



Safer Recruitment, Selection and Disclosure Policy

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1. Principals

Recruitment plays a pivotal role in the continued success and development of gateways. It enables the organisation to attract, recruit and retain the best candidates and employees with the necessary skills and experience to help the organisation thrive.

Gateways is committed to ensuring that the recruitment and selection of employees are conducted in a manner that is equitable, fair and transparent as well as promoting equality of opportunity.

Gateways is committed to safeguarding and promoting the welfare of children, young people and adults and expect all staff to share this commitment. Child protection and safeguarding considerations are included at every stage of the recruitment process, consistent with statutory guidance provided by the government. All statutory guidance used in the creation of this policy will be listed in full.

This policy and its contents are applicable to recruitment across both the educational and charity parts of the organisation.

2. Aims

Gateways is committed to providing the best possible care and education to its students and to safeguarding and promoting the welfare of children, young people and adults. Gateways is also committed to providing a supportive and flexible working environment to all its members of staff.

The aim of this policy is to:

- Ensure that gateways meets its commitment to safeguarding and promoting the welfare of children, young people and adults by carrying out all necessary pre-employment checks.
- The recruitment and selection process should ensure the identification of the person best suited to the role based on the candidate's abilities, qualifications, attitude, experience and merit as measured against the job description.
- To ensure that the recruitment and selection of staff is conducted in a professional, timely and responsive manner that complies with current employment legislation and to ensure that all candidates are considered equally and consistently.
- To ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE September 2023), Disqualification under the Childcare Act 2006 (DUCA), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS).

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the details in this policy.

3. Statutory Guidance

This policy has been drawn together in conjunction with the following statutory guidance:

- The Charities Act 2011
- Child Care Act 2006
- Childcare (Disqualification) Regulations 2009
- Disqualification under the Childcare Act 2006
- Education Act 2002
- Education and Skills Act 2008
- Equality Act 2010
- Keeping Children Safe in Education (September 2023)
- Rehabilitation of Offenders Act 1974
- gateways Safeguarding Policy
- Safeguarding Vulnerable Groups Act 2016
- gateways Staff Handbook
- gateways Privacy Notice
- Teachers' Disciplinary (England) Regulations 2012
- The Prevent Duty Guidance for England and Wales 2015
- gateways Whistleblowing Policy

4. Commitment Statement

Gateways is committed to promoting and safeguarding the welfare of children and young people and expects all staff and volunteers to share this commitment. Gateways recognise that the effectiveness of this Safer Recruitment and Disclosure Policy and associated procedures will make a major contribution in keeping our students safe by helping to deter, reject and identify people who may be unsuitable to work with children and young people.

In addition to statutory safeguarding training provided for all staff, volunteers and trustees those involved with the organisation will be expected to read and understand the following documents:

- Gateways Safeguarding Policy
- Gateways Whistleblowing Policy
- Keeping Children Safe in Education Part 1/ Annex A
- Keeping Children Safe in Education Annex B (*for those working directly with children*)

Staff will be expected to sign a document confirming that they understand the values and guidance outlined in these documents. Gateways will ensure that no one will be appointed unless they are willing to read, understand and act upon the guidance laid out in said documentation.

5. Safer Recruitment Training

At least one member of any recruitment panel will have successfully received up to date, accredited training in safer recruitment procedures.

6. Planning for Recruitment

Where the proposed recruitment activity concerns a school leader or deputy post the CEO will draw together and confirm the advert with the trustees.

Before any recruitment activity for roles of a lower grade the Head Teacher, in conjunction with the CEO and hiring manager will draw together, review and confirm both the job description and person specification, being sure to make sure that the documentation is an accurate reflection of the proposed role.

The CEO will make a determination as to whether a role is to be filled on a permanent, fixed-term, temporary or any other basis, taking into account any advice received.

7. Recruitment and Selection Procedure

All applicants for employment opportunities at gateways will be required to complete an application form containing questions about their academic and employment history as well as their suitability for the role being applied for.

Applicants will also be asked to provide details of their online profile, including account names and social media handles so that online searches can be carried out on shortlisted candidates (see below for more information). This information must be provided by the applicant for the application to be accepted.

Prospective candidates will be supplied, as a minimum, with the following documents.

- Job description and person specification;
- The gateways Safeguarding Policy;
- The gateways Safer Recruitment Policy (this document);
- A timeline for the recruitment process;
- An application form.

All prospective candidates must complete, in full, an application form. CVs on their own are not accepted.

7.1 Advertising Vacancies

It will be normal practice for all vacancies to be advertised on the gateways website unless there is a good reason not to do so. Advertisements may be made either internally (for example on noticeboards or on the gateways intranet) or externally (such as via an education jobs website), depending on the type of vacancy and the current nature of the recruitment market. When advertising externally, gateways will ensure that staff are aware and able to apply should they wish to do so.

Senior leadership roles, such as CEO, Head Teacher and Operations Manager will also be advertised unless there is good reason not to do so. The vacancy will be advertised in such a manner as the trustees see appropriate taking into consideration the best way of reaching the target audience and the level of exposure the advert will receive.

Averts will include a safeguarding statement, highlight gateways's commitment to the safeguarding of children and young people to deter any unsuitable candidates, an equal opportunities statement and a statement regarding the declaration of convictions, under the Rehabilitation of Offenders Act 1974 (as amended), along with the necessary information needed to attract suitable candidates to the post and the organisation.

7.2 Shortlisting Candidates

Gateways will conduct a shortlisting exercise by reviewing all application forms received to determine which applicants will be invited to interview. The shortlisting exercise will be conducted by two members of staff and should be as diverse as possible. It is recommended that these individuals are also involved in the interview process.

During the shortlisting process, all candidates will be assessed equally against the same criteria, without exception or variation. All candidates will be carefully scrutinised, with particular care paid to any gaps in employment; repeated and/or regular/frequent changes in employment; and anomalies or discrepancies in information contained within the form. Any such concerns will be taken up with the candidate at interview and will satisfactorily resolved before any firm offer of employment is made.

Shortlisted candidates will be invited to a formal interview at which their skills and experience will be discussed in more detail. They may also be invited to do a short task. All shortlisted candidates will be tested at interviews about their suitability to work with children.

All shortlisted candidates will be required to complete a self-declaration form prior to the interview in which they will be asked to provide information about their criminal records history and any other factors relevant to their suitability to work with children. This information will be considered and discussed with candidates at the interview where applicable.

As part of the shortlisting process gateways will carry out an online search as part of our due diligence. This may help to identify any incidents or issues that have happened and are publicly available online, which the organisation may want to explore with an applicant at interview. This forms part of the organisation's wider safeguarding due diligence which aims to prevent and/or deter individuals who may be unsuitable to work with children from working within a school environment.

7.3 Artificial Intelligence

Gateways does not use artificial intelligence software as a decision-making tool at any stage of the recruitment process, including in respect of external and internal applications and promotion proposals.

7.4 Outcome of Selection Process

A selection decision will be made based on a fair and thorough assessment of the skills and abilities demonstrated by all the candidates against the requirements of the person specification/ job description during the selection process. If Gateways does decide to make an offer of employment following the formal interview process, any such offer will be conditional on the following:

1. The agreement of a mutually acceptable start date and the signing of a contract incorporating the organisations standards terms and conditions.
2. Verification of the candidate's identity (where this hasn't previously been verified).
3. Verification of qualifications, whether professional or otherwise, which Gateways will take into account when making an appointment decision, or which are referred to within an application form or a requirement for a specific role.
4. Verification of a candidate's employment history.
5. Gateways being satisfied that any information generated through online searches does not make a candidate unsuitable to work in our setting.
6. The receipt of two references (one of which must be from the candidate's most recent employer) which Gateways considers to be satisfactory.
7. For positions which involves teaching, information about whether the candidate has sever been referred to or is the subject of a sanction, restriction or prohibition by the Teaching Regulation Agency which renders them unable or unsuitable to work at Gateways.
8. For applicants who have carried out teaching work outside the United Kingdom, information about whether the candidate has ever been referred to or is the subject of a sanction issued by a regulator or the teaching profession in any other country which renders them unable to or unsuitable to work at Gateways.
9. Where the position amounts to 'regulated activity' (see below), the receipt of an enhanced DBS, which Gateways consider to be satisfactory.
10. Where the position amounts to 'regulated activity', confirmation that the candidate is not named on the Children's Barred List.
11. Information about whether the candidate has ever been subject to a direction under Section 128 of the Educational Skills Act which renders them unable or unsuitable for work at Gateways.
12. Confirmation that the candidate is not disqualified from acting as a trustee/ governor or senior manager of a charity under the Charities Act 2011
13. Confirmation that the applicant is not disqualified from working in connection with early or later years' provision.
14. Verification of the candidate's medical fitness for the role being advertised.
15. Verification of the candidate's right to work in the United Kingdom.
16. Any further checks that Gateways decides are necessary as a result of the candidate having lived or worked outside the United Kingdom, which may include overseas criminal records check, certificate of good conduct or professional references.

Gateways is not permitted to check the Children's Barred list unless an individual will be engaging in 'regulated activity'. Gateways is required to carry out an enhanced DBS check for all staff, temporary staff and trustees who will be engaging in a 'regulated activity'. However, Gateways can also carry out



an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough, i.e. roles which would amount to regulated activity if carried out more frequently.

8. The Interview Process

Selection techniques will be determined by the nature and duties of the vacancy and may include a variety of methods including but not limited to an interview and/or presentation. Gateways will where possible conduct all interviews in a face-to-face method (which could be via remote methods using video conferencing software, such as Zoom or Teams, if face-to-face is not practical). Telephone interviews may be used at an earlier stage.

The recruiting manager is responsible for compiling relevant competency-based interview questions. All interview questions asked must be relevant (and seen to be relevant) to the job being applied to.

Prior to the interview, shortlisted candidates will be sent;

- Childcare Disqualification Form (where applicable).
- Criminal Record Self-Declaration form (all) candidates will be required to:
- Give a satisfactory explanation of any gaps in employment;
- Provide a satisfactory explanation of any anomalies or discrepancies in the information available to recruiters;
- Declare any information that is likely to appear on a DBS check (via the self-declaration form)
- Provide childcare disqualification declaration form if and when required;
- Demonstrate their capacity to safeguard and protect the welfare of children and young people;
- Demonstrate how they meet the job description and person specification.

8.1 Conducting the Interview

To ensure fairness, each candidate should receive the same interview experience, the only exception being where reasonable adjustments have been agreed. The panel will be assessing the candidate, and the candidate will be assessing gateways as a potential employer.

It is therefore recommended that the candidates be aware of the following at the beginning of the interview:

- What the selection process and methods are;
- How they will be assessed;
- That they will be given the opportunity to ask questions;
- How they will find out a selection outcome.

The interviewing panel should also:

- Ensure that each candidate is greeted and escorted to and from the interview room;
- Ensure that the room is appropriate for interviewing (free of interruptions, comfortable etc.)
- Ensure that arrangements are in place for candidates with a disability. Due diligence is necessary to ensure that any additional needs are accommodated at the interview;
- Give all interviewees a comparable amount of time;
- Supplement their understanding of the candidate's responses by the use of probing questions.

All candidates who are invited to interview will be asked to bring original evidence of their identity, address, right to work in the UK, relevant qualifications and a completed Criminal Convictions Self-Declaration form.

Candidates should be asked to sign a hard copy of the self-declaration form confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the form at the point of the interview.

8.2 Discussing Concerns with Candidates

The interview panel should explore any concerns regarding the candidate's application with them e.g. obvious gaps in employment, any history of repeated changes of employment or discrepancies in their application form.

The pre-interview vetting checks may indicate information that concerns the panel on the candidate's suitability for the role, in terms of safeguarding and/or reputational risk to the organisation. These could include:

8.2.1 Online Checks

In accordance with paragraph 221 of KCSIE this will include online searches on shortlisted candidates. The online search gateways carries out may include searches of internet search engines, websites and social media platforms. Candidates are asked in the application form to provide details of their online profile, including account names, social media and professional networking site handles and details of websites on which the applicant is featured or named. This information will be used to carry out online searches.

Candidates are not required to provide account passwords or to grant gateways access to social media or professional networking account content that is not publicly available. However, if information (such as profile pictures and/or account bios) is publicly available when a social media or professional networking account is locked it can therefore be viewed by gateways and may be taken into account as part of an online search. Online searches may be carried out at the shortlisting stage or after an offer of employment has been made (but prior to work commencing). Gateways will not carry out online searches as part of initial sift protocols.

Gateways will determine how it approaches online searches on a case-by-case basis. However, all candidates for a role at gateways will be treated consistently with regard to online searches.

Wherever possible, online searches will be undertaken by a person who will play no part in the recruitment process (including the shortlisting exercise) or the appointment decision. In carrying out the online searches gateways is looking for any publicly available information about a candidate that:

1. May be relevant to their suitability to carry out the role for which they have applied.
2. May be relevant to their suitability to work at gateways or in an education setting.
3. Is of a safeguarding nature.
4. May have an impact on gateways's reputation (positive or negative).

Any information generated from online searches will be entered in an 'online searches record'. Where online searches are undertaken on shortlisted candidates any relevant information gathered will be provided to the interview panel for discussion at the interview. Where online searches are undertaken on successful candidates, only any relevant information generated will be discussed before employment commences. All offers of employment will be conditional upon gateways being satisfied that the successful candidate is suitable to work at gateways in light of any information generated from online searches.

In evaluating any online information for relevance, gateways will use the following criteria:

1. Whether the information is relevant to the position applied for.
2. Whether the information is relevant to the candidate's suitability to work at gateways or in an education setting.
3. Whether the information could have an impact on gateways's reputation (whether positive or negative).
4. Whether the information calls into doubt the candidate's willingness or ability to uphold gateways's commitment to safeguarding and promoting the welfare of children.
5. The length of time since the information became publicly available and whether the applicant's circumstances have changed since the information was published.
6. Whether the information reveals a pattern of concerning behaviour.
7. The relevant circumstances and the explanation(s) offered by the candidate.

For successful candidates, gateways will retain information generated through online searches for the duration of the individual's employment and under its Retention of Records Policy after employment ends.



For unsuccessful candidates, gateways retains the information generated from online searches for six months from the date of which they are informed their application was unsuccessful, after which it will be securely destroyed.

8.2.2 References

References will be taken up on successful candidates before a formal job offer, where possible.

Please note that no questions will be asked about health or medical fitness before any formal offer of employment is made.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory to gateways. One of these references must be from the applicant's most recent employer. If the current / most recent employment does not/ did not involve work with children then the second reference should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- The candidate's dates of employment, salary, job title/ duties, reason for leaving, performance, sickness* and disciplinary record.
- Whether the candidate has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations that were found to be unsubstantiated, unfounded, false or malicious.
- Whether any allegations or concerns have been raised about the applicant that relates to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be unsubstantiated, unfounded, false or malicious.
- Whether the candidate could be considered to be involved in 'extremism' (see definition below).

*questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made.

Gateways will only accept references obtained directly from the referee and will not rely on references or testimonials provided by the candidate or open references or testimonials.

Gateways will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

If it has not been possible to obtain a reference before the formal job is offered, it will be reviewed upon receipt. Any discrepancies identified between the reference and application form and/ or the interview assessment form will be considered by gateways. The applicant may be asked to provide further information or clarification before their appointment can be confirmed.



If factual references are received i.e. those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage a candidate although additional references may be sought before an appointment can be confirmed.

Gateways will independently verify all written references obtained via a telephone call to a referee.

Gateways treat all references given or received as confidential, which means that the applicant will not usually be provided with a copy.

8.3 Selection Tests

It is recommended that a selection is used in addition to interviews. This will provide the selection panel with additional information on the suitability of candidates for the role. Selection tests can often be designed to assimilate certain aspects of the role and test how the candidates perform in those scenarios.

Examples can be in-tray exercises, presentation skills or an observation.

These exercises must be designed so the candidates can be scored against the criteria in the job description and can be used alongside the interview to assess the candidate's suitability for the role.

9. The Decision to Appoint

The decision to appoint is based on an amalgamation of the individual interview scoring sheets and any selection testing results. These scores should be noted on a candidate comparison form.

The overall highest-scoring candidate should be offered the post, providing the minimum acceptable standards have been met.

If there are two or more candidates who are closely matched in scoring following the selection stage, the recruiting manager may decide to carry out an additional stage of the selection process such as a second interview. The panel members of a second stage interview can and should be different to the first stage interview, however, any additional interviews should be consistent for all candidates.

If none of the candidates are considered suitable, thought should be given to reviewing the advert/shortlisting/interview process and/or the Job Description itself and if necessary, the post should be re-opened on the open market.

If the post is re-advertised without material changes to the Job Description, previous applicants may still apply.

The emphasis for filling a post should be on putting the "right person" in the job and not the person being available at the "right time". Candidates should be appointed based on their ability to do the job for which they were interviewed and not because of the need to fill the post.

Interview records for unsuccessful candidates must be retained for six months following the interviews. Records for successful candidates will be filed under their file.

10. Offer of Appointment

If the candidate is successful and gateways decides to make an offer of employment following the formal interview/assessment, any such offer will be conditional on the following:

- The receipt of at least two satisfactory references (see 8.2.2)
- Verification of the candidate's identity (see appendix)
- The receipt of a relevant Disclosure (DBS) which the organisation is satisfied with
- The agreement of a mutually acceptable start date and the signing of a contract incorporating the organisations standard terms and conditions of employment
- If the candidate has not previously lived in the UK, gateways will obtain confirmation of the right to work in the UK, confirmation of their qualifications and, where possible, a certificate of good conduct from the candidate's home police force. Should the latter not be possible to obtain, the school will seek other relevant checks to ensure the prospective employee's background has been thoroughly checked. This may include additional references and/or seeking information from foreign embassies. Nearly all European Economic Area and Swiss nationals are free to live and work in the UK without restriction.

All checks should be documented and retained on the personnel file (subject to certain restrictions and the General Data Protection Regulations and DBS regulations) and followed up where they are unsatisfactory or contain discrepancies.

Gateways will notify the Independent Safeguarding Authority when a candidate is found to be on the ISA's Barred Lists, or the DBS disclosure shows that he/she has been disqualified from working with children and young people by a Court, or an applicant has provided false information in, or in support of his/her application, or there are serious concerns that an applicant poses a risk of harm to children and young people.

10.1 Unsuccessful Candidates

Gateways will notify unsuccessful candidates in writing. If feedback is requested, the hiring manager should provide a valid reason why the candidate was not successful and give feedback to support the unsuccessful candidate in identifying areas for development. Candidate details will be kept on file for six months.

11. Pre-Employment Checks

In accordance with recommendations set out in KCSIE and DUCA gateways carries out a number of pre-employment checks in respect of all prospective staff.

In fulfilling its obligations to carry out pre-employment checks, gateways does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability or age.

11.1 Verification of identity, address, right to work in the United Kingdom and qualifications.

All candidates who are invited to an interview will be required to bring with them evidence of their right to work in the United Kingdom, address and qualifications.

Gateways ask for this information at the interview to ensure that the person attending the interview is who they claim to be, that they are permitted to work for gateways if appointed and that they hold appropriate qualifications.

11.2 Identity and Address

All applicants must bring with them to interview original documents which evidence their identity and address as set out below in the list of valid identity documents listed in Appendix 1 (these requirements comply with DBS identity checking guidelines):

- One document from Group 1*; and
- Two further documents from either from either Group 1, Group 2a or Group 2b, one of which must verify the candidate's current address; and
- Where a candidate claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. They will also be required to provide their birth certificate.

*Candidates must always provide their birth certificate as one form of identity unless there is a good reason why this cannot be provided.

Gateways ask for the date of birth of all applicants to verify identity and check for any unexplained discrepancies in the employment and education history. Gateways does not discriminate on the grounds of age.



11.3 Right to work in the United Kingdom

All applicants must also bring to their interview a valid form of evidence which confirms their right to work in the United Kingdom. Valid forms of evidence can be found in the Home Office ['Right to Work Checklist'](#) and in some cases, the evidence of your right to work in the United Kingdom can also be used as evidence of your identity and address for DBS identity checking purposes.

Gateways will check this evidence in accordance with the Home Office ['Code of Practice on preventing illegal working: Civil penalty scheme for employers: 6 April 2022'](#).

11.4 Qualifications

All applicants must also bring to interview original documents which evidence any educational and professional qualifications referred to in their application form and/ or which gateways requests.

11.5 Retention of Records

Gateways will retain copies of the documents used to verify a candidate's identity, right to work and qualifications following the data retention policy.

11.6 Criminal Records Check

Prior to May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as 'spent' under the [Rehabilitation of Offenders Act 1974](#)) together with any details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records which a chief police officer considered relevant to the role applied for at gateways.

11.7 DBS Filtering Rules

With effect from 29th May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal record disclosures. The filtering rules developed by DBS and the Home Office designate certain spent convictions as 'protected'. 'Protected' convictions and cautions are not included in a DBS certificate and job applicants are not required to disclose them during the recruitment process. It is unlawful for an employer to take into account a conviction or caution that should not have been disclosed. If a protected conviction or caution is inadvertently disclosed to gateways during the recruitment process it must be disregarded when making a recruitment decision.

A conviction will always be disclosable if it was imposed for a 'specified offence' committed at any age. A caution issued for a 'specified offence' over the age of 18 will always be disclosable. However,



a caution issued for a 'specific offence' committed under the age of 18 is never disclosable. 'Specified offences' are usually of a serious violent or sexual nature, or are relevant for safeguarding children and vulnerable adults. The list of 'specified offences' can be found [here](#).

The filtering rules have recently been updated to work as follows:

For those aged 18 or over at the time of an offence

A spent conviction for an offence committed in the United Kingdom when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by the job applicant) if:

- Eleven years have elapsed since the date of the conviction;
- It did not result in a custodial sentence; and
- It was not imposed for a 'specific offence'.

A spent caution for an offence committed when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:

- Six years have elapsed since the date it was issued; and
- It was not issued for a 'specific offence'.

For those aged under 18 at the time of an offence

A spent conviction for an offence committed in the United Kingdom when a person was under the age of 18 will not be disclosed in a DBS certificate (and does not have to be by a job applicant) if:

- Five and a half years have elapsed since the date of the conviction;
- It did not result in a custodial sentence; and
- It was not imposed for a 'specified offence'.

A caution issued for an offence committed when a person was under the age of 18 will never be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant).

11.8 Regulated Activity

Gateways apply for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at gateways which amount to 'regulated activity' as defined in the [Safeguarding Vulnerable Groups Act 2006](#) (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. Any position undertaken on behalf of gateways will amount to 'regulated activity' if it is carried out:

- Frequently, meaning once a week or more; or
- Overnight, meaning between 2.00 am and 6.00 am; or
- Satisfies the 'period condition' meaning four times or more in a 30-day period; and
- Provides the opportunity for contact with children.

Roles which are carried out on an unpaid/ voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

It is for gateways to decide whether a role amounts to 'regulated activity', taking into account all the relevant circumstances. However nearly all posts at gateways amount to regulated activity. Limited exceptions could include an administrative post undertaken temporarily in a side office outside term time or voluntary posts which are supervised.

11.9 The DBS Disclosure Certificate

The DBS issues the DBS certificate to the subject of the check only rather than to gateways. It is a condition of employment with gateways that the original disclosure certificate is provided to gateways within two weeks of it being received by the applicant. Original certificates should not be sent by post. A convenient time and date for bringing the certificate to the operations office should be arranged as soon as the certificate has been received. Applicants who are unable to attend gateways to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to gateways. Where a certified copy is sent, the original disclosure certificate must still be provided before the first day / on the first working day.

11.9.1 Starting work Pending the receipt of the DBS Disclosure

If there is a delay in receiving a DBS disclosure the CEO has discretion to allow an individual to begin work pending the receipt of the disclosure certificate. This will only be allowed if all other checks, including a clear check of the Childrens Barred List have been completed and once appropriate supervision has been put in place. Employment will not be confirmed until the DBS has been received.

11.10 Applicants with periods of overseas residence

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous United Kingdom residence. Gateways will take into account the 'DBS unusual addresses guide' in such circumstances.

For applicants who are living overseas, or who have lived overseas previously, obtaining a DBS certificate may be insufficient to establish their suitability to work at gateways. In such cases, the applicant will be required to provide additional information about their suitability from the country (or countries) in which they have lived. Gateways's policy is to request such information from each overseas country in which the applicant has lived for a period of three months or more in the previous five years.

When requesting such information, gateways have regard for relevant government guidance and will therefore always require the applicant to apply for a formal check from the country in question, i.e. a criminal records check (or equivalent) or a certificate of good conduct.

In addition, where an applicant for a teaching position has worked as a teacher outside the United Kingdom, gateways will ask the applicant to obtain from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher, evidence which confirms that they have not imposed any sanctions or restrictions on the applicant and that they are not aware of any reason why the applicant may be unsuitable to work as a teacher. Gateways will also ask shortlisted candidates (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction issued by, the regulator or the teaching profession in the countries in which they have carried out teaching work.

Sanctions and restrictions issued by the regulating authority of another country will not prevent a person from working at gateways. However, gateways will take into account all relevant information when determining whether an applicant is suitable to work for the organisation.

Gateways may allow an applicant to commence work pending receipt of a formal check from a particular country if it has received a reference and/or letter of professional standing from that country and considers the applicant suitable to start work. Decisions on suitability will be based on all the information that has been obtained during the recruitment process. Unless expressly waived by gateways, continued employment will remain conditional upon gateways being provided with the outcome of the formal check and it being considered satisfactory.

If no information is available from a particular country, gateways may allow an applicant to commence work if they are considered suitable, based on all the information that has been obtained during the recruitment process.

gateways will take proportionate risk-based decisions on a person's suitability in these circumstances. All suitability assessments must be documented and retained on file.

If the formal check is delayed and gateways is not satisfied with the applicant's suitability in the absence of that information, the applicant's proposed start date may be delayed until the formal check is received.

11.11 Prohibition from teaching check

Gateways is required to check whether staff who carry out 'teaching work' are prohibited from doing so. Gateways uses the Teaching Regulation Agency Teacher Services system to check whether successful applicants are the subject of a prohibition or interim prohibition order issued by a professional-conduct panel on behalf of the Teaching Regulation Agency.

In addition, gateways ask all shortlisted applicants to declare whether they have ever been referred to or are the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency or other equivalent body in the U.K.

Where an applicant is not currently prohibited from teaching but has been the subject of a referral to or hearing before the Teaching Regulation Agency (or other equivalent body), whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, gateways will consider whether the facts of the case render the applicant unsuitable to work at gateways.

gateways apply the definition of 'teaching work' set out in the [Teachers' Disciplinary \(England\) Regulations 2012](#), which state that the following activities amount to 'teaching work':

- Planning and preparing lessons and courses for pupils.
- Delivering lessons to pupils.
- Assessing the development, progress and attainment of pupils.
- Reporting on the development, progress and attainment of pupils.

The above activities do not amount to 'teaching work' if they are supervised by a qualified teacher or other person nominated by the Head Teacher. If in any doubt or if the applicant has previously or may teach in the future, the check will be undertaken.

11.12 Disqualification from acting as a charity trustee or senior manager

Background

Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

Who is covered?

A person is a charity trustee if they are one of the people who have general control and management of the administration of the charity and are listed as a trustee on the charity commission.

Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At gateways the disqualification rules will apply to all members of SLT, the Head Teacher, the CEO and Operations Manager and potentially other senior staff who report directly to the governors.

There is no single list or register that covers all of the disqualification criteria and gateways therefore adopts a pragmatic approach to checking whether a person is disqualified. This is achieved by the use of a Self-Declaration Form and the checking of relevant publicly accessible registers.

12 Self-Declaration

All those who are covered by the disqualification rules are required to complete a Self-Declaration Form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria.

A failure to disclose relevant information, or the provision of false information which subsequently comes to the gateways' attention, may result in the termination of an appointment as a senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence.

All those who are required to complete a Self-Declaration Form are also under an ongoing duty to inform gateways if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a senior manager.

12.1 Checks by Gateways

To ensure that it has accurate up-to-date information, gateways will also check the following registers in respect of each senior manager and trustee who is already in post or is appointed in the future:

- The bankruptcy and insolvency register.
- The register of disqualified directors maintained by Companies House
- The register of persons who have been removed as a charity trustee.

12.2 Waiver

A person who discloses that one or more of the disqualification criteria applies to them may apply to the Charity Commission for a waiver of the disqualification.

Gateways may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appoint to the board of trustees if a waiver application becomes necessary or is rejected by the Charities Commission. Gateways is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

13 Induction

gateways recognises that safer recruitment and selection is not just about the start of employment but must be part of a larger policy framework for all staff. The organisation will therefore provide ongoing training and support for all staff.

All staff who are new to gateways will receive induction training that will include the organisation's safeguarding policies and guidance on safe working practices including Child Protection, only the DSL needs to complete PREVENT training and FGM awareness and online safety.

Regular meetings will be held during the first six months of employment between newly employed staff members and their appropriate line manager.

14 Single Central Register

gateways will keep a Single Central Register containing all pre-employment checks. This document is referred to in the KCSIE as 'the register'. The register will hold information on the following people:

- All staff (including teacher trainees on salaried routes, agency and third-party supply staff who work at the organisation)
- The members and trustees of the organisation
- Volunteers

It will also contain confirmation that all relevant checks have been carried out along with the date the check was undertaken/obtained.

15 Contractors and Agency Workers

Gateways must ensure that the same checks are completed for contractors (and their employees) undertaking regulated activity at gateways as it does for its own employees. gateways require written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at gateways before any such individual can commence work at gateways.

Gateways will independently verify the identity of individuals supplied by contractors or an agency in accordance with the guidelines above and require the provision of the DBS disclosure certificate before those individuals can commence work at gateways.

Where the position requires a barred list check, this will be obtained by the agency or third party prior to appointing the individual. Gateways will also check that the person presenting themselves for work is the same person on whom the checks have been made.

16 Volunteers

Under no circumstances will gateways permit an unchecked volunteer to have unsupervised contact with pupils.

It is gateways policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with gateways for three consecutive months or more. Those volunteers who are likely to be involved in activities with gateways regularly may be required to sign up for the DBS update service as this permits gateways to obtain up-to-date criminal records information without delay before each new activity in which a volunteer participates.

Volunteers who, on an unsupervised basis, teach or look after children and young people regularly or provide personal care on a one-off basis at gateways, will be in regulated activity. Gateways will obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity, a full description of which can be found in the appendix. Existing volunteers in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information). However, gateways may conduct a repeat DBS check on any such volunteer should they have concerns.

Gateways will undertake a risk assessment and use professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in 'regulated activity'. In doing so the following will be considered:

- The nature of the work with children and young people
- What the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers
- Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability
- Whether the role is eligible for an enhanced DBS check

Details of this risk assessment should be recorded.

Gateways will determine whether a volunteer is supervised. In making this decision, and where an individual is supervised, to help determine an appropriate level of supervision gateways must have regard to the statutory guidance issued by the Secretary of State. This guidance requires that, for a person to be considered supervised, the supervision must be:

- By a person who is in a regulated activity
- Regular and day-to-day; and
- 'reasonable in all the circumstances to ensure the protection of children'

The DBS cannot provide barred list information on any person, including volunteers who are not in, or seeking to engage in regulated activity.

17 Placements

Gateways is happy to consider applications for a short-term placement and applicants will be required to follow the recruitment process as detailed above. It is a requirement for an applicant to be on a teaching course and applications will be considered on a case-by-case basis by the relevant department within the organisation. There will be an agreed trial period and liaison between the school and course tutor.

18 Visiting Speakers and the Prevent Duty

The Prevent duty guidance requires gateways to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

Gateways is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at gateways or perform any other regular duties for or on behalf of the organisation.

All visiting speakers will be subject to the gateway's usual visitors' protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

Gateways will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend gateways. the Prevent duty guidance and the definition of 'extremism' set out in KCSIE which states:

"Extremism' is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

In fulfilling its Prevent duty obligations, gateways does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability, or age.

19 Medical Fitness

gateways is legally required to verify the medical fitness of anyone to be appointed to a post at gateways, after an offer of employment has been made but before the appointment can be confirmed.

It is gateways's practice that all applicants to whom an offer of employment is made for an established post must complete a Health Questionnaire. Gateways will arrange for the information contained in the Health Questionnaire to be reviewed by the organisation's medical advisor. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role, i.e. proposed timetable, co-curricular activities, layout of gateways etc. If the organisation's medical advisor has any doubts about an applicant's fitness, gateways will consider reasonable adjustments in consultation with the applicant. gateways may also seek a further medical opinion from a specialist or request that the applicant undertake a full medical assessment.

For other appointments, or where a questionnaire cannot be assessed before commencement of employment, successful applicants will be required to sign a declaration of medical fitness, confirming that there are no reasons on grounds of mental or physical health why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with gateways instead, or to attend an occupational health assessment to consider their fitness for the role, they should contact the CEO so that appropriate arrangements can be made.

gateways is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, and considering reasonable adjustments and suitable alternative employment.

20 Whistleblowing and Exit Interviews

All staff are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during their employment by gateways policies (including the Whistleblowing Policy, the Safeguarding and Child-Protection Policy and the Staff Code of Conduct). All staff receive training so that they understand the organisation's expectations. Safeguarding children is at the centre of the organisation's culture and is accordingly considered formally during staff performance-development reviews and appraisal and finally at an exit interview which is held with all leavers.

21 Referrals to the DBS and Teaching Regulation Agency

This policy is primarily concerned with the promotion and practice of safer recruitment. However, applicants should also be aware that Gateways has legal responsibilities to fulfil when employment comes to an end. In particular the organisation has a legal duty to make a referral to DBS where:

- An individual has applied for a position at Gateways despite being barred from working with children.
- An individual has been removed by Gateways from working in a regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to a child.

The DBS will consider whether to impose sanctions on that individual which may restrict or prevent them from working with children in the future.

In addition, if a teacher is dismissed because they are found to have committed serious misconduct, or they have breached the Teachers' Standards, or they resign prior to dismissal on such grounds, Gateways will make a referral to the Teaching Regulation Agency.

The Teaching Regulation Agency will consider whether to impose a prohibition from teaching order.

22 Policy on Recruitment of Ex-Offenders

Gateways will not unfairly discriminate against any applicant for employment on the basis of conviction or other details disclosed. Gateways makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record, this will not automatically bar them from employment with Gateways. Each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All positions within gateways are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered 'spent' except those received for an offence committed in the U.K. if filtered in accordance with the DBS filtering rules (see above).

A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for gateways to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at Gateways. The organisation will make a report to the Police and/or the DBS if:

- It receives an application from a barred person.
- It is provided with false information in or in support of an applicant's application.
- It has serious concerns about an applicant's suitability to work with children.

22.1 Assessment Criteria

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, gateways will consider the following factors before reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question.
- The seriousness of any offence or other matter that occurred.
- The length of time since the offence or other matter occurred.
- Whether the applicant has a pattern of offending behaviour or other relevant matters.
- Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters.
- The circumstances surrounding the offence and the explanation(s) offered by the applicant.

If the post involves regular contact with children, it is gateways normal policy to consider it high-risk to employ anyone who has been convicted at any time of any of the following offences.

- Murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or
- Serious class-A drug-related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to my or budget responsibility, it is gateway's normal policy to consider it high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.



22.2 Further Assessment Criteria

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, Gateways will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Head Teacher, CEO or Operations Manager before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, gateways may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

22.3 Further Assessment Criteria

Gateway's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

Appendix 1

List of Valid Identity Documents

Group 1: Primary Identity Documents

- Current valid passport
- Biometric residence permit (U.K.)
- Current driving licence (photocard, full or provisional, U.K. / Isle of Man and Channel Islands)
- Birth certificate (issued within 12 months of birth, U.K., Isle of Man and Channel Islands, including those issued by U.K. authorities overseas, such as Embassies, High Commissions and HM Forces)
- Adoption certificate (U.K. and Channel Islands)

Group 2a: Trusted Government Documents

- Current driving licence (photocard, full or provisional, all countries outside the U.K., excluding Isle of Man and Channel Islands)
- Current driving licence (paper version if issued before 1998, full or provisional, U.K. / Isle of Man and Channel Islands)
- Birth certificate (issued after time of birth, U.K., Isle of Man and Channel Islands)
- Marriage / civil partnership certificate (U.K. and Channel Islands)
- Immigration document, visa or work permit issued by a country outside the U.K. Valid only for roles whereby the applicant is living and working outside of the U.K. Visa / permit must relate to the non-U.K. country in which the role is based.
- HM Forces ID card (U.K.)
- Firearms licence (U.K., Channel Islands and Isle of Man)

All driving licenses must be valid.

• **Group 2b: Financial and Social history Documents**

- Mortgage statement (U.K.)**
- Bank / building society statement (U.K. and Channel Islands)*
- Bank / building society statement (countries outside the U.K.)*
- Bank / building society account opening confirmation letter (U.K.)*
- Credit card statement (U.K.)*
- Financial statement - for example, pension or endowment, (U.K.)** P45 / P60 statement ** (U.K. and Channel Islands)
- Council tax statement (U.K. and Channel Islands)**
- Letter of sponsorship from future employment provider (non-U.K. only; valid only for applicants residing outside the U.K. at the time of application; must be valid at time of application)
- Utility bill (U.K.; not mobile telephone bill)*
- Benefit statement - for example, child benefit, pension (U.K.)*
- A document from central or local government / government agency / local council giving an entitlement - for example, from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs (U.K. and Channel Islands) *
- EEA national ID card (must be valid at time of application)
- Irish passport card (cannot be used with an Irish passport; must be valid at time of application)
- Cards carrying the PASS accreditation logo (U.K., Isle of Man and Channel Islands; must be valid at time of applications)



- Letter from Head or College Principal (U.K.; for 16-19-year olds in full time education. This is only used in exceptional circumstances if other documents cannot be provided; must be valid at time of application).

Note

If a document in the list of valid identity documents is:

- Denoted with * - it should be less than three months old.
- Denoted with ** - It should be less than 12 months old.

Appendix 2 - Regulated Activity

Regulated activities include:

- 1 Teaching, training, instructing, caring for (see (4) below) or supervising children and young people if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children and young people.
- 2 Work for a limited range of establishments (known as 'specific places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under 1 or 2 is regulated activity only if done regularly. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- 3 Relevant personal care, or health care provided by or provided under the supervision of a health care professional.
- 4 Personal care includes helping a child or young person with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability.
- 5 Healthcare means care for children or young people provided by, or under the direction of supervision of, a regulated healthcare professional.