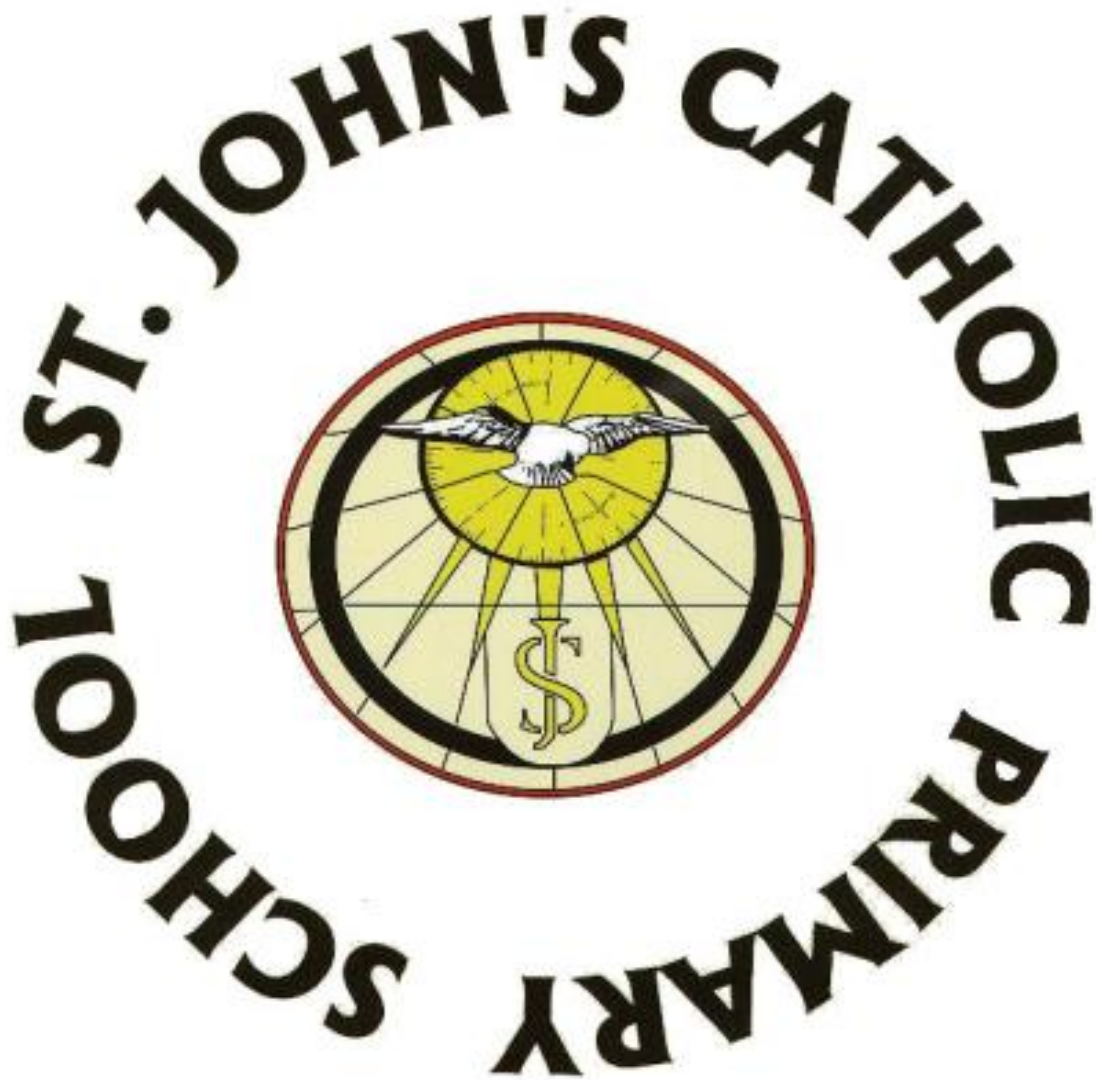




MODEL RECRUITMENT OF EX-OFFENDERS POLICY AND PROCEDURE FOR SCHOOLS

This model policy will apply to both teaching and non-teaching staff and has been agreed with the following recognised unions: NEU, NAHT, NASUWT, ASCL, Unison, Unite and GMB

November 2023

Our Mission Statement

The Mission of St. John's Catholic Primary School is to grow and learn in the footsteps of Jesus by being: responsible, caring, prayerful, creative, independent, thoughtful, curious and respectful. We live our Mission by:

- Ensuring that our attitudes and values are transmitted through a curriculum that is consistent with the Catholic faith
 - Delivering a curriculum that is relevant, varied, interesting, stimulating, balanced and appropriate
 - Developing policies and schemes of work which recognise that R.E. is an integral part of the curriculum
 - Developing sound teaching and effective classroom management
 - Generating a positive attitude to learning where realistic expectations of pupils and high standards of work are expected
 - Using a variety of teaching approaches that reflect the needs of individual pupils
 - Participating in projects which focus on the needs of others including local and international charities
- St. John's is a Catholic voluntary aided primary school, established by the Church to serve the parishes of St. John the Baptist, Trowbridge and St. Thomas Moore, Bradford-on-Avon.

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What is it?

1. This policy outlines the School's procedure for the employment of ex-offenders.

Who does it apply to?

2. All school employees and prospective employees (job applicants). The school has adopted this policy on the recruitment of ex-offenders and will make this available to all DBS applicants at the outset of the recruitment process.

When does it apply?

3. When a DBS check or a recheck is carried out for the role undertaken. The school is aware of its obligations under the Rehabilitation of Offenders Act 1974. However, all roles at the school are exempt from the provisions of this Act.

What are the main points?

4. This policy follows the DBS code of practice on the employment of ex-offenders.
5. As a school using the disclosure and barring checking service to assess applicants' suitability for positions of trust working with children, the school undertakes not to discriminate unfairly against any person who is the subject of a DBS check on the basis of a conviction or other information revealed.
6. The school is committed to the fair treatment of its staff and potential staff, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
7. The school actively promotes equality of opportunity for all applicants with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. The Headteacher (or recruiting manager) will select candidates for interview based on their skills, qualifications and experience.
8. All positions require an enhanced DBS (with barred list) check and, 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 provisionally offered the position.

- 9 Where the individual is a member of the DBS update service, the relevant body undertaking the DBS checks will ask for the applicant's permission before carrying out a status check on any current certificate.
10. All applicants shortlisted for interview will be required to complete a Criminal Record Self Declaration form, prior to attending for interview. The school is responsible for ensuring that any information disclosed by applicants regarding their criminal convictions is kept confidential and only accessed by those who require it for the purposes of the recruitment process.
11. 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.
- 12 At interview, or in a 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. In the event of employment, any such failure could result in dismissal or other disciplinary action.
13. The school undertakes to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.
14. Having a criminal record will not necessarily bar the applicant from working at the school. It will depend on the nature of the position and the circumstances and background of the offence(s).

Childcare Disqualification orders

15. There are some offences which may result in a person being subject to a disqualification order (DO).
- 16 It is an offence for such a person to apply for a post that is restricted under the DO. The school will report any such applicant to the disclosure and barring service and to the police.

Cautions and convictions that should be disclosed

- 17 All roles at a school are exempted from the Rehabilitation of Offender Act 1974 (Exceptions) Order 1975, (as amended) Applicants are required to disclose **all** convictions and cautions , (except for protected convictions or cautions)

- 18 All unspent convictions and cautions must be disclosed. In addition, spent cautions and convictions must be disclosed if they meet the circumstances described in the table below:

Disposal	Age when give/sentences	How long since given/sentenced?
Cautions for specified offence	18 or over	Any time
Cautions for non-specified offence	18 or over	Less than 6 years
Conviction for specified offence	Any age	Any time
Conviction resulting in custodial sentence	Any age	Any time
Conviction for non-specified offence	18 or over	Less than 11 years
	Under 18	Less than 5 and half years

An 'adult' is any individual aged 18 or over at the time of the caution or conviction. A 'youth' is any individual aged 18 or under at the time of the caution or conviction.

- 19 A 'specified offence' is one which is on the list of specified offences and resulted in a conviction or adult caution <https://www.gov.uk/government/publications/dbs-filtering-guidance>
20. Before disclosing information (see paragraph 10) , you can refer to guidance on the GOV.UK website <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>. You can also seek legal advice. The charities Nacro and Unlock can also be contacted for advice.

New convictions / cautions

21. It is essential to inform the Headteacher of all new convictions (and where required by regulation to any relevant professional registered bodies of which you are a member) of any police investigation, charge, caution, reprimand, fine or conviction, immediately.
22. All such disclosures will be handled in confidence but it may result in the suspension from duties of the employee whilst an investigation takes place. Refer to the disciplinary policy.

Equality Impact Assessment

23. This policy has been equality impact assessed to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Legislation

24. Rehabilitation of Offenders act 1974

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
(Amendment) Order 2013

Rehabilitation of offenders act 1974 (exceptions) Order 1975 (Amendment) Order
2020

Legal aid, sentencing and punishment of offenders act 2012

- DBS code of practice
- Safeguarding vulnerable groups act 2006
- Protection of freedoms act 2012

Further advice and information

25. If you require help in accessing or understanding this policy or completing any of the associated forms you should contact the school's Headteacher, your line manager or trade union representative, if you are a member. There are a number of related policies and procedures that you should be aware of including:

- disciplinary
- storage of disclosure information
- recruitment

This policy has been approved and adopted by the Governing Body on:

Head teacher

Signed  Date: 28/11/2023

Chair of Governors

Signed  Date: 28/11/2023

Review cycle:	Biannually
Next review due:	November 2025