefore exempt from provisions of the Rehabilitation of Offenders Act 1974 (Exemptions) Order Act 1975. Please therefore provide any information pertaining to any convictions. Please refer to EYFS 2017 3.17 for full details of this requirement.

Please let us know if, for any reason in your opinion, (insert name of candidate) should not be employed to work with children.

We would appreciate a reply at your earliest convenience.

Yours sincerely,

Insert your name and sign above.

Enclosed – Job description and person specification/form for completion.



8. Employment checks

As a registered provider, you must ensure that enhanced criminal record checks and children's barred list check are undertaken for **each person** you appoint. This includes administration assistants, cooks and committee members, even if they do not have direct access to children.

You are also required to have checks in place for every person aged 16 and over (including unsupervised volunteers, and supervised volunteers who provide personal care) who work directly with children, who live on the premises on which childcare is provided and/or works on the premises on which the childcare takes place, or do not work there at times when children are present. An additional criminal records check (or checks if more than one country) should also be made for anyone who has lived or worked abroad.

For further information please refer to the Early Years Foundation Stage (EYFS) Statutory Framework, 2017 following the link below:

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

- The Disclosure and Barring Service (DBS) application form for checks must be completed and sent prior to the applicant taking up employment.
- If you receive no response to the DBS application, you must follow this up straight away.
- You must view original documentation from the candidate which proves their identification. Ideally these documents should be a form of photographic personal identification, confirmation of the applicant's address and personal signature. For example, passport, UK full or provisional driving licence, utility bill, local authority tax bill, most recent HMRC tax notification.
- You must view original documentation from the candidate which proves their right to work in the UK. For asylum seekers and immigrants, you must check whether they have legal work permits for working in the UK.
- You must view original documentation proving professional qualifications, recording that these have been checked and retain copies of these.
- Staff who have not yet had these checks returned must never be allowed to work unsupervised with children or provide personal care. Checks enable you to view documentation and record the criminal records check reference number, the date the check was obtained and details of who obtained it. Your policies and procedures must clearly outline your expectation that no one will work unsupervised with children until you obtain a valid DBS check for them.
- During the current COVID 19 pandemic, providers should continue to follow safer recruitment practices. However, the Disclosure and Barring Service has updated their guidance on checking ID to minimise face to face contact (DBS 2020) [COVID-19: Changes to DBS ID checking guidelines - GOV.UK \(www.gov.uk\)](#)

For further information please follow the links below:

www.gov.uk/legal-right-work-uk (includes a check on how the new Brexit rules affect rights to work in the UK)

www.education.gov.uk/eypqd/search/search.cfm



9. Disqualification

A provider or childcare worker may be disqualified from registration in accordance with regulations made under section 75 of the Childcare Act 2006 (Updated August 2018). In the event of the disqualification of a provider, the provider must not continue as an early years provider – nor be directly concerned in the management of such provision. Where a person is disqualified, the provider must not employ that person in connection with early years provision. Where an employer becomes aware of relevant information that may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children.

Disqualification by association

In 2018, the Department for Education removed 'disqualification by association' for individuals working in childcare in non-domestic settings. This applies to staff working in schools and non-domestic registered settings (for example, pre-schools, day nurseries, and those working with under 5s or under 8s in wrap around, extended hours or childcare).

Childcare practitioners can no longer be disqualified from providing or working in non-domestic childcare settings because someone who lives or works in their household is disqualified from working with children.

- You no longer need to establish if job candidates are disqualified by association. That is if they share a house with someone who would be disqualified from working with children.
- This means you should not ask staff questions about cautions or convictions of anyone living or working in their household.

Disqualification by association continues to apply for individuals providing and working in childcare in domestic settings, this means where childcare is provided in a childminder's home.

10. Confirmation of offer

After an interview, you can make a conditional offer. Once you have received appropriate references, enhanced criminal record and barred list checks, the conditional offer can be confirmed in the terms and conditions of a contract, which should include a probationary period of six months.

If an offer of employment is made conditional the contract of employment only engages once the conditions of the offer have been met. Offers of employment in the children's workforce should always be conditional where safer recruitment checks are required prior to the employment starting. If you allow a prospective employee to start work when conditional terms have not been completed, then the contract is engaged and it is more difficult to deal with as you would have to terminate the employment contract.



11. Induction, supervision and appraisal

- Once you have offered someone the job and agreed a start date, you can prepare for their induction. Having an induction for new employees should ensure they understand their roles and responsibilities. Induction must include information about emergency evacuation procedures, safeguarding, child protection, and health and safety issues.
- The induction should include information about policies and procedures including those relating to safeguarding and child protection. You should continue the induction process during all supervision and appraisal sessions, and you should provide an opportunity to discuss any safeguarding and child protection issues.
- You should put in place appropriate supervision arrangements for staff who have contact with children and families. Effective supervision provides support, coaching and training for practitioners. Supervision should foster a culture of mutual support, teamwork and continuous improvement, which encourages confidential discussions of sensitive issues, setting time aside to discuss safeguarding and child protection, answering any questions or addressing any concerns.
- You should ensure that staff members know that they can expect complete support from their line managers if they raise a concern about a colleague's conduct, especially in relation to children. You must point out that if concerns are not reported then children may continue to be harmed while an adult is unwittingly being protected.
- In the first instance concerns should be raised in line with the LSCB's guidance *Arrangements for Managing Allegations of Abuse against People Who Work With Children or Those who are in a Position of Trust*. <https://suffolksp.org.uk/working-with-children-and-adults/adults/policies-procedures-and-guidance-adults/>
- If the individual with the concern feels that it either has not been dealt with appropriately through that procedure or would not be dealt with by the management, then your whistleblowing policy can be used. This policy should ensure practitioners understand that inappropriate behaviour, for example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images displayed by staff members, or any other person working with children, will not be tolerated and that robust policies and procedures are in place to keep children safe from harm.
- During the probationary period, which should be at least six months, the employee should regularly work under the supervision of a more experienced member of staff.

For further information, template and guidance please see:

www.suffolklearning.co.uk/early-years/committee-info-pre-schools-only

12. Training

Providers should be confident in their understanding and implementation of **all** the safeguarding and welfare requirements of the Early Years Foundation Stage Statutory Framework 2017.

This states:



3.4. Providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB).

3.5. A practitioner must be designated to take lead responsibility for safeguarding children in every setting. Childminders must take the lead responsibility themselves. The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the LSCB. They must provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required. The lead practitioner must attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect (as described at paragraph 3.6)

3.6. Providers must train all staff to understand their safeguarding policy and procedures and ensure that all staff have up to date knowledge of safeguarding issues. Training made available by the provider must enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way.

When selecting training you must ensure you have a comprehensive understanding of Suffolk Safeguarding Partnership's safeguarding processes and procedures. Suffolk County Council's Early Years and Childcare Service offers the following safeguarding training which is endorsed by Suffolk's Safeguarding Partnership (SSP) and is specific to early years and childcare practitioners (pre-school playgroups, out of school clubs, day nurseries and childminders).

Early Years Safeguarding Training (suitable as an introduction and to refresh your learning). Provided face-to-face either as a venue based or in setting course (Course Codes E-SG or E-SGinsetting). Or as an e-learning module (Course code M-ESGC2020)

Early Years Designated Safeguarding Lead: Roles and responsibilities training – recommended for safeguarding leads and childminders. (Course Code E-RAR)

Safer recruitment practice for Early Years and Childcare Settings recommended for managers, leaders and relevant committee members. (Course Code E-SR)

The above SSP endorsed Safeguarding training for early years and childcare providers is available on: www.suffolkcpd.co.uk

Contact email address: eyc.wfd@suffolk.gov.uk



For further information please refer to the Suffolk Safeguarding Partnership and the Early Years Foundation Stage (EYFS) Statutory Framework, 2017 following the links below:

<https://suffolksp.org.uk/>

<https://www.suffolk.gov.uk/children-families-and-learning/keeping-children-safe/reporting-a-child-at-risk-of-harm-abuse-or-neglect-safeguarding/>

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

For further information please follow the links to guidance below:

[Inspecting safeguarding in early years, education and skills settings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-settings)

www.gov.uk/government/publications/prevent-duty-guidance

www.gov.uk/government/publications/working-together-to-safeguard-children--2

www.gov.uk/government/publications/keeping-children-safe-in-education--2

www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2

13. Safer working culture

- The priority of all staff should be safeguarding the children in their care.
- The most important thing is that children are listened to and any concerns dealt with. You will be judged at inspection on the arrangements that are in place and on the positive impact on the safety and welfare of children and learners.
- Your policies and procedures need to inform and reflect your practice and all staff members and service users need to be made aware of these.
- All staff must be monitored by their line managers, both in the probationary period and beyond, to make sure they are safeguarding the children in their care. Monitoring should be evidenced through induction, one to one supervision meetings, staff appraisals and training.
- You must meet your responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service (DBS), where a member of staff is dismissed (or would have been, had the person not left your setting first) because they have harmed a child or put a child at risk of harm.

Please follow the links below for further information:

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>
[Inspecting safeguarding in early years, education and skills settings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-settings)



Guidance on safer working practices must be provided for all staff and include information on:

- Non-routine events such as visits. You must assess the risks or hazards which may arise for the children when on outings and must identify the steps to be taken to remove, minimise and manage those risks and hazards.
- Child injury or illness policies and procedures. You must notify Ofsted of any serious accident, illness or injury to, or death of, any child while in your care. You must promote the good health of children attending the setting, having a procedure, discussed with parents and/or carers, for responding to children who are ill or infectious, taking necessary steps to prevent the spread of infection, and taking appropriate action if children are ill.
- Internet use inside and outside the setting, including the use of social media sites and adherence to your confidentiality policy.
- The taking, with parental permission, photographs of children, how these are used, stored and managed in line with the requirements of the Information Commissioners Office (ICO).
- Mobile phone use during working hours. You must include the use of mobile phones and cameras within the setting in your safeguarding/child protection policy.

Please follow the link for further information on the 'Information Commissioners Office' (ICO). <https://ico.org.uk/>

14. Whistle blowing and complaints

You should ensure all staff and carers have a copy of, and understand, the written procedures for managing allegations of harm to a child. They must know how to make a complaint and understand policies on whistleblowing and how to manage other concerns about the practice of adults in respect of the safety and protection of children.

You must have in place a written procedure for dealing with concerns from parents and/or carers, and must keep a written record of any complaints, and the outcome of investigating these complaints.

15. Policies and procedures

- It is good practice to have a safer recruitment policy and procedure in place and to make sure this is followed during the recruitment selection and induction of all staff.
- There must be clear, appropriate and rigorously enforced policies and procedures to safeguard and protect children from harm. Consider this when taking children on visits, a parent/carer fails to collect a child, a child goes missing from the setting and/or has irregular patterns of attendance. You must have a procedure to be followed should



these events occur. You must make sure that any bus or coach companies that you use carry out DBS checks on their drivers.

- All staff must be familiar with and adhere to your safeguarding/child protection, staff behaviour, whistle blowing policies and safer working practice guidelines. If they do not adhere to these then you should follow your disciplinary procedures.
- The Early Years Foundation Stage (EYFS) Statutory Framework, 2017 details mandatory policies that you are required to have. Please be aware that other policies can be informed by other legalisations such as 'Health and Safety' requirements under the Health and Safety at Work Act, 1974. Develop your policies and procedures to inform and reflect your practice in addition to having those that you are required to have by law.

Please follow the links below for further information:

www.gov.uk/browse/employing-people/health-safety

www.legislation.gov.uk/ukpga/2015/26/notes

[Inspecting safeguarding in early years, education and skills settings - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

16. Monitoring systems

You should check staff are following policies by, for example:

- Observing their working practices and behaviours.
- During your staff induction, one to one supervisions and appraisal meetings.
- Leaders and managers monitoring the day-to-day work environment.

Evaluating your safer recruitment practices using the checklist will also form part of your monitoring procedures:

- Safer recruitment evaluation using the safer recruitment checklist.



Appendix A:

Child Safeguarding Competences for Staff who Work with Children¹

This list will help you put together a person specification and plan the induction process and ongoing supervision of staff. Those who work with children should be able to demonstrate the following:

Emotional awareness

- Aware of the range of emotions in self and others
- Shows concern for others
- Listens to and understands other people's feelings
- Encourages others to express themselves openly
- Is sensitive and tries to tackle the cause of a problem
- Listens to personal comments without becoming defensive
- In highly stressful situations, can keep own feelings in check, take constructive action and calm others down
- Has a range of mechanisms for dealing with stress, can recognise when to use them and does so
- Shows respect for others' feelings, views and circumstances

Working within professional boundaries

- Accepts responsibility and accountability for own work and can define the responsibilities of others
- Recognises the limits of own authority within the role
- Seeks and uses professional support appropriately
- Understands the principle of confidentiality
- Shows professional curiosity

Self-awareness

- Has a balanced understanding of self and others
- Has a realistic knowledge of personal strengths and weaknesses
- Can work flexibly
- Shows a realistic appreciation of the challenges of working with children
- Ability to safeguard and promote the welfare of children
- Understands the importance of safeguarding and protects all children whatever their personal circumstances
- Can show an ability to contribute towards a safe environment
- Is up-to-date with the law and current events
- Can show they have followed 'best practice' guidelines
- Shows a personal commitment to safeguarding children

¹ These competences draw on information found in the toolkit 'Safer Recruitment and Selection for Staff Working in Child Care' developed by the Scottish Recruitment and Selection Consortium. They were devised with the support of the Cambridgeshire's Local Children's Safeguarding Board's Safe Employment Steering Group, and Marian Mair from Cambridge County Council.



Appendix B:

Red Flag Behaviours: Child Safeguarding Competencies for Staff who Work with Children²

Line managers should intervene as soon as possible if any of their staff are:

- Allowing a child to be treated badly or pretending not to know it is happening
- Gossiping or sharing information inappropriately
- Showing inappropriate discriminatory behaviour or using inappropriate language
- Dressing in a way that is professionally inappropriate
- Not treating children fairly – showing favouritism to a child
- Showing a lack of understanding about personal and professional boundaries
- Using their position of trust to intimidate, threaten, coerce or undermine
- Engaging in inappropriate social relationships with children such as encouraging children to visit their home, sending text messages, emails and so on. (If this is not expected as part of a professional relationship as it is with a foster carer or childminder.)
- Having secrets with a child or encouraging a child to not share information about activities with others.
- Finding opportunities to be alone with a child,

² These were developed with the support of the Cambridgeshire's Local Children's Safeguarding Board's Safe Employment Steering Group.



Appendix C: Safer Recruitment Self-Evaluation Checklist

Name of Provider:

Name of Designated Safeguarding Practitioner/Owner/Committee Member:
.....

Role of Designated Safeguarding Practitioner/Owner/Committee Member:
.....

Contact details of Designated Safeguarding Practitioner/Owner/Committee Member:

Email address:

Telephone contact details:

Managers

Postal address:

For the completion of the Safe Recruitment Best Practice Guidance Self-Evaluation Checklist:

1. Ensure that the front page is filled in with all the relevant details.
2. Work with relevant staff to decide the extent to which criteria is being met, for example; in place, not in place.
3. Be sure to record clear evidence for your decisions.



1. The job description and person specification	In place	Not in place	Action	Who and by when
We ensure that our job descriptions and person specifications detail the behaviours and competencies needed to carry out the various roles within our setting. We ensure that these refer to the responsibility for safeguarding children and promoting their welfare.				
2. Planning the interview and assessment in advance	In place	Not in place	Action	Who and by when
We plan and prepare for face to face interviews to ensure that this is a fair and equitable process for all, having an agreed rating scale with which to record responses to agreed questions from candidates.				
We liaise with our management team, one of whom will have experienced safer recruitment training and at least two of whom will have experienced safeguarding training, to ascertain their availability to form part of our interview panel.				
3. Advertising	In place	Not in place	Action	Who and by when
We ensure that our advertising materials, leaflets and policies carry a commitment to Safeguarding children.				



4. Shortlisting for interview	In place	Not in place	Action	Who and by when
When shortlisting for interview we compare the candidates' application forms against the job description/person specification and any previous work experience to shortlist for interview.				
We check that there are no unexplained gaps in employment and if there are, we telephone or write to the candidate in advance requesting an explanation for these.				
5. Interview and assessment process	In place	Not in place	Action	Who and by when
A face to face interview is held that explores the candidates' suitability to work with children as well as their suitability for the role.				
The interview panel consists of at least two people, one of whom has experienced safer recruitment training and two of whom have experienced safeguarding training.				
The interview panel investigates any sizeable gaps in employment for credible reasons.				
The interview panel explores concerns or discrepancies arising from the information provided by the candidate and/or referee.				
We ask the candidate whether they wish to declare anything considering the need for enhanced criminal records and barred list checks to be undertaken.				



At least one safeguarding question is asked at interview.				
6. Decision making	In place	Not in place	Action	Who and by when
An agreed interview rating system is used to identify the best candidate.				
7. References	In place	Not in place	Action	Who and by when
Permission is sought from candidates to request references from current and/or most recent employers prior to interview, reserving the right to contact the referee on receipt of these if necessary.				
References addressed 'to whom it may concern' or testimonials brought by the candidate on the day of interview are never accepted.				
A minimum of two references are always requested, one of which is a reference from the candidate's current and/or most recent employer. Where possible we ensure references cover the last five years of employment.				
When telephone references are taken up, we ensure that these are formally recorded and that they are confirmed as soon as possible in writing.				
If the applicant has come directly from studying, then references are requested from the candidates place of study. (A character reference is then obtained from				



another source for example, voluntary/community work.)				
7. References, cont.	In place	Not in place	Action	Who and by when
<p>The reference request asks:</p> <ul style="list-style-type: none"> • The candidate’s reason for leaving. • The referee’s relationship to the candidate. • Specific and verifiable comments about the applicant’s performance history and conduct. • Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, factual details of the referee’s concerns and the reasons why the referee believes the person may be unsuitable. 				
References are checked to ensure that they match the information provided by the candidate on the application form.				
If all questions have not been answered or the reference is vague or unspecific, we telephone the referee and ask them to provide further detail as appropriate, telephoning the referee supports us in confirming their identity.				
Individuals do not start employment until we have received references.				



8. Employment checks	In place	Not in place	Action	Who and by when
Enhanced criminal records and barred list checks are carried out for each person appointed. An additional criminal records check (or checks if more than one country) are also made for anyone who has lived or worked abroad.				
Disclosure and Barring Service (DBS) application forms for checks are completed and sent prior to the applicant taking up employment.				
If we receive no response to the DBS application, we follow this up straight away.				
We view documentation and record the criminal records check reference number, the date the check was obtained and details of who obtained it when we appoint new staff or committee members change.				
We view original documentation from the candidate which proves their identification.				
We view original documentation from the candidate which proves their right to work in the UK. For asylum seekers and immigrants, we check whether they have legal work permits.				
We view original documentation proving professional qualifications, recording that these have been checked and retain copies of these.				



9. Confirmation of offer	In place	Not in place	Action	Who and by when
Individuals do not start employment until we have received appropriate references.				
Once we have received appropriate references, enhanced criminal records check and barred list checks we make sure the conditional offer is confirmed in the terms and conditions of a contract. This includes a probationary period of six months.				
10. Induction, supervision and appraisals	In place	Not in place	Action	Who and by when
Our induction includes information about our policies and procedures, emergency evacuation procedures, safeguarding, child protection, and health and safety issues.				
Our supervision arrangements provide support, coaching and training for practitioners. Our supervision fosters a culture of mutual support, teamwork and continuous improvement which encourages confidential discussions of sensitive issues, setting time aside to discuss safeguarding and child protection, answering any questions or addressing any concerns.				
Our whistle blowing policy is discussed in detail with new employees, ensuring that staff members know that they can expect complete support from their line managers				



if they raise a concern about a colleague's conduct, especially in relation to children.				
New staff members have a six-month probationary period and new employees regularly work under the supervision of a more experienced member of staff.				
11. Training	In place	Not in place	Action	Who and by when
'Introduction to Safeguarding Children' training is undertaken by all staff members whose work brings them into contact with children and young people, either directly or indirectly. We access training delivered by Suffolk County Council to ensure this is in line with the local procedures of the Suffolk Safeguarding Partnership (SSP). On completion, we may require staff or committee members to undertake multi-agency training including 'Working Together to Safeguard Children'.				
We train all staff to understand our safeguarding policy and procedures and ensure that all staff have up to date knowledge of safeguarding issues. The designated lead practitioner provides support, advice and guidance to any other staff members on an ongoing basis, and on any safeguarding issue as required. The lead practitioner attends a child protection course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect.				



We ensure that those who recruit staff have experienced 'Safer Recruitment' training and that this is regularly updated.				
Copies of staff members training certificates are kept on file and training plans detail when updates to training are required.				
12. Safer working culture	In place	Not in place	Action	Who and by when
We ensure that our policies and procedures inform and reflect our practice and that all staff members and services users are aware of these.				
Our robust policies and procedures ensure that children are listened to and any concerns are dealt with to ensure that children are kept safe from harm.				
All staff members are monitored by their line managers, both in the probationary period and beyond, to make sure they are safeguarding the children in their care. Monitoring is evidenced through induction, one to one supervision meetings, staff appraisals and training.				
We ensure that we meet our responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service (DBS), where a member of staff is dismissed (or would have been, had the person not left our setting first) because they have harmed a child or put a child at risk of harm.				



12. Safer working culture, cont.,	In place	Not in place	Action	Who and by when
<p>Guidance on safer working practices is provided for all staff and includes information on:</p> <ul style="list-style-type: none"> • Non-routine events such as visits. • Child injury or illness policies and procedures. • Internet use inside and outside the setting including the use of social media sites and adherence to our confidentiality policy. • The taking, with parental permission, photographs of children, how these are used, stored and managed in line with the requirements of the Information Commissioners Office (ICO). • Mobile phone and camera use during working hours. 				
13. Whistleblowing and complaints	In place	Not in place	Action	Who and by when
<p>All staff and carers have a copy of and understand the written procedures for managing allegations of harm to a child or learner. They know how to make a complaint and understand policies on whistle blowing and how to manage their concerns about the practice of adults in respect of the safety and protection of children and learners.</p>				
<p>We have a written complaints procedure for all service users (parents, carers, organisations) of our setting to raise</p>				



concerns and we keep a written record of any complaints, and their outcome.				
14. Policies and procedures	In place	Not in place	Action	Who and by when
We have a safer recruitment policy and procedures in place and make sure this is followed during the recruitment process and induction of all staff.				
We have clear, appropriate and rigorously enforced policies and procedures to safeguard and protect children from harm.				
We make sure that any bus or coach companies that we use carry out DBS checks on their drivers.				
All staff are familiar with and adhere to our safeguarding/child protection, staff behaviour, whistle blowing policies and safe working practice guidelines. If they do not adhere then we follow our disciplinary procedures.				
15. Monitoring systems	In place	Not in place	Action	Who and by when
We check staff are following policies by, for example: <ul style="list-style-type: none"> • Observing their working practices and behaviours. • During our staff induction, one to one supervisions and appraisal meetings. • Leaders and managers monitoring the day-to-day work environment. 				
We evaluate our safer recruitment practices using the safer recruitment checklist.				



Contact:

Safer Recruitment Guidance Best Practice Guidance for Ofsted registered Early Years and Childcare Providers.

Early Years and Childcare Service
Suffolk County Council
Endeavour House
Ipswich
IP1 2BX

Email: childcare.planning@suffolk.gov.uk

Please note: The information contained in this guidance is for general information purposes only. While every effort has been made to keep the information up to date and correct, Suffolk County Council (SCC) make no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability or suitability with respect to the information contained within the guidance. Any reliance placed on such information is therefore strictly at the organisation's own risk. SCC is not responsible for, and expressly disclaims all liability for, damages of any kind arising out of use, reference to, or reliance on any information contained within this guidance (February 2021).