



# Policy on the Recruitment of Ex-Offenders

## Chattenden Primary School

This document was approved and adopted by the Governing Body.

Dated:

Review Date:

Chair of Governors: Neil Shorthouse

Signature

A handwritten signature in black ink, appearing to be 'Neil Shorthouse', written over a horizontal line.



Dedicated to the Happiness of all Our Children - Success No Matter What!

## Policy of the Recruitment of Ex-Offenders

### Introduction

Chattenden Primary School is committed to working in accordance with Keeping Children Safe In Education, and the DBS Code of Practice, which require that the school makes available a copy of its policy on the recruitment of ex-offenders to all job applicants.

This policy provides a framework within which the school will seek to ensure that all cases are assessed fairly, and on an individual basis. Chattenden Primary School will not discriminate because of a conviction or other information revealed.

### Scope

This policy applies to all Employees, prospective employees, Governors and Volunteers of Chattenden Primary School.

### Background

The Rehabilitation of Offenders Act 1974 allows most convictions and cautions to be considered spent after a specified period of time. Once a caution or conviction is spent the person is considered rehabilitated and the ROA treats the person as if they had never committed an offence. This means that jobseekers with criminal records have the right to legally withhold such information from a prospective employer when applying for most jobs.

All position that involve working with children are exempt from the provisions of the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. 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 United Kingdom if it has been filtered in accordance with the DBS filtering rules <https://www.gov.uk/government/collections/dbs-filtering-guidance>

Candidates applying for a vacancy will be asked to complete a Self-Disclosure form on which they will be asked to disclose any relevant convictions, court orders, reprimands, warnings or other matters which may affect an applicant's suitability to work with children.

Where a role involves engaging in regulated activity relevant to children it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

## Policy statement

- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Chattenden Primary School complies fully with the code of practice <https://www.gov.uk/government/publications/dbs-code-of-practice> and undertakes to treat all applicants for positions fairly.
- Chattenden Primary School undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- Chattenden Primary School can only ask an individual to provide details of convictions and cautions that Chattenden Primary School are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- Chattenden Primary School can only ask an individual about convictions and cautions that are not protected.
- Chattenden Primary School 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 dependents, age, physical/mental disability or offending background.
- Chattenden Primary School has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.
- Chattenden Primary School actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.
- Chattenden Primary School selects all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- Chattenden Primary School ensures that all those in Chattenden Primary School who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- Chattenden Primary School also ensures that they have received appropriate guidance and training in 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, Chattenden Primary School ensures 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.
- Chattenden Primary School makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice <https://www.gov.uk/government/publications/dbs-code-of-practice> and makes a copy available on request.
- Chattenden Primary School undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

## **Safeguarding**

Chattenden Primary School is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. The school will ensure that all the recruitment and selection practices reflect this commitment. References will be taken up for those candidates short-listed for interview and the successful candidate will be subject to an Enhanced Disclosure and Barring Service check together with other relevant employment checks.

## **Equality and Equal Opportunities statement**

Chattenden Primary School, in all policies and procedures, will promote equality of opportunity for pupils and staff from all social, cultural and economic backgrounds and ensure freedom from discrimination on the basis of memberships of any group including gender, sexual orientation, family circumstances, ethnic or national origin, disability (physical or mental), religious or political beliefs.