

POL/HR0007: Safer Recruitment Policy

Policy Title:	Safer Recruitment Policy
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Current Version Approved by:	SVP-HR , SVP – Legal and VP - Safeguarding (as per HR Policy Approval Matrix)

1. Purpose

- 1.1 The purpose of this policy is to set out a clear framework for completing background checks for all new/prospective GEMS Education employees to ensure suitability for employment.

2. Scope

- 2.1. The policy applies to all staff employed on a permanent contract with GEMS Education based in schools and SSC.
- 2.2. Volunteers, Consultants, temporary and support staff are included in this policy.
- 2.3. HR Policy cannot override the Board-approved Delegation of Authority (DOA) for GEMS. In the event of any conflict between the two, the DOA overrides HR Policy.

3. policy Statements

- 3.1 Committed to promoting the welfare of children, young people, parents and staff, GEMS aspires to recruit employees with this shared understanding and requires all employees and volunteers to demonstrate this commitment in every aspect of their work.
- 3.2 GEMS is committed to ensuring that only suitable adults are working with students and to promote safe practices where appropriate actions are taken to keep students safe.
- 3.3 GEMS recognises that Safer Recruitment can only be achieved through effective and consistent recruitment procedures to help deter, reject or identify people who might pose a risk to children.
- 3.4 All applicants are required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent, and must provide an up-to-date criminal

records clearance from their country of origin if they have been in the country of placement less than 5 years.

- 3.5 GEMS aims to treat job applicants and employees in the same way, regardless of gender, marital status, age, face, religion, or disability. The sole criteria for selection will be the applicant's suitability for the role. GEMS also recognises the importance of respect and tolerance and all employees are expected to demonstrate positive attitudes to the diversity of the whole school community. Equality and equity are further supported by the school's Equality, Inclusion and Diversity policy.
- 3.6 GEMS commitment to Safer Recruitment does not discriminate nor exclude individuals with criminal records from obtaining a position in the Company. Safer Recruitment ensures fair treatment, and provides those with criminal convictions the opportunity to establish their suitability to hold an appropriate position.

Safer Recruitment Training

- 3.7 GEMS is committed to offering training to all those who have a recruitment role or responsibility. The Safer Recruitment Course will ensure that employees with a recruitment role are aware of how to recognize concerning behavior in school and how to ensure that the people working at GEMS are suitable to be around children and keep them safe. This should be completed within the first 30 days of joining.

Pre-employment Checks

- 3.8 GEMS is committed to ensuring that the following pre-employment checks are undertaken for all candidates selected for appointment:
 - a. Receipt and verification of at least two (2) satisfactory professional references, one of which has to be from the current or most recent employer, completed in the standard Reference Pro-forma (refer to section 4.7 for definition).
 - b. Verification of the candidate's identity in line with the requirements of The Immigration Department of the country of work placement (refer to section 4.8 for definition);
 - c. A satisfactory police clearance from the country of origin and all countries of residence within the last 5 years;
 - d. Verification of qualifications via an attestation stamp (original) and;
 - e. Verification of professional registration via an attestation stamp, as required by law for teachers, medical professionals, and therapists.
 - f. Background screening checks
 - g. Medical declaration (fit to work)
 - h. Financial checks (for leadership and key operational roles)
 - i. Gaps in employment history should be noted and questioned. A note of the discussion should be made either before or during the interview.
 - j. Interview notes
 - k. Application form
 - l. Any other verifications required for the role by the relevant authorities in the country of placement.
- 3.9 The following additional checks will be obtained when hiring Teachers and Teaching Assistants:
 - a. An International Child Protection Certificate (ICPC) and / or a Barred List Check (i.e., DBS for UK nationals) which should be current and not exceeding 3 months validity from date of joining;
 - b. Prohibition from teaching check from the country in which the teacher has obtained his or her qualifications this will include; confirmation that the applicant is not

subject to any penalties or sanctions 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.

- 3.10 All third-party service providers, contractors, and agencies who are providing personnel responsible for non-regulated activity (see definitions section) must, as a minimum, provide GEMS with the following Safer Recruitment pre-employment checks upon request:

- a. Identity verification;
- b. Police clearance from the country of origin of the employee and all countries of residence within the last 5 years; and
- c. Good conduct certification from the UAE or other country of placement obtained within the last 6 months prior to joining

This is the responsibility of the vendor for carrying out the appropriate Safer Recruitment checks prior to any contact at a GEMS school. These checks do not need to be kept physically onsite; however, it is the responsibility of the HR department to retain this information on the SCR. The vendor must be able to provide physical copies of these checks upon immediate request.

- 3.11 All offers of employment will be subject to the receipt of a minimum of two (2) references, which are considered satisfactory by the Principal/CEO or person delegated by the Principal/CEO for schools, and the Department Head or person delegated by the Department Head for SSC.
- 3.12 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. The use of references from recruitment agencies is permitted, however they must be substantiated by a telephone reference and the details of the discussion must be recorded in written form.
- 3.13 For education staff (Teachers and School Leadership) one of the references must be from the applicant's current or most recent Principal/ Head of School.
- 3.14 The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.
- 3.15 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.
- 3.16 References must additionally confirm the details of the applicant's current position, verifiable comments about the applicant's performance history and conduct, details of any disciplinary procedures that the applicant has been subject to, particularly involving the safety and welfare of children or young people, and any details of allegations or concerns that have been raised about the applicant that relate to the safety of and welfare of children. Once the references have been received, they should be checked to ensure that all questions have been answered satisfactorily.
- 3.17 If the references received from either referee is not satisfactory or non-compliant with the Safer Recruitment Policy, the School HR / SSC Recruitment Team must seek further clarification from the referee directly. If it is established that the reference is indeed not satisfactory or non-compliant with the Safer Recruitment Policy, this must be shared with the Hiring Manager / Principal and the offer must be withdrawn. The Hiring Manager / Principal may escalate this decision to SVP HR, COO, Chief Risk & Assurance Officer, or Chief Education Officer if required.

- 3.18 For SMC and Tier 1 Principal / CEO positions, in addition to two (2) professional reference checks, an additional security background check must also be completed prior to hiring.
- 3.19 The Company will maintain a central blacklist database that captures all candidates and ex-GEMS employees who are not permitted to be hired or re-hired in any GEMS owned entity. Such ex-employees or candidates will not be eligible for re-employment.
- 3.20 School HR / SSC Recruitment team must make all reasonable efforts to notify unsuccessful applicants of their application status at the earliest.
- 3.21 References must be verified. The first stage of verification is to ensure that both references are received from an authorised work email address. This should be kept on the employee's file. The second stage of verification is to contact the referee via telephone to ensure that the reference is substantiated. This telephone verification can be completed by a senior leader within the school (e.g., Principal). In the absence of a Senior Leader/HR are able to complete this check with a signature from the Principal. All concerns or queries should be noted and further exploration should be undertaken and documented in written form (Appendix 1).
- 3.22 In the absence of formal social media checks, GEMS reserves the right to conduct a basic internet/social media search to help identify applicants' online identity and determine whether they are suitable for working with students and to work at GEMS.

Document Verification

- 3.23 Successful applicants for all posts will be required to provide proof of identity by producing documents (which typically includes passport, ID card and a Birth Certificate) in line with those set out in the Immigration laws of the UAE or the country of work-placement.
If any of the information contained in the pre-employment checks is unsatisfactory or has discrepancies, this will be followed up by HR and/or the recruiting employees. Any disclosure of information relating to a conviction should be noted and shared with the Principal to allow for careful consideration of suitability to the post. Serious, deliberate fraud or deception in connection with an application for employment may amount to a criminal offence. In such cases, GEMS will be required to report the matter to the relevant authorities and/or regulators.
- 3.24 Successful applicants will also be required to provide proof of their attested qualifications and professional status by producing documentation through the GEMS On-boarding platform. The School will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application. If the original documents are not available, the School will require sight of a properly certified copy. This attested qualification verification will apply to roles identified as "skilled designations" in accordance with the regulations of the Ministry of Human Resources and Emiratisation (MOHRE).

Single Central Record

- 3.25 All GEMS Business Units will keep and maintain a single central record (SCR) of recruitment and vetting checks which must be kept up-to-date for all employees at all times. If there are gaps in the SCR due to incomplete pre-employment checks, the employee may be placed on a risk assessment. However, this should not negate the need for those pre-employment checks to be completed or followed up on wherever possible.
- 3.26 The SCR must include records of all employees who are employed by the Business Unit, including casual employees, supply employees whether employed directly or

through an agency, volunteers, those who work as volunteers, and those who provide regular additional teaching or instruction for pupils but who are not staff members, e.g., specialist sports coach or artist. Additionally, it must include records of all members of the Leadership Advisory Board (LAB), ensuring that all individuals with a role in the governance and operations of the school are properly documented.

3.26.1 Third-party agency is responsible for conducting background checks, collating and storing the relevant Safer Recruitment documents.

Interview Process (for staff with direct contact with students)

- 3.27 The application form will be used as a key scrutinizing tool for the purpose of the interview in addition to the curriculum vitae and any other information provided by recruitment agencies where they are used.
- 3.28 GEMS will take the time to consider the selection process carefully for each role as well as the interview panel makeup. At least one member of the panel interviewing applicants must have undertaken the GEMS U Safer Recruitment Course. The questions during the interview shall be carefully planned in advance to ensure that they align with the role and the personal and professional qualities required to fulfill it.
- 3.29 Two safeguarding questions shall be asked in each interview and the answers shall be recorded in the personnel files.
- 3.30 The interview panel will explore:
- The applicant's attitude toward children and young people
 - The applicant's experience and suitability for the role
 - The applicant's ability to support and uphold GEMS policy for safeguarding and promoting the welfare of children
 - The applicant's ability to support GEMS employee code of conduct
 - Any gaps in the applicant's employment history
 - Any concerns or discrepancies arising from the information provided by the applicant and/ or a referee

Recording and Monitoring of New Starters

- 3.31 As part of the safer recruitment process, GEMS will ensure that each new starter has a new starter checklist completed and filed on the personnel file. This will include the required risk assessments which must be monitored and completed as appropriate. In cases where staff have gaps in their employment checks and are placed on a risk assessment, it is recommended that the risk assessment period lasts for six months, coinciding with their probationary period. This duration will allow for adequate monitoring and provide confidence in closing the risk assessment, with the current employer acting as a referee with confidence in knowing the employee.
- 3.32 Any new starter subject to a risk assessment must be monitored regularly. The level of supervision required is dependent on the reason for the risk assessment; this needs to be decided by Principal and HR Manager and should be discussed with the HRBP / Central Safeguarding Team.
- 3.33 All employees must ensure that they have completed the required child protection training courses. This will ensure that any employees working with children have knowledge and understanding of child protection and safeguarding relating to policy and procedure at GEMS. Enhanced Safeguarding training certificates (for relevant GEMS employees) must be retained on the employee's file by HR.

4. Definitions

4.1 Spent Convictions (example of British guidance – for other countries; find further details via the relevant embassy)

Convictions with a sentence of 4 years or less will become spent after a certain period of time. This is known as a ‘rehabilitation period’. Its length depends on how severe the penalty was.

Rehabilitation periods:

<u>Custodial sentence</u>	<u>Rehabilitation period (from end of sentence)</u>
0 - 6 months	2 years

<u>Custodial sentence</u>	<u>Rehabilitation period (from end of sentence)</u>
6 - 30 months	4 years
30 months - 4 years	7 years
more than 4 years	never

<u>Non-custodial sentence</u>	<u>Rehabilitation period (from end of sentence)</u>
community order	1 year
fine	1 year (from date of conviction)
absolute discharge	none

4.2 Unspent Conviction

All other convictions that are not covered by the Spent Conviction definition as outlined in 4.1.

4.3 Bind-over

Where a person has been instructed by a regulatory authority to refrain from certain activities for a fixed period.

4.4 Caution

A formal warning given by the police in any country to any one aged 10 years or older who has admitted that they are guilty of a minor crime.

4.5 Regulated Activity

Regulated activity includes:

- a) Teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children;
- b) Work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;
- c) Work under (a) or (b) is regulated activity only if done regularly. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:
 1. Relevant personal care or health care provided by or provided under the supervision of a health care professional;
 2. Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 3. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

4.6 Non-regulated Activity

Non regulated activity refers to roles that exist within a school where by the work is not regular, the employee is not contracted by a GEMS school or business unit, there are no supervisory responsibilities of the person in relation to children, the person never has the opportunity to be alone with a child, and the person never works alone on a GEMS site.

4.7 Satisfactory References

A reference will be deemed satisfactory when it has been completed by a relevant individual in relation to the candidate's application and past work history; has been completed in full with all questions on the reference pro-forma answered; and where responses meet the expectations and standards set by the Company.

In certain circumstances, if the previous employer refuses to fill out a GEMS reference form due to internal policy, a written confirmation from a work email which addresses each of the Safeguarding questions from the reference form will be considered. It will require written approval from the Principal to confirm receipt of the reference.

4.8 Country of Work Placement

This refers to the country wherein the prospective employee will be working within/for GEMS Education (i.e., the UAE, Qatar, Egypt, Saudi Arabia etc.)

5. Responsibilities

- 5.1 The Company may update this policy at any time. It is the responsibility of every employee to be aware of and follow the policy currently in place.
- 5.2 It is the responsibility of all employees to comply with the Safer Recruitment Policy.
- 5.3 It is the responsibility of the school or business unit to inform all potential and existing workers, including volunteers, temporary staff and third-party agency workers to comply with the Safer Recruitment Policy.
- 5.4 It is the responsibility of all Principal/CEOs and Heads of Departments/Heads of Business Units to:

- Ensure that employees who are involved in the recruitment process have completed a GEMS provided Safer Recruitment training course;
 - Ensure that all employees who have responsibility for administering checks through the GEMS On-boarding Zone have been trained to do so;
 - Ensure that every appointment or interviewing panel includes at least one member who has received GEMS provided Safer Recruitment training.
 - Risk Assessments: ensure that all employees who are joining have all of their pre-employment and vetting checks completed satisfactorily prior to their start date. In the exceptional event that this is not possible due to business requirements, it is the responsibility of the Principal/CEO to ensure a risk assessment is conducted. The employee and their line manager should be made aware of the risk assessment in place. This should be documented on the Risk Assessment Form - hiring employees prior to completion of safer recruitment checks.
If the risk assessment is still in place by day 45, it is the responsibility of the Principal/CEO to consult with their SSC HRBP to decide on appropriate action and to inform School Designated Safeguarding Lead (DSL).
 - Ensure that a single central record (SCR) of recruitment and vetting checks is kept and maintained at all times in line with GEMS requirements through completing the SCR fields on the DAX worker record or recorded manually for any workers who do not hold an active DAX record.
 - Ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure in section 3.6. The Internal Audit function will monitor the compliance with these measures;
 - Ensure that employees are aware of their compulsory and contractual requirement to disclose if they have been convicted or cautioned for any offence during their employment with GEMS Education. This should be notified in writing to the Principal/CEO (School)/Head of Department/BU (Business Unit) and the HR Representative of the School or Business Unit within 48 hours of receipt of the conviction or caution;
 - Notify the relevant HR Business Partner of any members of staff who are convicted or cautioned for any offence during their employment with GEMS Education for investigation; following which a full investigation process will commence with relevant investigating officers identified.
 - Ensure that the School/Business Unit operates Safer Recruitment procedures and makes sure all appropriate checks are carried out on all employees and volunteers who work at the School/Business Unit;
 - Promote welfare of children and young people at every stage of the procedure.
- 5.5 It is the responsibility of the SVP of Human Resources to provide support, guidance and clarity on the application of this policy and procedure in the event of uncertainty in collaboration with HR Business Partners.

6. Related Policies

POLHR0007GEMS Safeguarding Policy
POLIA001 Whistleblowing Policy

Appendix 1

Phone Reference Check Form

Date:

Conducted by:

Candidate Name:

Reference Name & Position:

Pre-Call checks:		
1	Official website of organisation checked:	
2	School phone number checked: http://www.xxxxxx.xxx	
3	Person listed on website checked:	
4	Social media checked	
No	Question	Response
1	Can you confirm that this person has been in your employment from ___to present__?	
2	Can you confirm for that he/she has not been subject to any disciplinary measures, to the best of your knowledge?	
3	Has this person been the subject of allegations of any kind related to the safeguarding of children?	
4	To your knowledge, please provide the reason why this person has been employed in the role for less than 2 years or there is a gap during employment if applicable.	
5	Is there anything else you wish to add to your reference?	