Recruitment of Ex-offenders Policy

Approved by:	Mrs C Ellis – Gage Head Teacher	**Date:** January 2026
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Recruitment of Ex-offenders Policy P109

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1. Introduction

1.1 The school/trust recruits individuals with varied talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records.

1.2 This policy assists in enabling candidates to be selected for interview based on their skills, qualifications and experience, with criminal records only being taken into consideration where the circumstances of the offences are relevant to the nature of the position.

2. Scope

2.1 This policy sets out the best practice for the school/trust's recruitment and selection processes where a Disclosure and Barring Service (DBS) certificate has been obtained and a criminal record or other information has been revealed, or where an applicant has voluntarily disclosed a criminal conviction. It applies to all applicants and employees of the school/academy involved in the recruitment process.

3. Policy principles

- To ensure that all applicants are treated fairly in the recruitment process
- To ensure that ex-offenders are not unfairly discriminated against in the recruitment process.

4. Relevant legislation

- **Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975** - sets out rehabilitation periods and establishes that individuals do not have to disclose spent convictions unless they are covered by the order.

5. DBS checks and the recruitment process

Requirements of the recruitment process:

5.1 In 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), the school/trust complies fully with the DBS code of practice and undertakes to treat all applicants for positions fairly.

5.2 The school undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

5.3 The school will only ask an individual to provide details of convictions and cautions that it is 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).

5.4 The school can only ask an individual about convictions and cautions that are not protected.

5.5 The school *Disclosure Barring Service (DBS) Checks Model Policy and Procedure P112* addresses the legal framework relating to the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.

5.6 The school will make every subject of a criminal record check submitted to the DBS aware of the existence of the DBS code of practice and this Recruitment of ex-offenders policy and make a copy available on request.

5.7 The school will ensure 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.

5.8 The school will ensure that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

5.9 The school will ensure that such staff have also received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

Equal opportunities:

5.10 The school actively promotes equality of opportunity for all with a variety of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

5.11 The school is committed to the fair treatment of its staff, potential staff or users of its services, regardless of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation; responsibilities for dependants; physical/mental disability or offending background.

The interview process:

5.12 The school will select all candidates for interview based on their skills, qualifications and experience.

5.13 At interview, or in any other separate discussion, the school will 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

5.14 The school undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

5.15 Where a decision is made not to appoint someone because of their conviction(s) this will be documented clearly so if challenged, the decision can be defended in line with this policy.

Further resources – Recruitment and selection model policy and procedure P108

6. Data Protection

When handling information relating to previous convictions, the school/trust processes personal data collected in accordance with its data protection policy. Data collected by the school as part of the operation of the DBS checking process is held securely and accessed by, and disclosed to, individuals only for the purpose of recruiting ex-offenders. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy

immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.