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Safer Recruitment? Protecting Children, Improving Practice in Residential Child Care

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ABSTRACT

In the wake of a number of high-profile cases of the abuse of children and young people in residential child care, there have been repeated calls for the improvement of recruitment and selection of residential child care staff. This paper describes the findings from a survey, undertaken in 2005, of operational and human resource managers who have responsibility for the recruitment and selection of residential child care staff in the voluntary and statutory sectors in Scotland. This research was commissioned by the Scottish Executive to identify which elements of safer recruitment procedures had been implemented following the countrywide launch of a *Toolkit for Safer Recruitment Practice* in 2001. Research findings show that although local authorities were more likely than voluntary organisations to have gone some way toward implementing safer recruitment procedures, the recruitment process lacked rigour and commitment to safer procedures in some organisations. The article discusses the current barriers to the introduction of safer recruitment methods and proposes some possible solutions for the future.

Introduction

In the wake of a number of high-profile cases of the abuse of children and young people in residential child care, there have been several calls to improve the safety of children in residential care in Scotland (Kent 1997, Marshall et al 1999) and indeed throughout the UK (Kendrick 1998; Warner, 1997; Utting, 1997). Two strands of policy have been identified as relevant to this issue – protection of looked after children and young people, and preventing unsuitable people from being employed (Gallagher, 2000).

There have been repeated calls for the improvement of recruitment and selection of residential child care staff. Inquiries into abuse have consistently highlighted that selection processes were lax and inadequate, and there were concerns about references, police checks and other vetting procedures (Kendrick, 1997; Kirkwood, 1993; Levy & Kahan, 1991; Williams & McCreadie, 1992). Most recently, concerns about sex offenders working in schools led to a government review and changes to the system for vetting people who work in schools. The recommendations of the Bichard Inquiry (2004) which called for a registration scheme for all those working with children and young people, and a ‘blacklist’ of unsuitable people, reinforced the need for safer recruitment practices.

In residential care, following the trial and conviction of Frank Beck in Leicestershire, an inquiry was established to look specifically at selection and recruitment methods for staff working in children’s homes (Warner, 1992). The Support Force for Children’s Residential Care (SFCRC) was also established to offer advice on the appointment,

selection, support, development and training of staff (SFCRC, 1995). Both the Warner Report and the SFCRC stressed the need for improvement in selection and assessment. In Scotland, the *Children's Safeguards Review* (Kent, 1997) strongly endorsed the work of Warner and the SFCRC and also recommended that funding should be set aside to further develop work on selection processes.

Throughout the recommendations of the various inquiries, there was an assumption that better selection and recruitment strategies would improve the safety of children. However, the reality is not as simple as this. Colton (2002) pointed out that the abuse of children and young people in residential care is multi-factorial. In his view, poor recruitment and selection practice forms only one of these factors. As such, it has been difficult to isolate this from the other factors as a focus for research into what might improve the safety of children in care. However, the weight of evidence from inquiries and the literature suggests that greater rigour is needed in selection and recruitment practices. For example, he concurs with Thomas (2000) in questioning the effectiveness of cursory pre-employment screening practices, which only include the uptake of references and a police check. He states that 'it is by no means certain that effective checks are now in place' to prevent potential abusers from working in care settings. Colton also identified the role of institutional culture as a factor in creating a climate in which abuse can take place. Such cultures are created by a lack of effective management and monitoring, and by organisations which are 'enclosed and inward-looking' (p35).

However, commentators such as Stanley (1999) argue that the child abuse inquiries have tended to be based on a model of individual pathological blame, and that this has led to the

belief that it has been a few 'bad apples' that have been involved in institutional abuse allegations. There is a degree of debate about whether or not an oppressive culture is a greater contributory factor to institutional abuse than the individual 'bad apples.' If the model of the 'bad apple' is accepted, it might be assumed that better selection and recruitment strategies would lead to improvements in safety. If the model of the abusive culture is accepted, some might argue that better selection would not make any significant difference. However the process of recruitment and selection is the first point of contact that potential employees have with an employing agency; it can reflect an open culture which is child-centred, focused on the safety of children and young people and with aims to promote best practice.

Over the past ten years, a number of measures have been put in place to increase the rigour of the selection process for workers in residential child care. The UK Government introduced legislation to disqualify certain offenders from working with children and made it a criminal offence for them to seek work with children. For example, The Protection of Children Act 1999 placed the Department of Health's *Consultancy Index* (a list of health and social care workers deemed unsuitable to work with children) on a statutory footing. Regulated childcare organisations are required to check the names of anyone they propose to employ in posts involving regular contact with children against the Index and List 99 (a statutory list of teachers deemed unsuitable to work with children). In Scotland, the Protection of Children (Scotland) Act 2003, established the *Disabled from Working with Children List* which came into force in 2004. Any individual working with children, paid or unpaid, must be referred to the List when they

have harmed a child or put a child at risk of harm, and they have been dismissed or moved away from contact with children as a consequence.

The introduction of the Regulation of Care (Scotland) Act in 2001 has led to the establishment of National Care Standards for children and young people in residential care. These include standards with respect to management and staffing. In particular, Standard 7.7 relates to safe recruitment practice and sets out minimum criteria of criminal record checks, previous employer checks, take-up of references and cross reference to professional and workforce registers (Scottish Executive, 2002a: 24).

In response to increasing concern, several organisations have prepared handbooks and guidance on safer care which have included procedures to promote safer recruitment (SFCRC, 1995; DOH, 1999; NCH, 2002). Moreover the issues relating to responsibility for the provision of safer care, including safer recruitment procedures have continued to be highlighted (CIPD, 2004; Skinner 2003a; Skinner, 2003b; Cobley, 2000; Edwards, 2000; Kendrick, 1998; Lindsay & McMillan, 1999; Barter, 1999; Stanley, 1999; Kahan 1994). However, in England, an assessment of progress on safeguards for children living away from home has shown that safer procedures are still not implemented consistently (Stuart & Baines, 2004:119).

Following the publication of the *Children's Safeguards Review* (Kent, 1997), the Scottish Executive funded the Scottish Recruitment and Selection Consortium (SRSC) to contribute to the safeguards for children by developing a 'toolkit' of guidance for safer

selection of staff. Information was gathered on current practice from personnel and social work sources in the UK and internationally, and the procedures were piloted in four local authorities in Scotland.

The guidance was introduced to ensure that recruitment procedures were 'rigorous, objective and standardised' (SRSC, 2001: preface). The aims of safer selection procedures were identified in terms of two criteria – collection of relevant information about a candidate's past and an assessment of their capability (SRSC, 2001: 7). The Toolkit identified 18 elements for a safer selection process which, in brief, were: capabilities, job description, person specification, advertisement, application form, short-listing, equal opportunities, screening interview, identity check, verification of qualifications, reference request, criminal records check, client record checks, personnel records check, selection process, assessment, panel interview and personal interview. The SRSC also advocated the development of the selection centre approach which involves a process of exercises, tests and group and individual interviews. The *Toolkit for Safer Selection and Recruitment for Staff working with Children* was launched across Scotland by the Scottish Executive in 2001 in a series of seminars but without any requirement on agencies to implement the recommended changes. Although, as we have seen, certain elements of the Toolkit are regulated through legislation or National Standards, the Toolkit has not been formally evaluated in relation to the safety of children: longitudinal research into the effectiveness of safer recruitment practice is needed.

In 2004, the Scottish Executive commissioned research from Scottish Institute of Residential Child Care (SIRCC) to identify current recruitment practices in residential child care for staff who have unsupervised contact with children and young people, and to assess to what extent the recruitment procedures recommended by the Toolkit had been implemented (Kay et al, 2005).

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Methodology

The research was conducted in two stages. Firstly, a postal survey of local authorities, private and voluntary organisations with responsibility for residential provision for children and young people was undertaken across Scotland between February and June 2005. Secondly, semi-structured interviews were undertaken with a sample of survey respondents to gain an in-depth perspective on the implementation of safer recruitment practices. A small number of interviews were also undertaken with trainers and young people.

Twenty-nine local authorities and 32 private and voluntary organisations agreed to participate in the research, out of a possible total of 32 local authorities and 43 voluntary organisations including residential schools. Structured questionnaires were sent out to operational managers and human resource managers responsible for recruitment of residential child care staff. Questionnaires were returned from 22 out of the 29 participating local authorities (response rate of 76%) and 31 of the 32 participating voluntary organisations (response rate of 97%). A total of sixty-nine questionnaires

were returned from 48 operational managers, 20 human resource managers and one manager who did not provide information on job type. The data from the postal questionnaire were analysed using SPSS.

In the second stage of the research, information from the questionnaires was used to guide selection of interviewees from organisations with diverse characteristics: small and large organisations, those who were using most of the elements of the Toolkit and those who were using few elements. Twenty face-to-face interviews were undertaken with people from eight councils, seven voluntary providers and two training organisations, and with two young people who had participated in the recruitment process. Further telephone interviews were undertaken with nine respondents to focus in detail on specific elements of the Toolkit. The qualitative data engendered by the face-to-face interviews were analysed manually, using themes and concepts arising from the analysis of the survey data and reflecting issues identified as important by interviewees.

Research Findings: Safer Recruitment Practice in Residential Child Care

Knowledge and Impact of the Toolkit

Three years after the Toolkit's launch, knowledge of its recommendations and its impact on practice varied across the two sectors with all the local authority respondents reporting that they were aware of it compared with only two thirds (67%) of respondents from voluntary organisations. The interview data suggested that most managers knew about the Toolkit, but, although they attended seminars in 2001 and kept copies on their shelf,

they were not likely to refer to it regularly: a small number of new managers were not aware of the Toolkit.

The pattern of usage of the Toolkit

Survey respondents were asked to confirm which recruitment procedures were used by their organisation: these procedures included the 18 elements recommended by the Toolkit. Only one third (33%) of local authority respondents and one fifth (22%) of voluntary respondents reported that their organisation always used twelve or more elements of the recommended procedures. We have structured the elements of safer recruitment into three groups: those that were almost always used, those that were frequently used and elements that were used less frequently. Not all the findings contained in the tables are discussed in the text; rather the tables are used as background to the discussion of particular issues.

Elements that are almost always implemented

A summary of results shows that some checks were regularly undertaken by all employers [Table 1]. The vetting of candidates, having become systematic in all organisations, focused on checks to prevent the selection of people who had proved unsuitable in the past.

[insert TABLE 1]

Although the criminal record check appears to be a standardised procedure, it was for many interviewees a 'grey area'. All were agreed that applicants who did not disclose an offence would not be considered for the post, and, alternatively, that minor offences which took place many years ago would not exclude applicants from being considered. However in the absence of policy guidance, many respondents were regularly faced with making one-off decisions, on which criminal offences should be grounds for excluding applicants from employment.

The panel interview was almost always used by organisations. Indeed, it was the main selection method in some organisations, while others had incorporated the panel interview into a more complex selection process. Interviewees reported that training was provided for all panel members. In some organisations, panel procedures were limited to an agreement that each member of the panel should ask the same questions of all candidates.

Most respondents reported that their organisation used person specifications in preparing recruitment material, a task sometimes undertaken by operational managers, sometimes by human resource managers and sometimes jointly. This process can be a source of tension between personnel and social work staff.

'I used the capabilities to inform writing the person specification but I cannot write the person spec. on my own – lots of other people are involved in the process.'

Previous investigations have recommended that vacancies should always be openly advertised to prevent the development of ‘closed institutions’. While we can see from Table 1 that advertisements were almost always issued, only two thirds (66%) of the local authority respondents and eight out of ten (82%) of the voluntary sector respondents stated that vacancies were advertised externally as well as internally: this reflected the not uncommon practice of considering for permanent posts only those candidates who had successfully completed work for the organisation in a temporary capacity.

Elements that were frequently used

Surprisingly, standard reference requests were not always used in recruitment procedures, despite the emphasis placed on references in previous inquiries [Table 2]. In addition, only one quarter (23%) of local authority respondents and one third (34%) of voluntary sector respondents reported using the telephone to chase up and verify references.

[insert TABLE 2]

Three quarters (74%) of the local authority respondents and two thirds (63 %) of the voluntary organisation respondents reported that capabilities were used in person specification. The Toolkit provided a definition of a capability as a descriptor of a personal attribute which can give an indication of potential performance, and described the nine key capabilities required for the post of residential care officer. Some interviewees described their difficulty in understanding the Toolkit definitions of capabilities and how they had encountered problems in deciding how to measure them.

Others reported that they used capabilities linked to the ‘elements of competence’ as defined in the Care National Occupational Standards issued by Scottish Social Services Council which also form the basis of Scottish Vocational Qualifications (SVQs).

Less than two thirds (61%) of local authority respondents reported that the application form used for residential child care applications was designed specifically with the need to protect children and young people in mind. Voluntary agency respondents were more likely to have a dedicated application form but this difference may be due to the size and purpose of the employing organisation, as many respondents from the voluntary sector work for children’s organisations. Local authority interviewees confirmed that corporate policy often dictated that a standard application form be used for vacancies in all departments across the authority which meant that full details of employment and gaps in employment, use of previous names and details of work absences were not required in their agency’s application form for residential child care workers.

Elements that are least likely to be used

About one third of respondents reported that personal interviews were undertaken [Table 3]. The Toolkit defined personal interviews as a tool ‘to probe the attitudes and behaviour’ of candidates but we found that many interviewees were unsure of the definition of personal interviews and opinions varied considerably on what kind of questions were relevant.

[insert TABLE 3]

Most interviewees described personal interviews as a useful opportunity to explore with the candidate their values and attitudes to working with children. One interviewee from a voluntary organisation reported that the personal interview was undertaken by the chief executive:

‘It adds rigour to the procedure and conveys the message that the whole system is geared up to show the value placed on young people. It provides a powerful message. If somebody is put off by that then we don’t want them.’

Similarly screening interviews were rarely used. The Toolkit recommends screening interviews, conducted by personnel officers, to check out information and discrepancies in the application form. Some interviewees from voluntary organisations described how they used the screening interview both to check out applicants’ application details and to provide information to candidates about the difficulties of the work, in the hope that they would ‘put off’ candidates who were not clear about the demands of the job.

Less than one third of respondents reported that they had always used work-related tasks in the selection process. Organisations might have been experimenting with work-related tasks and psychometric testing, or using them for particular posts, as half (52%) of local authority respondents and a little less than half (42%) of voluntary organisation respondents reported that these methods were ‘sometimes used’. Only a few interviewees reported the use of psychometric tests, mainly in the selection of senior staff.

However, when specifically asked, over half of both local authority and voluntary sector respondents (59%) reported that written exercises were part of the selection procedures. A similar proportion of local authority respondents (59%) and just over one third (38%) of respondents from voluntary organisations reported that group discussions were part of the recruitment process.

Very few organisations used a full ‘selection centre’ or ‘assessment centre’ as defined in the Toolkit. About one in ten of the respondents (14%) reported that they used this approach but there seemed to be considerable variation in the number of different elements of the toolkit used in assessment centre approaches and in the methods of scoring the results from the different exercises.

Many interviewees considered the development of the systematic approach of assessment centres as crucial to the improvement in standards of recruitment and selection for residential child care. Interviewees in one organisation argued that the selection centre approach reduced the impact of ‘gut reactions’ and moved recruitment on to become an evidence-based procedure. Several interviewees felt that the lengthy procedures helped applicants to recognise the importance of the job they were taking on; as one interviewee said ‘it discourages “dodgy” people, and it reduces risk at the front end and employment disputes later’.

Around one third of respondents (38% of those from local authorities, 26% of those from voluntary organisations) reported that young people were involved in the recruitment process. Opinions varied as to the appropriateness of user involvement: the interviewees who had found the process useful, were those who had worked with young people who had received prior training and continuing support throughout the recruitment process.

Conclusion

The summaries of survey findings show that systematic checks were regularly undertaken by all employers [Table 1] but there was much more variation in the implementation of assessment exercises [Table 3]. This suggests that recruitment procedures were focused on checks to prevent the selection of people who had proved unsuitable in the past; but the exercises to identify and select people who would be capable of providing high standards of care in the future were not as well developed.

Children and young people in residential child care have a right to *special protection* under Article 20 of the UNCRC (UN, 1992). Safe recruitment practices form part of this special protection. The Kent report (1997) noted the importance of establishing a safe awareness culture as key to the protection of children and young people from abuse: current policy initiatives confirm the importance of developing safer recruitment practices for all agencies working with children and young people (Scottish Executive 2002b: p14). The findings of this research suggest that some organisations continue to lack such awareness to the point of complacency in relation to recruitment.

Individual ownership of safe recruitment is important, but the assumption that certain tasks belong to other people may lead to a sense of false security. This is reminiscent of the psychological mechanism of ‘diffusion of responsibility’ reported in studies on the lack of intervention of bystanders when help was required (Darley & Latane 1968). Each person, in a sense, divides their level of responsibility by the number of people who are involved.

This is worrying when recruitment of residential child care staff continues to be a regular procedure for all agencies and indeed for the sector. Government statistics show that vacancies in the local authority sector are running at 13% (Scottish Executive, 2005). Hence the need for recruitment and selection of staff is an ever-present feature in residential child care. The survey, however, showed that only half the respondents reported that their organisation had written policies on staff recruitment and even fewer reported using a recruitment protocol specifically designed for the recruitment of staff with unsupervised contact with children and young people. Senior officers at the corporate level need to become involved and committed to safer recruitment procedures if they are to provide better protection for children and young people.

Opinions vary on how much the participation of children and young people can contribute to the process of safer recruitment. Findings from the study suggested that the majority of those responsible for encouraging the participation of young people in the process have not yet worked out a clear model. It would be encouraging if such discussions were to be informed by previous work on the theory and practice relating to

the 'ladder of participation' (Hart, 1997). If young people are to be more involved in the recruitment process, staff will need to review how the objectives of the participation exercise fit with reality of the young person's situation (Hodgson, 1995; Michel, 2002; Sinclair, 2004; Wright et al, 2006; Save the Children, 2006).

There is a clear need to update some of the material in the Toolkit, in light of the registration requirements for staff working with children and young people in residential settings. These requirements are now known, since the establishment of the Scottish Social Services Council, and such requirements should be built into the safer selection procedures. The National Occupational Standards (NOS) have also been revised since the publication of the Toolkit, and some respondents said that they were using these, as opposed to the capabilities identified by the Toolkit, for the specification of person requirements: an update of the Toolkit would need to take account of the new NOS. The Scottish Executive should consider re-designing the Toolkit with some user friendly handbooks available for regular recruiters.

The development and implementation of the Toolkit will require additional funding to cover:

- Training for all staff in safer recruitment;
- More human resources staff to administer checks;
- Front line cover for those involved in recruitment.

The establishment of a National Recruitment Centre would ease the concerns about the level of funding required to implement safer recruitment procedures. Such a centre could run assessment exercises at pre-planned times of the year across the country, and draw on staff from a variety of agencies so that the full administrative and financial burden would not fall upon any single organisation.

The design and implementation of safer recruitment practice demands an active commitment from all those with responsibility for the well-being of children and young people in residential child care. It requires an understanding of the need to cultivate an awareness of safer caring issues in all aspects of recruitment for residential child care: this includes a willingness to accept ownership of safer recruitment practices and leadership to drive this forward by all those involved in residential child care at local and national level.

Word Count: 3938

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Table 1 Elements in safer recruitment which are always or almost always used by organisations

Recommended steps in safer recruitment	Local authority respondents (n=29) %	Voluntary/ private organisation respondents (n=40) %
Criminal record check	100	100
Identity check	100	97
Panel interview	100	97
Verification of qualifications	97	87
Job description	97	97
Person specification	97	85
Equal Opportunities reviewed	97	92
Advertisement issued	93	90

Table 2 Elements in safer recruitment which are frequently used by organisations

Recommended steps in safer recruitment	Local authority respondents (n=29) %	Voluntary/ private organisation respondents (n=40) %
Standard reference requests	75	85
Personnel record check	66	74
Capabilities of post defined	74	63
Dedicated application form	61	74

Table 3 Elements in safer recruitment which are always or almost always used by organisations

Recommended steps in safer recruitment	Local authority respondents (n=29) %	Voluntary/ private organisation respondents (n=40) %
Personal interview	30	36
Screening interview	14	46
Client record check	39	30
Young people involved	38	26
Work related task/psychometric tests	17	29
Assessment/selection centre approach	14	14