



Policy regarding recruitment of ex-offenders and the collection and use of criminal record information and Independent Safeguarding Authority Registrations

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to help assess the suitability of applicants for positions of trust, Gayhurst complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has created this written policy on these matters. This is available on request to those who wish to see it.

This document will be updated in line with revisions made by the CRB, in relation to the Independent Safeguarding Authority (ISA) to prevent unsuitable persons from working /volunteering with children and advice from Cataphract (the Umbrella organisation) via whom disclosures are sought.

Gayhurst will cooperate fully with the CRB Registration Management Team and Cataphract in any investigation / audit.

All staff, governors and regular volunteers are required to undergo enhanced CRB checks to be confirmed in post.

A Volunteer is defined by the CRB as "Any person engaged in an activity which involves spending time, unpaid (except for travel and other approved out of pocket expenses), which aims to benefit some third party other than or in addition to a close relative".

At Gayhurst School positions which require a CRB/ISA registration are those where 'Regulated Activity' is undertaken and can be defined by any of the following activities:

- Activity of a specified nature involving frequent, intensive and/or overnight contact with children (e.g. teaching, training, care, supervision, advice, treatment and transportation);
- Activity allowing frequent or intensive contact with children that is in a specified place (e.g. schools);
- Activity that involves people in certain defined positions of responsibility (e.g. school governor).

The term 'regulated activity' will apply when the activity is:

- Frequent – the activity takes place once a month or more. This does not apply to the provisions for those who have defined positions of responsibility;



- Intensive – the activity takes place on three or more days in any 30 day period. This does not apply to the provisions for those who have defined positions of responsibility;
- Overnight – the activity takes place overnight. This only applies to teaching, care, advice and treatment.

All application forms, job adverts and recruitment briefs will contain a statement that a Disclosure and ISA registration will be requested in the event of the individual being offered a position.

Applicants may request a copy of the CRB Code of Practice from Gayhurst and one will be provided for them.

Applicants with a period of recent employment abroad will be required to gain an equivalent disclosure for that country. Advice is available from the CRB website for other country's procedures.

Recruitment of Ex-Offenders

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, Gayhurst complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

Gayhurst is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential, and welcome applications from all potential candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

We encourage all applicants called for interview to provide details of their ISA registration and /or criminal record at an early stage in the application process. We request that criminal record information is sent under separate, confidential cover, to a designated person within Gayhurst and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

We ensure that all those in Gayhurst who are involved in the recruitment process have been suitably advised to contact Cataphract, our CRB service provider, to assess the relevance



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and circumstances of offences. We also ensure that they will seek appropriate guidance on the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request. A written copy of this policy is also available.

Having a criminal record will not necessarily bar applicants from working with us. This will depend on the nature of the position and the circumstances and background of your offences. We will not recruit any person without an ISA registration (from November 2010) and will report any individual seeking employment whilst barred.

The Exceptions Order 1975 to the rehabilitation of offenders Act (ROA) 1974 sets out those occupations and positions exempt from the provisions of the ROA. These are generally positions of trust; where there is a valid need to see a person's full criminal history (including spent convictions) in order to assess their suitability for a position. Due to the nature of roles within the school setting that could provide a greater degree of contact with children, Gayhurst operates on the basis of enhanced disclosures.

A CRB disclosure from a previous employer is no longer endorsed by the CRB and will therefore not be accepted.

Should the results of a CRB check result in the withdrawal of an offer of employment the content of the disclosure will be discussed with the applicant before the employment offer is withdrawn.

Cataphract will take no part in the recruitment decision for an applicant; however they are available to give an interpretation of the offences and sentences disclosed on the certificates and their implication on the type of work applied for.

Gayhurst School Trust will undertake ISA registration for all existing staff over the five year induction of the new ISA scheme from July 2010.

Gayhurst School Trust also confirms that it will refer all persons who could pose a risk of harm to a child or children.



Handling of disclosure information

The Bursar is the designated person authorised to verify the identity of applicants (see appendix A) as part of the disclosure application and is the recipient of all disclosures.

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Disclosures and any related information must be handled securely and may only be shared with relevant persons in the course of their specific duties relevant to recruitment and vetting processes. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

Any 'Additional Information', including information as to its existence, must not be revealed to the Disclosure applicant. (Additional information may refer to a matter currently under investigation and is not copied to the applicant). Whilst working with Cataphract (our current Umbrella Organisation) where confidential additional information is disclosed, a Director of Cataphract will request a confidential discussion with the designated person (Bursar) and a copy of this additional information will not be given to Gayhurst for security reasons.

Storage/retention

Disclosure information will be held for six months following a recruitment decision unless a dispute is raised or with the CRB's agreement in exceptional circumstances.

No copies will be made of the disclosure in part or in total.

All disclosure information is to be stored securely within locked non-portable units and access to such information shall be restricted to relevant persons; the Headmaster, Bursar and Chair of Governors.

Relevant data from the disclosure – reference number and date of issue- will be stored on the centralised register.

Disposal

Disclosure information must be disposed of securely via the use of a cross shredder.

Signed on behalf of the Governors by Chairman, Andrew Middleton on .../.../...

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Appendix A – accepted documents as at 15th April 2009

ACCEPTED DOCUMENTS

You must provide a **MINIMUM** of **THREE** documents. One of these **MUST** be from **Group 1**. If you are unable to provide a document from **Group 1** then **5** documents from **Group 2** must be provided.

Only documents in the table below can be used to confirm identity.

Group 1

- Valid passport (any nationality)
- UK Driving Licence (the photo card part only or the old style paper licence)
- Original UK Birth Certificate (issued within 12 months of date of birth) (full or short form acceptable)
- Valid National photo identity card (EU countries only)
- UK Firearms Licence
- HM Forces ID Card

Group 2

- Marriage certificate
- Non-original UK birth certificate (issued after 12 months of date of birth) (full or short form acceptable)
- P45/P60 statement**
- Bank or building society statement*
- Utility bill (electricity, gas, water, telephone (inc mobile phone contract / bill)*)
- TV Licence**
- Credit card statement*
- Store card statement*
- Mortgage statement**
- Valid insurance certificate
- A document from: the Benefits Agency; the Employment Service; the Inland Revenue; or a Local Authority, including Council Tax Statement**
- Financial statement (e.g. pension, endowment, ISA)**
- Valid vehicle registration document
- Mail order catalogue statement*
- Court Claim Form (Documentation issued by the Court Services)**
- UK NHS Card / Letter from Doctor
- Addressed payslip*
- National Insurance number card
- Exam certificate (e.g. GCSE, NVQ)
- Benefit book Child allowance or pension**
- Connexions card/Letter from head Teacher
- Certificate of British nationality
- Work permit / visa**

*Documentation should be less than three months old

** Issued within past 12 months