Date: May 2024
Review Date: August 2026
Responsibility: HR Manager

RECRUITMENT, SELECTION AND DISCLOSURE POLICY AND PROCEDURE

1 Introduction

Epsom College in Malaysia ("the College") is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of our children and young people. The College is also committed to providing a supportive and flexible working environment to all its members of staff. The College recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of the College's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of merit, ability and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant Malaysian and UK legislation, recommendations and guidance; and
- to ensure that the College meets its commitment to safeguarding and promoting the welfare of our children and young people by carrying out all necessary pre-employment checks in the recruitment of our staff.

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

2 Recruitment and selection procedure

All applicants for employment will be required to complete an **application form** containing questions about their academic and employment history and their suitability for the role. Incomplete

application forms will be returned to the applicant where the deadline for completed application forms has not passed.

Applicants will receive a job description/information for the role applied for. Application forms, job descriptions, and the College's Child Protection Policy will be available to download from the College website when positions become available.

The applicant may then be invited to attend an interview at which his / her relevant skills and experience will be discussed in more detail.

If it is decided by the College, at its sole and absolute discretion, to make an offer of employment following the interview**,** any such offer will be conditional on all or any of the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the College's terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of at least two references (one of which must be from the applicant's most recent employer) which the College considers to be satisfactory;
- for expatriate teachers from outside Malaysia and applicants resident in Malaysia, the College will undertake such background checks that are mandatory and such others as is practicable which the College deems fit . The check includes, but is not limited to, criminal records, bankruptcy, driving offences and corruption. This check is made through a private screening company known as **Venovox,** a registered company under the National Association of Professional Background Screeners. This check will include that no such person carries out work, or intends to carry out work, at the College in contravention of a prohibition order or interim prohibition order;
- where the position amounts to a "regulated activity" (see section below) the receipt of background check disclosure which the College considers to be satisfactory;
- confirmation that the applicant is not subject to any statutory restriction or court order or criminal order which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children;
- verification of the applicant's medical fitness for the role (see section 3 below); and
- verification of the applicant's right to work in Malaysia;
- verification of professional qualifications which the College deems a requirement for the post, or which the applicant otherwise cites in support of their application and the College considers to be relevant (where they have not been previously verified);
- a background check will be required for all persons aged over 16, not on the College role, who live with a member of staff in the same premises as boarders.

3 Medical fitness

The College is entitled to verify the medical fitness of anyone to be appointed to a post at the College, after an offer of employment has been made but before the appointment is confirmed.

All applicants to whom an offer of employment is made must complete a Pre Placement Medical questionnaire, or in some instances, signed Medical Declaration. The College will arrange for the information contained in the Pre Placement Medical Questionnaire and/or Medical Declaration, as the case may be, to be reviewed by the Headmaster and College Healthcare Coordinator. This information will be reviewed against the Job Description 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 the College etc. If the Headmaster has any doubts about an applicant's fitness, the College will consider reasonable adjustments in consultation with the applicant. The College may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

4 Pre-employment checks

In accordance with the recommendations set out in applicable Guidance and/or Standards, as amended from time to time, the College carries out a number of pre-employment checks in respect of all prospective employees.

4.1 Verification of identity and address

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in Malaysia, address and appropriate/relevant qualifications as set out in the ID Requirements document on the College's website.

The College asks for a copy of the identity card for local staff and passports for expatriates. The date of birth of all applicants (and proof of this) is required in accordance with the Ministry of Education regulations. Proof of date of birth is necessary so that the College may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. For expatriate staff above the age of 65, special approval is needed from the Ministry of Education before confirmation of a job offer.

4.2 References

In some instances the College may take up references of short-listed candidates prior to interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the College. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/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. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, reliability and disciplinary record;
- whether the applicant 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 which were found to be false, unsubstantiated, unfounded or malicious; and
- whether any allegations or concerns have been raised about the applicant that relate 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 false, unsubstantiated, unfounded or malicious.

The College will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

The College will contact the referees to verify the reference. The College 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.

4.3 4.3 Criminal Records Check

Due to the nature of the work, the College may apply for a background check in respect of all staff members. A background check may also apply to some governors and volunteers if their attendance at the College is in a “regulated activity”.

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

Disclosure of convictions, if any, will be done in accordance with relevant and/or applicable laws, which may change from time to time.

The College applies for a background check in respect of all positions at the College which amount to "regulated activity". The purpose of carrying out the background checks for ”regulated activity” is to identify whether an applicant is suitable to work with children. Any position undertaken at, or on behalf of, the College (whether paid or unpaid), 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 a regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

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

4.4 National Minimum Boarding Standards

Background checks and a Child Protection briefing will be carried out on all adults aged over 16 who live with a member of boarding staff in Boarding House accommodation.

Occasionally a background check may also be required for overnight visitors to staff living in Boarding Houses if they are visiting during term time and plan to stay for more than 4 nights. The cost of this check will be met by the member of staff being visited.

5 5. Contractors and agency staff

5.1 Contractors engaged by the College must complete the same checks for their employees that the College is required to complete for its staff. The College requires confirmation that these checks have been completed before employees of the Contractor can commence work at the College.

5.2 Agencies who supply staff to the College must also complete the pre-employment checks which the College would otherwise complete for its staff. Again, the College requires confirmation that these checks have been completed before an individual can commence work.

Upon commencement or prior to commencement, the College will independently verify the identity of staff supplied by contractors or an agency.

6. Volunteers

The College may request a background check on volunteers undertaking “regulated activity” with pupils at or on behalf of the College (the definition of “regulated activity” set out in section 4.3 above will be applied to all volunteers).

The College will not request a background check on volunteers who do not undertake “regulated activity”. This is because their volunteering duties are likely to be subject to regular, day to day supervision by a fully checked member of staff or by a volunteer who the College has deemed appropriate to supervise and ensure the safety of those pupils in their care.

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

In addition the College will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and/or
- an informal safer recruitment interview.

6 7. Visiting speakers
7

The College shall have protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable for the target audience and are appropriately supervised.

All visiting speakers will be subject to the College's Access, Security and Visitors Policy. This will include the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

The College may 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 the College.

8. Policy on recruitment of ex-offenders

8.1 Background

The College will not unfairly discriminate against any applicant for employment on the basis of criminal conviction or other details revealed. The College makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar him / her from employment within the College. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 8.2 below.

All applicants must declare all previous convictions and cautions, including those which would normally be considered "spent". Failure to disclose a previous conviction 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.

The College will not, if it has prior knowledge of the fact, employ anyone who is barred from working with children. The College will make a report to the Police if:

- it receives an application from an individual who is barred from working with children;
- it is provided with false information in, or in support of, an applicant's application; or
- it has serious concerns, at its sole and absolute discretion, about an applicant's suitability to work with children.

8.2 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, the College 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 revealed;
- 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; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the College's policy that it is high risk to employ anyone who has been convicted at any time of any the following offences:

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

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

If the post involves some driving responsibilities, it is the College's policy that it is high risk to employ anyone who has been convicted of drunk driving within the last ten years.

8.3 Assessment procedure

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, the College will carry out a risk assessment by reference to the criteria set out above. The assessment form must be **approved by the Bursar or the Headmaster** before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the College. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the College will, 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.

8.4 Retention and security of disclosure information

The College will:

- store in a secure place, disclosure information and other confidential documents, access to which will be restricted to members of the HR Department;
- keep a photocopy/record of the date of a disclosure, the name of the subject, the type of disclosure and the position in question; and
- ensure that any disclosure information is destroyed, when the College deems fit, and at its sole and absolute discretion, by suitably secure means such as shredding.

9. Retention of records

If an applicant is successful in their application, the College will retain in his/her personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in Malaysia, medical fitness and qualifications. Medical information may be used to help the College to discharge its obligations as an employer e.g. so that the College may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the College for the duration of the successful applicant's employment with the College and afterwards for as long as it the College deems fit, and at its sole and absolute discretion.

If the application is unsuccessful, all documentation relating to the application will be destroyed when the College deems fit, and at its sole and absolute discretion.

The same policy applies to any suitability information obtained about volunteers involved with college activities.

10. Queries

If an applicant has any queries on how to complete the application form or any other matter he / she should contact the Bursar or HR Manager.