

Effective recruitment and selection procedures for people working with minors

Ministry for Education and Employment

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Executive Summary

The Ministry for Education and Employment is convinced that the great majority of educators and adults working with children are trustworthy and have a very positive influence in their lives. However, experience in this country and beyond our shores, has shown that exceptionally, individuals who may constitute a danger to children find employment positions in proximity with them. Unfortunately, the danger that these individuals can do there is massively disproportionate and wholly unacceptable.

The Ministry strongly believes that we should ensure that there are robust and effective systems in place to ensure the protection of our children and the good reputation of the vast majority of educators and others working with minors.

Such robust and effective systems should in no way mean that doubt is cast on all those who work with children; just as security at a bank does not imply any slur on all the bank's customers or staff. These systems are simply a rational response to ensure that rogue individuals are not allowed to damage young lives. Concurrently such systems will help protect educators and other people who constantly strive to have the best possible influence on our children's lives.

This whitepaper presents a number of proposals aimed at securing a safe learning environment for children and young people. It addresses different aspects of the recruitment process of adults working with minors, set in a chronological order, starting from the screening of applicants wishing to pursue a career which involves working with minors. The whitepaper moves on to propose steps to make the recruitment process more thorough and conducive to safeguarding the welfare of children and young people. Recommendations with regard to staff training, internal and external audits, together with the various aspects of the management of human resources are being proposed in an effort to make educational institutions a place where children can feel, and more importantly, are safe to develop their skills, competences and talents.

Some of the proposals listed in this whitepaper should not incur major additional costs to the educational institution; as a matter of fact, some do not involve any additional expenses at all. Others will inevitably require additional budgetary allocations, predominantly through the investment in human resources. It is evident that if safeguarding the welfare of children is to be addressed seriously, there is no option but to sustain this process, including financially.

The vast majority of the proposals presented have been lifted from the good practice of local and foreign educational institutions. It is not envisaged that all these proposals to be adopted with immediate effect. The intention is to create a culture of safety, to instigate the necessary changes to policies and practices, and consequently, to guarantee the entitlement of safety and protection to minors and to the adults who are entrusted with their care. This whitepaper invites all concerned stakeholders to reflect upon the proposals, sit down together and work on a feasible and realistic framework.

Recommendation 1

Persons wishing to work with minors within a school environment should undergo screening process in order to try and make sure they are fit to work in such environments. This can be done using different methods so that the screening process is as good as possible.

Recommendation 2

Part of the training for educators should be focused on ethics, behaviour and professional issues. Anyone who aspires to work with minors should be made aware of the implications the breach of such issues and regulations will have. All those working with minors should be governed by a Code of Ethics.

Recommendation 3

Adverts and applications for posts where adults will be working with minors (not only as educators) must be the first line of defence. These should reflect the message that society is there to protect minors and that society is on the lookout for anyone who is willing to pry on our children. Applications should put the onus on the applicant to declare any details which might make him/her not fit to work with minors.

Recommendation 4

Applications must be accompanied by references from trustworthy people. These people can be contacted by the future employer if certain double checking is needed.

Recommendation 5

Adequate training to people involved in the recruitment and interviewing of applicants to work with minors should be provided. This training would help these people to detect any suspects at an early stage such as during the interview. A follow-up system should be in place in case of any person being flagged as suspicious.

Recommendation 6

All adults working with children should be good role models for their students both during and after the hours of work. In the light of the nature of the current legal procedures, someone who has committed a serious offence may still end up occupying a position of trust within educational institutions. A system of how these people are identified before being recruited is being proposed.

Recommendation 7

Access to the Sex offenders' Register should be simplified and costs reduced to the minimum. Applicants should be able to get a certificate from the competent authorities that their name does not appear on the register. This would reduce costs for the employer when compared to the present situation. Besides it would work as a deterrent for any applicant.

Recommendation 8

Recruitment of employees to work with minors should be done through a Single Recruitment Record. This is to ensure that all necessary information is centralised, thus the gathering of information for the employer would be less bureaucratic and laborious.

Recommendation 9

Newly qualified Teachers (NQT) and educators, as well as other staff who are going to work with minors should undergo an induction programme. This should not only include academic or pedagogical aspects but a good element of how to handle minors, how to act and react, and training on the safeguarding and welfare of young children and youths.

Each new employee, should be given a handbook with clearly outlined boundaries.

Recommendation 10

Educators' confirmation and that of other staff employed to work with minors should be more stringent, follows a common procedure in all schools and places. Confirmation should be endorsed by more than one people.

Recommendation 11

Policies should be in place outlining procedures in case of allegations on inappropriate behaviour by adults working with minors.

Recommendation 12

Setting up of a national standards programme promoting commitment to high safety standards through the endorsement of protocols, standards and set policies. Schools and other educational institutions would be eligible for accreditation by guaranteeing the conformity with the agreed principles.

Recommendation 13

All persons coming into regular contact with minors, especially employees of contractors should undergo regular information sessions and training. Contractors are to make sure that their employees have the necessary certification and standards to work in the proximity of minors.

Recommendation 14

Regular audits on child safety measures both in schools and educational institutions as well as other places where minors are gathered should be carried out by the competent authorities.

Recommendation 15

There should be a person in every institution who puts forward issues related to children's well-being and to be the first port of call in cases where children's well-being is concerned.

Recommendation 16

Policies and procedures must be in place in order to create uniformity, security and peace of mind that when certain situations arise action is being taken according to prescribed norms and not on an individual initiative or a sporadic system.

Recommendation 17

Compromise agreements when an employee working with minors has the job terminated because of allegations of inappropriate behaviour shall not be accepted. Termination of employment should be accompanied by a letter from the employer certifying that employment was not terminated because of any inappropriate behaviour affecting minors.

1. Screening Requirements for Adults Seeking to Work with Children and Young People.

1.1 Statement of Problem

In the Maltese environment, it is evident that courses designed at training adults to work with children do not cater sufficiently to the evident need of ensuring that applications received from applicants are screened and evaluated rigorously. At present, the only requirement to be accepted in teacher-training programmes and other programmes involving the care of children and young people is to show evidence that the required academic standard has been achieved.

This contrasts greatly with similar courses held in other countries. It is common practice for foreign universities to make additional conditions of admission to courses where the adults may come into contact with minors, both during the course itself and upon graduation¹. Many universities and training institutes put the onus on the applicants to disclose any information that would make them unsuitable to be entrusted with the care of minors. Regrettably, this highly commended practice, which could discourage unsuitable people from applying for programmes involving the care of children, is not an integral part of the local registration process.

1.2 Proposals

The proposals below, once implemented should achieve the following two broad outcomes:

- to *discourage* unsuitable people from applying to join teacher-training courses;
- to *attract* the most appropriate candidates to the profession.

Prior to being enrolled in programmes related to the care of children, prospective educators should undergo a thorough screening process to determine whether they are suitable to be entrusted with working with minors. Such evaluations should delve into professional and ethical behaviour, attitude and interpersonal skills, with special emphasis on the suitability to work with children. Due to the nature of the job and the extended contact time, all students aspiring to work with children should appreciate the influence they will have on young people they meet. In view of this, the Ministry strongly suggests that this is also taken into consideration.

¹ University of Birmingham
(Source: <http://www.birmingham.ac.uk/Documents/students/admissions/ITE-Offer-Guide.pdf>)

University of Limerick
(Source: <http://www.ul.ie/assocreg/university-limerick-student-vetting-process>)

University of Salford, Manchester
(Source: http://www.salford.ac.uk/__data/assets/pdf_file/0010/473194/StudentVettingPolicy.pdf)

University of Cambridge
(Source: http://www.admin.cam.ac.uk/offices/admissions/handbook/section2/2_8.html)

Imperial College London
(Source: [https://workspace.imperial.ac.uk/secretariat/public/ChildProtectionPolicyFeb%202010\).pdf](https://workspace.imperial.ac.uk/secretariat/public/ChildProtectionPolicyFeb%202010).pdf))

Purdue University – College of Education
(Source: http://www.education.purdue.edu/fieldexp/pdf/TE_SDS.pdf)

More specifically:

1.2.1 All applicants should present a police conduct both at enrolment stage and at the beginning of each academic year

1.2.2 All applicants should be required to fill in a self-declaration form to disclose any convictions, cautions, court orders and reprimands together with relevant past or pending investigations that may affect their suitability to work with children.

1.2.3 All applicants intending to enrol in teacher-education programmes should be checked against the sex offenders' register.

1.2.4 Prospective student teachers should present any relevant information with the scope of determining their suitability to work with children. This could form part of the self-declaration form referred to above².

1.2.5 One-to-one screening of the applicants is carried out prior to acceptance to the course. This screening could include, one-to-one interviews, group interviews and other accepted practices that would ensure suitability for the teaching profession.

An integral component of teacher-training programmes is teaching-placement experiences during which young adults are entrusted with the care of minors for six consecutive weeks, twice a year. During this period, the student-teachers are expected to take on all the regular teachers' responsibilities including the management of the classroom together with safeguarding the welfare of the students. The same principle holds for other professional training courses which have a practical component. To this end, it is critical that due diligence is carried out on all prospective students who will be working with children.

² Upon accepting a place on a training programme, the training provider may send a health questionnaire to find out about the medical fitness of the applicant. (Source: UCAS - <http://www.ucas.com/how-it-all-works/teacher-training/entry-requirements>)

2. Educators formation programmes.

This section will focus educator-training programmes; who will be working with children and young people.

2.1 Statement of Problem

The vast majority of educators-preparation programmes, including those held in Malta, emphasise subject-matter mastery and pedagogy. This is also true for other courses which are aimed at preparing adults working with children, including child care and learning support assistant courses.

In contrast with this, analysis of local and international educators-training programmes reveal that there is minimal training of prospective educators on issues related to the protection of minors and the safeguarding of the welfare of children and young people.

2.2 Proposals

It is recommended that educators-training programmes should include compulsory modules on ethical behaviour and maintaining positive professional relationships.

Building on one such course available at the University of Phoenix³, it is proposed that amongst other relevant matters, the content covers ethical and professional issues within the educational context:

- 2.2.1 the expected professional behaviour with respect to children;
- 2.2.2 appropriate conduct after school hours;
- 2.2.3 professional boundaries between the educators and children, both during and after school hours;
- 2.2.4 appropriate methods of communication, both in written and verbal form, between the educators and children;
- 2.2.5 reporting suspected cases of unprofessional behaviour.
- 2.2.6 reporting inappropriate behaviour displayed by other members of staff or any other person working with children

All educators should be made aware of the Teachers (code of behaviour) Regulations (S.L. 327.02). Maybe these regulations should be extended to all educators who work with minors or If need be new regulations are enacted.

³ Legal & Ethical Issues In Education (Source: <http://www.phoenix.edu/courses/edu315.html#tab=topics>)

3. Call for applications.

3.1 Statement of Problem

Commitment to the protection of children should feature in all aspects of its operations⁴. The timing, design, content and medium of call for applications to fill vacancies that arise within institutions providing services to young children and youths should convey a clear and assertive message so that people unsuitable for the post are discouraged to apply. This is common practice abroad and one which is strictly regulated by relevant legislation⁵.

3.2 Proposals

Institutions working with children should send out a clear message of zero-tolerance to child abuse and harm. As a direct consequence of this, they lessen the risk that unsuitable adults seeking to be in close proximity of children manage to foil the recruitment process. Thus it is proposed that:

3.2.1 The media where vacancies are advertised, together with the actual design of the advert should be appropriate and consistent with the message of child protection and welfare of young people.

3.2.2 All applications to fill vacancies should include the following disclaimer:

All staff members at XYZ School/Childcare centre are committed to providing a safe environment for all the children and staff working or attending the school/Childcare. Applicants should share this approach and understand that this post is subject to a screening process in line with statutory safeguarding procedures^{6 7 8}.

3.2.3 A set of standard information must be asked for in all calls for applications.⁹

3.2.4 Applicants should be expected to submit a self-disclosure statement covering previous employment and convictions^{10 11 12}. Such statements should be submitted on a standard template common to all educational institutions. Apart from disqualifying the applicant from employment, a false declaration or omission should carry legal repercussions, including the suspension of the teacher's warrant or permit as may be.

3.2.5 All applicants should present an enhanced police conduct¹³.

4 DFES, 2007. Safeguarding Children and Safer Recruitment in Education.

5 UK legislation (Source: <http://www.legislation.gov.uk/ukpga/2002/32/contents>)

6 Crosshill Special School (Source: <http://www.tes.co.uk/job/headteacher-blackburn-with-darwen-270187/>)

7 Tri-Borough Alternative Provision (Source: <http://www.tes.co.uk/job/lead-teacher-hammersmith-and-fulham-270922/>)

8 Hammersmith and Fulham (Source: <http://www.tes.co.uk/job/deputy-head-hammersmith-and-fulham-270989/>)

9 DFES, 2007. Safeguarding Children and Safer Recruitment in Education. p. 26.

10 The European Billiards and Snooker Association (Source: <http://www.ebsa.tv/index.php/about-us/child-protection-policy>)

11 Centre of English Studies (Source: <http://ces-schools.com/Job-Application-UK>)

12 Binkley Baptist Church (Source: <http://www.ebsa.tv/index.php/about-us/child-protection-policy>)

13 At present, working with children is not one of the eligibility criteria for a prospective member of staff to apply for an enhanced police conduct.

4. Professional and character references.

4.1 Statement of Problem

On an application to fill a vacancy or during the interview, the applicant will make a number of claims about his/her personal or professional life. When entrusting an adult with the welfare of children, the employer needs to be certain that the prospective employee is in fact trustworthy. There does not seem to be a standard and clear protocol that regulates the provision of professional and character reference. Especially when the timeframes are very tight, the process of confirming the assertions made by the applicant may therefore be overlooked.

4.2 Proposals

The proposals listed below are aimed at ensuring that institutions offering services to young children and youths obtain objective and factual information about individuals seeking new employment.

4.2.1 All calls for applications to fill vacancies that arise within institutions providing services to young children and youths should require at least two references. Such references should be submitted on pro-forma documents to ensure that all the required information is submitted confirming that the individual is fit and proper for the position.

4.2.2 Reference letters are to be obtained directly from the referee and no open reference letters should be accepted. The pro-forma document should include a clear notification to the referees that they may be contacted by the educational institution to discuss any queries with regard to the submitted reference letters.

4.2.3 All efforts should be made to ensure that the references are authentic and not the result of a compromise agreement or forgery. The Ministry considers it good practice to contact referees to discuss the applicant's suitability to work with children. Referees might choose to disclose sensitive information which they would otherwise be hesitant to put in writing.

4.2.4 The applicant should sign a declaration hereby accepting that s/he will not have access to the contents of the references.

4.2.5 All exchanges between the institution and the referee should be done in confidence and a clear guarantee of confidentiality should be included in the pro-forma.

5. Interviewing panels.

5.1 Statement of Problem

Interviews give an opportunity for employers to capture the first impressions and reach a conclusion whether the candidate would be suitable to fill the vacancy within the organisation. Depending on their size and nature, educational institutions carry out interviews differently, with the risk that the final judgement will not be the result of a thorough and comprehensive evaluation process. The problem may be even further aggravated when the timeframes to avoid significant disruptions to learning process are tight.

5.2 Proposals

Well trained staff¹⁴ who have received professional training in the area of safeguarding the welfare of children and youths should sit on interview panels and ask specific, pre-set questions directed at determining whether the applicant is suitable to work with children or not. Apart from the collection of useful information, this will also serve as a deterrent for unsuitable candidates to pursue further with their application. More specifically:

5.2.1 Training should be designed and implemented on a yearly basis aimed at up-skilling recruitment staff with the primary aim to ensure safer recruitment¹⁵. Staff members receiving this training will be able to sit on panels when interviewing adults to work with or in close proximity of children^{16 17 18}.

5.2.2 Attending a refresher courses will be important to keep up to date and be able to sit on interviewing panels..

5.2.3 When interviewing adults to work with or in close proximity of children, interviewing panels should have at least one accredited member sitting on it¹⁹. This should ideally be a senior member of staff who ideally has been working with the educational institution for not less than 5 years.

5.2.4 Every school in the non-state sector shall have a person with this said training to sit on its recruitment interviewing panels.

5.2.4 Given that the safety of children takes absolute priority over all other factors which determine the applicant's eligibility to fill the vacant post within the educational institution, it is recommended that the accredited member's endorsement of the candidate is required for employment.

5.2.5 If the nature, size and structure of the educational institution are such that having an in-house accredited member would not be possible, the Ministry recommends that the Directorate of

¹⁴ Refer to Proposal 15.1.1 (Children's Champion)

¹⁵ NSPCC offers safer recruitment courses, both on-line and face-to-face (Source: <http://www.nspcc.org.uk/what-you-can-do/get-expert-training/>)

¹⁶ DFES, 2007. Safeguarding Children and Safer Recruitment in Education. p. 31.

¹⁷ Stroud School, Recruitment and Selection Policy (Source: <http://www.stroud-kes.org.uk/resource.aspx?id=1800>)

¹⁸ Sheffield City Council (Source: <https://www.sheffield.gov.uk/education/schoolgovernors/guidance/statutoryrequirements/safeguarding-and-child-protection.html>)

¹⁹ Ofsted - Inspecting safeguarding in maintained schools and academies. p9 (Source: <http://www.ofsted.gov.uk/sites/default/files/documents/inspection--forms-and-guides/i/Inspecting%20safeguarding%20in%20maintained%20schools%20and%20academies%20-%20a%20briefing%20for%20section%205%20inspections.pdf>)

Education supports such organisations by providing one of the Directorate's accredited staff members to sit on the interviewing panel.

5.2.6 If anything of concern regarding a candidate emerges during the recruitment process, the educational authorities should be informed in writing. Where necessary internal processes to cater for this eventuality, including any necessary investigations should be established. .

6. Register of people barred from working with young people.

6.1 Statement of Problem

All adults working with children should be good role models for their students both during and after the hours of work.^{20 21} In the light of the nature of the current legal procedures, someone who has committed a serious offence may still end up occupying a position of trust within educational institutions.

It is inevitable that students, especially in the earlier years, see their educators as their role model and someone to aspire to be like. Educators are a source for advice and guidance; this responsibility is a direct consequence of the nature of the profession and cannot be limited to the behaviour during just the hours of work.

6.2 Proposals

6.2.1 The establishment of a register of persons who have committed a serious offence which may not necessarily be related to children, and therefore should not be allowed to occupy a position of trust is being proposed.²²

6.2.2 It should be the applicants' responsibility to get the appropriate confirmation that their name is not listed in any register barring them from working with children.

6.2.3 Should this not be possible, the applicant may still be offered a provisional contract subject to the presentation of the said confirmation within thirty days of employment.

These proposals are intended to uphold teaching as a noble profession, one which promotes commitment to ethical and moral values. This commitment needs to be clear, direct and evident in the teachers' behaviour. At no point in the career of any educator should there be instances when students receive mixed messages of what is good professional behaviour and what is not.

²⁰ Maltese Teachers' Code of Ethics & Practice (Source: <http://education.gov.mt/en/resources/documents/teachers%20resources/teachers%20code%20of%20ethics%20en.pdf>) pgs 6, 14.

²¹ Irish Code of Professional Conduct (Source: http://www.teachingcouncil.ie/_fileupload/Professional%20Standards/code_of_conduct_2012_web%2019June2012.pdf) pg 5

²² Criminal record checks: guidance for employers (Source: <https://www.gov.uk/dbs-check-requests-guidance-for-employers>)

7. Accessibility to Sex Offenders' Register.

7.1 Statement of Problem

Currently, the Protection of Minors (Registration) Act ²³ puts the onus on employers to check on potential and existing employees whether they are registered offenders or not. ²⁴ The process is somewhat restrictive and puts unnecessary financial burdens on the educational institution especially since it requires a legal person to apply for such a confirmation on behalf of the institution that offer services to young children and youths.

7.2 Proposals

7.2.1 Applicants should get the appropriate confirmation that their name is not listed in the Sex Offenders' Register.

7.2.2 This 'certification' should be presented upon submitting the application. Should this not be possible, the applicant may still be offered a provisional contract subject to the presentation of the said confirmation within thirty days of employment.

7.2.3 At an official level, access to the Sex Offenders' Register must be made much simpler and cost free. The protection and rights of our children need to be put before the 'privacy' rights of those listed on the Sex Offenders' Register. Employers of adults working with minors should be alerted if their employee's name is entered into such register.

²³ Source: <http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11815&l=1>

²⁴ Protection of Minors (Registration) Act, P 4, Point 4(2)

8. Single Recruitment Record

8.1 Statement of Problem

Currently, educational institutions follow different practices to store records pertinent to the employee. This presents an added challenge when carrying out auditing exercises to ensure conformity with national and local policies on child protection. Moreover, there is no standard and agreed upon process by which critical information regarding the suitability of adults to be entrusted with the care and protection of children is transferred from one institution to another.

8.2 Proposals

8.2.1 A standard “Single Recruitment Record” should be created to ensure that all recruitment processes collect explicit, detailed and clearly defined information about the applicant which deals, amongst other things, with all aspects of child safety according to national and local policies on child protection.

Information relevant to the employment conditions should be kept separately from this “Single Recruitment Record”.²⁵

8.2.2 All prospective candidates should agree to a disclaimer that information in the “Single Recruitment Record” can be shared with other institutions and relevant authorities.

8.2.3 In the medium term, the “Single Recruitment Record” should be one that is held in digital format and accessible online by all educational institutions.

8.2.4 Authorities employing professionals who worked in an educational institution should ask for the Single Recruitment Record from the previous employer.

²⁵ Ofsted - Inspecting safeguarding in maintained schools and academies. p10 (Source: <http://www.ofsted.gov.uk/sites/default/files/documents/inspection--forms-and-guides/i/Inspecting%20safeguarding%20in%20maintained%20schools%20and%20academies%20-%20a%20briefing%20for%20section%205%20inspections.pdf>)

9. Induction training for all newly employed staff

9.1 Statement of Problem

It is in the interest of safeguarding the welfare of children and that of the adult that all academic and non-academic staff members who are working with children are adequately informed about the appropriate behaviour and professional boundaries with respect to their students.^{26 27} This is especially important for newly appointed staff who might lack the necessary experience and practical knowhow.

9.2 Proposals

9.2.1 The Ministry proposes that issues relevant to the safety of children are included in an updated version of the “Induction for Newly Qualified Teachers” handbook. This handbook should not be written in a legal type of document but should be more user friendly, easy to understand and not leave any room for doubt on what is acceptable or not.

9.2.2 All newly appointed staff members, including regular volunteers, regardless of previous working experience, should attend and participate in an induction programme. This should be specifically designed to provide information on the national/institution’s policies and procedures on issues relating to the appropriate behaviour of adults working with children.

9.2.3 Such a programme should also include comprehensive information relevant to the safeguarding and welfare of young children and youths who fall under their responsibility.

9.2.4 The programme should clearly highlight what staff members should do in the event that they notice, or have any suspicion of possible inappropriate behaviour as further highlighted in section 12.2 below.

9.2.5 The mentoring programme for newly employed staff should be revisited to include adequate guidance on issues related to safeguarding the welfare of children. This would require the proper training of mentors.²⁸

²⁶ Through the Child Protection Procedures for Schools, the Education Division committed itself to provide “all school staff adequate initial and on-going training in the identification of cases and in handling of child abuse disclosures.” (1999, p4)

²⁷ Vinehall School (Source: http://vinehallschool.com/media/9510/45_-_annex_45_-_induction_of_new_staff_in_child_protection_-_issue_3.pdf)

²⁸ Induction for Newly Qualified Teachers Handbook (Source: https://medecms.gov.mt/en/education/quality-assurance/Documents/QAD-REVIEW-SCHOOL_IMP/2_Handbook_9sep13.pdf)

10. Newly qualified employees confirmation

10.1 Statement of Problem

At present, a person does not qualify for a teaching warrant unless s/he has adequate supervised experience in teaching in a licensed school for at least two scholastic years full-time.²⁹ The method of confirmation needs to be revisited and a more thorough way of assessing the suitability of newly qualified teachers is put in place.

10.2 Proposals

10.2.1 The person in charge of confirming newly qualified teachers should be one who has received adequate training on issues related to safeguarding the welfare of children. (Refer to proposal 5.2.1).

10.2.2 The criteria for confirming a newly qualified teacher, including the teacher's suitability to work with children, are standardised across all schools. Feedback about the teacher to be compiled on a standard template.

10.2.3 Prior to confirmation, assessment of the newly qualified teacher should be as comprehensive as possible by obtaining the widest feedback possible. The final confirmation should form part of the "Single Recruitment Record" (Refer to proposal 8.2.1).

²⁹ Induction for Newly Qualified Teachers Handbook p.5

11. Follow-up of allegations

11.1 Statement of Problem

Unless educational institutions have clear policies and protocols that outline the way allegations are handled, irrespective of whether they are corroborated or not^{30 31}, they might run the risk of missing incidents of inappropriate behaviour.

11.2 Proposals

11.2.1 Clear and well-defined policies on the procedures of following up allegations should be drawn..³²

11.2.2 Such policies should build on existing school policies and should regulate instances in which school authorities become aware of rumours of inappropriate behaviour on behalf of a member of staff. In all these cases authorities should proceed sensitively and in a manner that ensures that the principle of the presumption of innocence until proven guilty is always respected.

11.2.3 Such policies should be readily available upon request and the relevant stakeholders should be clear about the content of such policies.³³

³⁰ Identifying and responding to child abuse and neglect p.17 (Source: <https://www.dcp.wa.gov.au/ChildProtection/Documents/IdentifyingAndRespondingToChildAbuseAndNeglect.pdf>)

³¹ National Guidance for Child Protection in Scotland (Source: <http://www.scotland.gov.uk/Publications/2010/05/27095252/20>)

³² Bristol City Council - Child Protection and Safeguarding Procedure and Guidance for Independent Day Care Providers, p.10 (Source: http://www.bristol.gov.uk/sites/default/files/documents/children_and_young_people/early_education_and_childcare/BD1133-child%20protection%20reduce_0.pdf)

³³ Ofsted - Inspecting safeguarding in maintained schools and academies. p8 (Source: <http://www.ofsted.gov.uk/sites/default/files/documents/inspection--forms-and-guides/i/Inspecting%20safeguarding%20in%20maintained%20schools%20and%20academies%20-%20a%20briefing%20for%20section%205%20inspections.pdf>)

12. SCY programme (Safeguarding Children and the Young programme)

12.1 Proposals

12.1.1 It is proposed that there would be the setting up of a national standards programme promoting the commitment to high safety standards through the endorsement of protocols, standards and set policies which promote the welfare of children.^{34 35 36} Schools and other educational institutions would be eligible for accreditation by guaranteeing the conformity with the agreed principles. In doing so:

- Parents are provided with added confidence that the accredited school takes the safety, protection and welfare of children very seriously.
- Partners in this programme would have a competitive edge over other non-participating educational institutions by assuring staff members, parents and students that the safety, protection and welfare of young children is given due importance.

12.1.2 A key partner to be identified to design and implement this programme.

³⁴ NSPCC programme (Source: <http://www.nspcc.org.uk/what-you-can-do/get-expert-training/child-protection-trainers-course/>) NSPCC are the leading children's charity fighting to end child abuse in the UK and Channel Islands.

³⁵ Keeping Children Safe Coalition: Training for child protection (Source: http://www.ineesite.org/uploads/files/resources/tool3-training_for_child_protection-part1.pdf)

³⁶ Australian Childhood Foundation: Safeguarding Children (Source: <http://www.safeguardingchildren.com.au/the-program/what-is-accreditation.aspx>)

13. Refresher courses for all employees working with young people

13.1 Proposals

13.1.1 All academic and non-academic staff, including temporary workers, regular volunteers and regular employees who are not on payroll, who do not have designated responsibilities for child protection, should undertake regular refresher training to keep their knowledge and skills up-to-date.^{37 38}

13.1.2 The content of such training courses should be vetted and approved by the appropriate authorities.

13.1.3 There shall be an array of courses from basic sessions to higher level courses. Such courses should be given weight during recruitment stages.

13.1.4 Educational institutions should insist that all regular contractors whose employees may come into contact with young children and youths, adopt and implement this measure and provide appropriate training to the employees.³⁹

13.1.5 Professional development sessions for educators shall periodically include skills, competencies and practices which are directly related to safeguarding the safety, protection and welfare of children.

13.1.6 A key partner is to be identified to design and implement this programme.⁴⁰

³⁷ Through the Child Protection Procedures for Schools, the Education Division committed itself to provide “all school staff adequate initial and on-going training in the identification of cases and in handling of child abuse disclosures.” (1999, p4)

³⁸ The FA’s Safeguarding Children Education Programme provides the workshops and online courses on safeguarding children and young people in football. (Source: <http://www.thefa.com/football-rules-governance/safeguarding/raising-awareness---downloads-section#H0mipUU0zrxgDf3.99>)

³⁹ Ofsted - Inspecting safeguarding in maintained schools and academies. p8 (Source: <http://www.ofsted.gov.uk/sites/default/files/documents/inspection--forms-and-guides/i/Inspecting%20safeguarding%20in%20maintained%20schools%20and%20academies%20-%20a%20briefing%20for%20section%205%20inspections.pdf>)

⁴⁰ Ontario College of Teachers (Source: <https://www.oct.ca/public/accreditation>). The Ontario College of Teachers licenses, governs and regulates the Ontario teaching profession.

14. Child safety audit

Internal ⁴¹ ⁴² and external ⁴³ child safety audits ensure that all educational institutions abide by statutory regulations on safeguarding the safety, protection and welfare of children.

14.1 Proposals

14.1.1 All schools and institutions offering services to young children should be obliged to carry out an internal review, on a biannual basis of their practices relating to safeguarding the safety, protection and welfare of children and youths. A report of this exercise should be forwarded to and examined by the relevant authorities.

14.1.2 External reviews that are carried out by the Directorate for Quality and Standards in Education (DQSE) should include specific objectives to assess the conformity of the educational institution with national safety standards.

14.1.3 External audits of registered Informal Learning Organisations are to be carried out by appropriate government authorities to guarantee conformity with national standards on child safety. Due to the ever-growing number of these organisations (currently at around 1,000 ⁴⁴) priority should be given to the learning organisations which cater for large numbers of students.

14.1.4 Serious shortcomings identified during such audits should be rectified. Repeated shortcomings may lead to serious consequences.

⁴¹ Unicef – Child Protection in Educational Settings. p.41 (Source: http://www.unicef.org/eapro/CP-ED_Setting.pdf)

⁴² Association of International Schools in Africa – Child Protection Handbook. p.53 (Source: [http://www.aisa.or.ke/uploaded/downloads/handbooks/AISA_Child_Protection_Handbook_\(3rd_Edition\).pdf](http://www.aisa.or.ke/uploaded/downloads/handbooks/AISA_Child_Protection_Handbook_(3rd_Edition).pdf))

⁴³ Ofsted - Inspecting safeguarding in maintained schools and academies. (Source: <http://www.ofsted.gov.uk/sites/default/files/documents/inspection--forms-and-guides/i/Inspecting%20safeguarding%20in%20maintained%20schools%20and%20academies%20-%20a%20briefing%20for%20section%205%20inspections.pdf>)

⁴⁴ Database of Registered Informal Learning Organisations (Available: <http://www.ncfhe.org.mt/learning-organisations/>)

15. Children’s Champion (Child protection school officer)

Educational institutions need to be proactive in safeguarding the protection and welfare of children and young people. Apart from taking the necessary steps to address any inappropriate behaviour, schools must invest resources, including human resources, to promote an ethos that promotes and celebrates the healthy development of children within a safe and happy environment

15.1 Proposals

15.1.1 One or more members of staff, depending on the size of the institution, should be identified as the “Children’s Champion”.^{45 46}

The person would be the first port of call for dealing with issues related with children’s wellbeing. This person’s duties, together with his/her work contact details, should be made known and be readily available to all stakeholders, including students and parents⁴⁷.

15.1.2 Should the circumstances call for further and deeper investigations, this officer will have the responsibility to deal with or refer the allegations according to the statutory obligations and agreed protocols.

15.1.3 The “Children’s Champion” should receive ongoing training on child safety and be able to provide advice and guidance to the school community. S/he should be able to prepare and coordinate activities and campaigns within schools to promote the wellbeing of children.⁴⁸

⁴⁵ Diocese of London - Role description: Children’s Champion (Source: <http://www.london.anglican.org/support/safeguarding/childrens-champion-role-description/>)

⁴⁶ Refer to Proposals 5.2 (Interviewing Panel)

⁴⁷ Westfield Primary Community School (Source: <http://westfieldprimary.co.uk/page/childrenschampion>)

⁴⁸ Ofsted - Inspecting safeguarding in maintained schools and academies. p9, p10 (Source: <http://www.ofsted.gov.uk/sites/default/files/documents/inspection--forms-and-guides/i/Inspecting%20safeguarding%20in%20maintained%20schools%20and%20academies%20-%20a%20briefing%20for%20section%205%20inspections.pdf>)

16. Policies, protocols and procedures

It is a statutory obligation that licenced educational institutions hold policies and other documents outlining their operations and practices.

16.1 Proposals

16.1.1 All educational institutions providing services to young children and youths should have policies, protocols and procedures covering all aspects of safeguarding children including, but not limited to, the vetting of new staff and volunteers and procedures for dealing with allegations against staff and volunteers.⁴⁹

16.1.2 Supervisory bodies, through the regular auditing process, should have the responsibility of ensuring that such documents are in place, kept up to date and readily available upon request¹⁷.

⁴⁹ Ofsted - Inspecting safeguarding in maintained schools and academies. p7 (Source: <http://www.ofsted.gov.uk/sites/default/files/documents/inspection--forms-and-guides/i/Inspecting%20safeguarding%20in%20maintained%20schools%20and%20academies%20-%20a%20briefing%20for%20section%205%20inspections.pdf>)

17. Investigation of all school employment terminations

17.1 Statement of Problem

Following an allegation made with respect to a staff member, there may be instances when a “compromise agreement” between the school and the staff member is reached. The person agrees to resign while the school agrees not to pursue disciplinary actions.

17.2 Proposals

17.2.1 The Ministry proposes that terminations of employment of all staff members working with young children and youths is accompanied by a letter from employer declaring that the termination was not a result of any offence related to minors. . This would discourage school authorities to reach such “compromise agreements” to the detriment of the safety, protection and welfare of children.^{50 51}
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17.2.2 In cases where termination of employment or resignation is a result of any suspicion of any form of child abuse, it should be made unlawful for the school to make any form of “compromise agreements” and mandatory for the school to report to the competent authorities.

⁵⁰ Newcastle Safeguarding Children Board (Source: <http://www.nscb.org.uk/staff-and-volunteers/procedures/resignations-and-compromise-agreements>)

⁵¹ DFES, 2007. Safeguarding Children and Safer Recruitment in Education. p. 59.

⁵² Milton Keynes – Policy on Procedures . . . Allegations of Abuse p.3 (Source: <http://www.mkprep.co.uk/wp-content/uploads/2013/11/Procedures-when-a-member-of-staff-faces-allegations-of-abuse.pdf>)