

Recruitment of Ex-Offenders Policy

Our Approach

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), Holy Trinity CE Primary undertakes to treat all applicants for positions fairly.

Holy Trinity CE Primary undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

DBS Checks

Holy Trinity CE Primary can only ask an individual to provide details of any relevant convictions, adult cautions or other matters that may affect their suitability to work with children that Holy Trinity CE Primary 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).

As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected (filtered) and should not be disclosed to potential employers, and Holy Trinity CE Primary will not take these offences into account.

Holy Trinity CE Primary will only ask an individual about convictions and cautions that are not protected. All applicants/employees are advised that if they are unsure whether they need to disclose criminal information, they should seek legal advice or may wish to contact NACRO or Unlock for impartial advice. There is also further information on filtering and protected offences on the Ministry of Justice website.

Nacro – <https://www.nacro.org.uk/criminal-record-support-service> or email helpline@nacro.org.uk or call 03001231999

Unlock – <http://hubunlock.org.uk/contact/> call 01634 247350 or text 07824 113848

In the event that an individual discloses information that they did not need to on their self-disclosure form, the form will be destroyed and the individual will be advised to complete a further form, ensuring they seek impartial advice prior to submitting the form.

Holy Trinity CE Primary 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 dependants, age, physical/mental disability or offending background. This policy is made available to all DBS applicants at the start of the recruitment process.

Holy Trinity CE Primary 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

Holy Trinity CE Primary selects all candidates for interview based on their skills, qualifications and experience and only ask for information about criminal convictions if an applicant is successfully shortlisted.

An application for a criminal record check is only submitted to DBS if analysis of the role 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 job adverts and job descriptions will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

Convictions

If an applicant declares a conviction as part of their recruitment process, then a measured discussion will take place on the subject of any offences or other matter that might be relevant to the position. A risk assessment will then be completed. This discussion will typically involve a HR Consultant and the Headteacher. Upon completion, the risk assessment will be retained on the individual's personnel file. Please refer to Holy Trinity CE Primary Privacy Notice and Policy on Storage and Handling DBS Certificate Information for further information.

Holy Trinity CE Primary undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

Holy Trinity CE Primary makes every subject of a criminal record check submitted to DBS aware of the existence of this policy and makes a copy available on request.