



Effective from 1 May 2014

Policy Statement on the Recruitment of Ex-offenders for Schools and Academies

1. Policy Statement

This school/academy is committed to the principle of equality of opportunity. Subject to the over-riding consideration of protecting children and vulnerable people, we undertake to treat all applicants for positions fairly and not discriminate unfairly on the grounds of a Disclosure and Barring Service (DBS) check and /or other associated information regarding an individual's criminal record.

The aim of this policy is to state our approach towards employing people who have criminal convictions.

This school/academy is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, where appropriate, qualifications and training. We will therefore consider ex-offenders for employment on their individual merits. Our approach towards employing ex-offenders is appropriately amended dependent upon whether the job is or is not exempt from the provisions of the Rehabilitation of Offenders Act 1974.

We will not automatically refuse to employ a particular individual just because he/she has a previous criminal conviction.

The Head Teacher/Recruiting Manager may ask the preferred candidate to disclose any unspent convictions, but will not ask job applicants questions about spent convictions, nor expect them to disclose any spent convictions.

If an applicant has a conviction that is not spent and if the nature of the offence is relevant to the job for which he/she has applied, the individual circumstances of the case will be reviewed and the school/academy may, at its discretion, decline to select the individual for employment.

The Head Teacher/Recruiting Manager may wish to contact their HR Advisor if the preferred candidate discloses a conviction which the school/academy considers is relevant to the post.

3. Jobs that are exempt from the Rehabilitation of Offenders Act 1974

If the role being recruited to is one of the excluded jobs listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 or the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland)

Order 2003, the Council will require the applicant to disclose all convictions, whether spent or unspent (other than where protected cautions and protected convictions do not need to be disclosed, depending on the job concerned). In these circumstances, however, the school/academy will not refuse to employ a particular individual unless the nature of the conviction has some relevance to the job for which the individual has applied.

If the job is exempt, disclosure information will be sought in respect of the preferred candidate's criminal convictions and will seek the applicant's agreement to undertake a Disclosure and Barring Service (DBS) disclosure at the appropriate level. Where the individual is member of the DBS Update Service, the Head Teacher/Recruiting Manager will, with the candidate's permission, carry out a status check on any current certificate.

4. Scope of policy

This policy applies to recruitment into all roles, including volunteers and agency/contract workers.

5. Principles of policy

This policy on the recruitment of ex-offenders is referred to in the document 'Applying for a Job'; the full policy is also available on the recruitment website.

This school/academy is firmly committed to the principles of equality and diversity in its recruitment and employment practices; treating people fairly, regardless of their colour, race, ethnic or national origin, language, religion, belief, gender, gender reassignment, marital status, sexuality, disability, any illness or infection, age, trade union membership or criminal record. We welcome applications from a wide range of candidates, including those with criminal records and candidates are selected for interview based on their skills, qualifications and experience.

In accordance with the Disclosure and Barring (DBS) policy and the DBS Code of Practice, Disclosure checks will be requested for preferred candidates conditionally selected for appointment to jobs that involve working with children or vulnerable adults; checks may also be requested for certain other roles as defined within the Eligibility Guidance. For those positions where a Disclosure is required, applicants will be informed that a Disclosure will be requested in the event of them being offered the position.

As an organisation using the Disclosure and Barring (DBS) Service to assess applicants' suitability for positions of trust, the school/academy undertakes to comply fully with the DBS Code of Practice.

We make every subject of a DBS check aware of the existence of the DBS Code of Practice, a copy of which can be found on the DBS website:

We undertake to discuss any matter revealed in a DBS Disclosure with the person seeking the position.

If candidates would like some further advice on whether a conviction is likely to debar them from working with children or vulnerable adults, they should contact the Disclosure and Barring Service for advice.

We ensure that an open and measured discussion takes place on the subject of any offences or other matters 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 or termination of employment.

Having a criminal record will not necessarily prevent a person being appointed, unless the offence debars the person or the Disclosure check indicates that the person presents a risk to children or vulnerable adults.

Guidance is provided to managers to help them to assess the relevance and the circumstances of offences. The Head Teacher may also seek further advice from an HR Advisor.

6. Data Protection

The School/Academy is committed to ensuring that all information provided about an individual's criminal convictions, including any information released in disclosures, is used fairly and stored and handled appropriately and in accordance with the provisions of the Data Protection Act 1998 and the DBS Code of Practice. . Data held on file about an individual's criminal convictions will be held only as long as it is required for employment purposes and will not be disclosed to any unauthorised person.

7. Policy monitoring

Responsibility for the implementation, monitoring and development of this policy lies with the Governing Body. Day to day operation of the policy is the responsibility of the Head Teacher and nominated officers who will ensure that this policy is adhered to.

8. Complaints

Any applicant who feels that they have been treated unfairly during their recruitment experience in respect of this policy may submit a written complaint to the school/academy.