

## **Policy statement on the recruitment and employment of ex-offenders**

- 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), St Bernard's Catholic Grammar School complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. St Bernard's Catholic Grammar School undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- St Bernard's Catholic Grammar School can only ask an individual to provide details of convictions and cautions that the school 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), St Bernard's Catholic Grammar School can only ask an individual about convictions and cautions that are not protected.
- St Bernard's Catholic Grammar 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.
- St Bernard's Catholic Grammar School has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.
- St Bernard's Catholic Grammar School actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. St Bernard's Catholic Grammar School selects all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to the 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.
- St Bernard's Catholic Grammar School ensures that all those in the school who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of the offences. St Bernard's Catholic Grammar 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, St Bernard's Catholic Grammar School ensures 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 the offer of employment.
- St Bernard's Catholic Grammar School makes every subject of a criminal record check submitted to the DBS aware of the existence of the Code of Practice and makes a copy available on request.
- St Bernard's Catholic Grammar School undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
- Since 29 May 2013 legislation came into force that allows certain old and minor cautions and convictions to be no longer subject to disclosure and St Bernard's Catholic Grammar School no longer takes an individual's old and minor cautions and convictions into account when making decisions.
- All cautions and convictions for specified serious violent or sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded. These will continue to be considered by the school when making decisions.
- For further information on the filtering of old and minor convictions and cautions, please see the Disclosure and Barring Service website.
- Staff are required to notify the Headteacher of any current criminal conviction. Information on convictions occurring during employment will not be used for disciplinary purposes unless it impacts upon the role and responsibilities of the post held by the member of staff.

Agreed by the Leadership Committee 8<sup>th</sup> February 2017

Review Date: February 2019