



TWO RIVERS
HIGH SCHOOL

RECRUITMENT OF EX-OFFENDERS POLICY

Endeavour Multi Academy Trust

DOCUMENT CONTROL		
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1. Introduction

1.1. Endeavour Multi Academy Trust is committed to attracting, selecting and retaining individuals who have the right motivation, skill and experience to make a positive contribution to the Trust's success and the delivery of high-quality education.

1.2. The Trust is committed to achieving this through:

- Systematic recruitment and selection processes that are applied consistently and fairly in accordance with good practice and equal opportunities;
- Attracting and drawing on applicants from a range of backgrounds reflecting the communities being served;
- Adhering to the legislation and guidance which governs recruitment and selection.

1.3. This procedure does not form part of the contract of employment and may be varied from time to time.

2. Scope

2.1. This policy applies to all staff including volunteers, temporary and fixed term staff, casual staff and local governors/trustees responsible for and involved in recruitment and selection.

3. Policy Statement

3.1. As a Trust 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 Trust complies fully with the code of practice and undertakes to treat all applicants for positions fairly. The Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

3.2. The Trust can only ask an individual to provide details of convictions and cautions that the Trust 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), the Trust can only ask an individual about convictions and cautions that are not protected.

3.3. The Trust is committed to the fair treatment of its' employees, potential employees, or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

3.4. The Trust's policy on the recruitment of ex-offenders, is made available to all DBS applicants at the start of the recruitment process via Endeavour Multi Academy Trust's website.

3.5. The Trust 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. The Trust selects all candidates for interview based on their skills, qualifications and experience.

3.6. 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.

3.7. The Trust ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The Trust 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.

3.8. The relevance of convictions should be judged against the following criteria:

- The seriousness of the offence and its relevance to other employees and children.
- The length of time since the offence occurred.
- Whether the offence was a one-off or part of a history of offending.
- Circumstances which led to the committing of the offence.
- Whether the applicant's personal circumstances have since changed.
- The country in which the offence occurred.
- Decriminalisation and remorse.

3.9. Candidates who are shortlisted for interview will be asked to complete a self declaration form. The self declaration form can be found in Appendix A of this policy. Anything that is disclosed in this form, can be discussed at interview. The Trust 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.

3.10. The Trust makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.

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

3.12. Not all criminal convictions will be a bar to employment. The results of a DBS check will be considered on an individual basis and the Trust will act in a proportionate manner when deciding whether or not to proceed with the appointment to the post in question. However, the protection and safeguarding of children/vulnerable adults is the Trust's primary concern.

4. Data Protection

4.1. The Trust processes information about an individual's criminal convictions in accordance with its Data Protection Policy and Privacy Notice for Job Applicants on processing special category personal data and criminal records data. In particular, data collected during recruitment is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the recruitment process. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Trust's Data Protection Policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

4.2. Once an individual is recruited, information about their criminal record gathered in the course of the vetting process will not be transferred to their personnel file.

Appendix A

Criminal records self-declaration form

As part of our duty to safeguard pupils, we need to check whether you are barred from working with children, or whether you have convictions that would make you unsuitable to work with children or in the role you've applied for.

Please complete the following form as accurately as possible.

Note: you are not required to disclose convictions or cautions that are 'protected', as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). If you're not sure whether one of your convictions is 'protected', you can [check here](#).

If you accidentally provide information about 'protected' convictions or cautions, we won't take this into account.

How we'll use this information

We'll use the information in this form to:

- Identify whether you may be ineligible for a role based on barring, a section 128 direction or childcare disqualification requirements
- Inform our conversations with you about any relevant details during the interview process

We won't use this information to make decisions about job offers.

If we offer you a position, we'll compare the information you've provided in this self-declaration with the information in your formal DBS check so that we only make decisions based on the most accurate information possible.

Name	
Role	

Self-declaration

	YES/NO
Delete this row if the role you're recruiting for isn't in regulated activity	
The role you've applied for is 'regulated activity', so is eligible for a barred list check.	
Are you barred from working in regulated activity with children (i.e., are you included on the Disclosure and Barring Service Children's Barred List)?	
Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?	

	YES/NO
Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?	
Have you committed an offence overseas which would have resulted in disqualification if it had occurred in the UK?	
<p>Delete this row if the role you're recruiting for isn't a management position</p> <p>Are you subject to a section 128 direction?</p>	
<p>Delete this row if the role you're recruiting for isn't covered by childcare disqualification requirements</p> <p>Have any orders relating to the care of children, as set out in schedule 1 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, been made in respect of you?</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> ➤ Orders disqualifying you from caring for children ➤ Orders disqualifying you from private fostering ➤ Any refusal of an application for you to be registered in relation to a children's home ➤ Care/child protection orders issued in respect of a child in your care 	
<p>Delete this row if the role you're recruiting for isn't covered by childcare disqualification requirements</p> <p>Have you been convicted of committing, or been given a caution, reprimand or warning since 6 April 2007 for, any offences set out in regulation 4 and schedules 2 and 3 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018?</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> ➤ Any offence against or involving a child ➤ Any sexual offence ➤ Any violent offence, i.e. murder, manslaughter, kidnapping, false imprisonment, actual bodily harm (ABH), or grievous bodily harm (GBH) 	
Do the police or children's social care have your name and/or information on file for any reason?	
If you answered 'yes' to any of the questions above, please provide further information.	

	YES/NO

I confirm that the information above is accurate to the best of my knowledge, and that I will make the school aware of any changes in my circumstances that may affect the answers I've provided above, or my suitability for the post.

Signed:

Date: