



# MARISH



## Academy Trust

### Recruitment of Ex-offenders Policy

Version 4.0 January 2019

## ***Recruitment of Rehabilitated Offenders Appendix to Safer Recruitment Policy***

Marish Academy Trust 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. In fact we undertake not to discriminate against staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We are also fully committed to assessing applicants' suitability for employment in positions of trust and comply fully with the Disclosure and Barring Service (DBS, formally known as CRB) Code of Practice on the recruitment of ex-offenders.

Under this Code of Practice, the Academy Trust is required to treat all applicants fairly and to ensure it does not discriminate because of a conviction, criminal record or other information revealed through the DBS. The Code of Practice also obliges all registered bodies to have a written statement with its Safer Recruitment Policy on the recruitment of ex-offenders. This appendix provides additional details of our protocol in relation to the recruitment of ex-offenders and a copy is made available to all applicants at the outset of the recruitment process.

All applications for positions within Marish Academy Trust require an enhanced DBS check because all employees have considerable access to children. Therefore all application forms, job adverts and recruitment briefs will contain a statement that an enhanced DBS check will be requested in the event of the individual being offered the position. We encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process, ideally acknowledging the criminal record on their application form.

When any individual who has a criminal record is shortlisted and called to interview, we request that they contact the Academy Trust HR manager or the Executive Head teacher immediately and explain their situation, regardless of whether they have declared it on their application or not.

This information will be kept strictly confidential and only acted upon should the individual be offered a post after interview. No notes or details of any offences will be taken at this stage. Otherwise the information that the applicant has a criminal record will be retained by HR for the requisite period along with their application form and then it will be securely disposed of.

Failure to declare any criminal record after being offered a post is liable to jeopardise appointment. This is because the applicant has now had several opportunities to disclose their history and all posts at Marish Academy Trust are offered subject to references and satisfactory completion of an enhanced DBS check. We will not discriminate against ex-offenders, but value utter transparency about individuals' histories. We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

Whether or not an individual has declared their criminal record, when a DBS comes back with offences or cautions listed, Marish Academy Trust's policy and protocol is to require the applicant to attend a meeting with the Executive headteacher to discuss the nature and timing of the offences and to ascertain whether the person concerned is now changed and of a suitably upright character to be appointed.

A brief note of this meeting will be kept on the individual's file only if they are appointed. This information will only be seen by those who need to see it as part of the recruitment process. Unless

the nature of the position requires us to ask questions about the applicant's entire criminal record, we will only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in Marish Academy Trust who are involved in the DBS part of the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure 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 and specific Safer Recruitment Training at least once every 5 years.

### **Confidentiality**

Confidentiality of information throughout the whole process of disclosure is paramount.

All documents relating to the disclosure information will only be made available to the Academy Trust HR Manager and the senior leader responsible for recruiting to the post and will be kept in a lockable and non-portable storage container. Printed DBS disclosures will be disposed of securely within 6 months after receipt.

### **Governing Body Approval**

This appendix will be reviewed when the Safer Recruitment Policy is updated every two years.

Version	Approved	Next Review	Comments
1.0	February 2013	Spring 2015	
2.0	January 2015	Autumn 2016	
3.0	December 2016	Autumn 2018	
4.0	March 2019	March 2020	

### **Appendix 1- DBS Code of Practice**

The current code of practice of the DBS can be found at

<http://www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/dbs-checking-service-guidance/cop?view=Binary>

**Please note: Although the code of practice document, which is published under section 122(2) of the Police Act 1997, has not been rebranded with the DBS logo or new terminology, organisations who receive certificate information from the DBS should still comply with the obligations set out in the document**