



Recruitment of ex-offenders Policy

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, St. Clare's complies fully with the DBS Code of Practice and undertakes to treat fairly all applicants for positions. We undertake not to discriminate unfairly against any subject of a DBS check on the basis of convictions or other information revealed.

We are committed to the fair treatment of our staff, potential staff or users of the DBS services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical or mental disability, or offending background. A written policy on the recruitment of ex-offenders is made available to all DBS applicants at the outset of the recruitment process. We actively promote equality of opportunity for all with the right mix of talent, skills and potential, and welcome applications from a wide range of candidates. Applications from those with criminal records are also welcomed depending on the nature of the offence or offences committed. We select all candidates for interview based on their skills, knowledge, qualifications and experience.

A DBS check is requested for all candidates who are offered a position at St. Clare's and all candidates are informed of this during the recruitment process. We explain that every offer of employment is subject to a satisfactory clearance from the DBS. Application forms and recruitment briefs contain a statement that a DBS check will be requested in the event of the individual being offered the position. We encourage all applicants, when submitting an application form, to confirm whether or not they have a criminal record. We request that details of any record are sent under separate confidential cover to the HR department and this information is only seen by those who need to see it as part of the recruitment process and will not be used to select candidates for interview. Disclosures are treated as confidential and are kept in accordance with the General Data Protection Regulation (GDPR) and relevant legislation. Please refer to the GDPR Privacy Notice for Job Applicants, the Employee Privacy Notice, the Retention of Records Policy and the Handling of DBS certificate information Policy.

Under the relevant legislation, it is unlawful for the College to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the College to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the College to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009, whether by association, or otherwise.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the College. The College will report the matter to the Police and/or the DBS if:

- the College receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- the College has serious concerns about an applicant's suitability to work with children

We ensure that all those involved in recruitment have been suitably trained about the disclosure requirements. At interview, or in a separate discussion, we 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.

All disclosures are reviewed by the College's Lead Signatory and any criminal records are discussed with the Designated Safeguarding Lead and the Principal before a decision is made whether or not to proceed with the offer of employment. We discuss any matter revealed in a DBS check with the person seeking the position before continuing with or withdrawing a conditional offer of employment.

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the College will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the College's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the College's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the College's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

We make every subject of a DBS check aware of the existence of the DBS Code of Practice and a copy is available on request. St. Clare's also makes available copies of its policy on Handling of DBS Certificate Information.

Reviewed and updated by SMG – May 2018