



POLICY FOR RECRUITING EX OFFENDERS

Last Reviewed	September 2024
Reviewed by	Naomi Fearon
Reviewed by Governors:	
Governor Names:	
Next Review	September 2025

Policy for Recruiting Ex-Offenders

This policy aims to ensure compliance with all safeguarding protocols, including the statutory guidance from **Keeping Children Safe in Education (KCSIE)** and **Working Together to Safeguard Children**. When recruiting ex-offenders into roles within educational settings, the safety and welfare of children and young people are paramount. All appointments will be made in line with the school's safeguarding responsibilities.

1. Purpose

This policy outlines the school's approach to recruiting ex-offenders, ensuring that the process is transparent, consistent, and protects the welfare of children and young people in line with statutory safeguarding guidance.

2. Legal Framework

The recruitment process will comply with:

- The Rehabilitation of Offenders Act 1974
- The Safeguarding Vulnerable Groups Act 2006
- The Equality Act 2010
- Keeping Children Safe in Education (KCSIE) Guidance
- Working Together to Safeguard Children Guidance
- The Data Protection Act 2018 (GDPR)

3. Guiding Principles

1. Safeguarding is Paramount:

The protection of children and young people is the school's primary concern. No ex-offender will be appointed to a role where they pose a risk to children.

2. Rehabilitation and Employment:

The school recognizes the value of rehabilitating ex-offenders and providing opportunities for them to contribute positively to society. However, this must be balanced with safeguarding requirements.

3. Fair Consideration:

Applications from ex-offenders will be considered fairly and without discrimination, except where there are safeguarding concerns.

4. Recruitment Procedure

The following steps will be strictly adhered to during the recruitment process:

4.1 Pre-Application Stage

Job Advertisements: All job adverts will clearly state the school's commitment to safeguarding and the requirement for successful candidates to undergo enhanced DBS (Disclosure and Barring Service) checks.

Disclosure Requirements: Applicants will be informed that they are required to disclose all convictions, cautions, reprimands, and final warnings that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

4.2 Application Stage

- **Self-Disclosure:** The application form will request information about any unspent and spent convictions that are not protected. A separate confidential disclosure form may be used to gather this information.
- **Equal Opportunities Monitoring:** Information about convictions will not be used to discriminate against candidates during the initial selection process. This data will be considered separately from other application details.

4.3 Shortlisting and Interviews

- **Shortlisting:** All candidates will be shortlisted based on qualifications, skills, and experience. Disclosure of a criminal record will not automatically exclude a candidate from the shortlisting process, unless the nature of the offense makes them unsuitable for working with children.
- **Risk Assessment:** For candidates with disclosed criminal records, a formal risk assessment will be conducted to evaluate whether the nature of the offense is relevant to the role and whether it poses a safeguarding risk.
- **Interview:** If a candidate with a criminal record is shortlisted, the interview will include a discussion about the offense, including:
 - The nature of the offense and the circumstances surrounding it.
 - The relevance to the role being applied for.
 - Evidence of rehabilitation and positive change since the offense.

4.4 DBS Checks

- **Enhanced DBS Check:** All successful candidates will be subject to an enhanced DBS check, which includes a check of the Children's Barred List. Any previous convictions that are relevant will be discussed with the applicant before a final decision is made.

- **Handling of DBS Results:**

If a DBS check reveals convictions or cautions, the school will:

- Assess the nature of the conviction, the time that has passed, and its relevance to the post.
- Conduct a risk assessment and consult with the safeguarding lead before making a final decision.

5. Risk Assessment for Ex-Offenders

A formal risk assessment will be carried out if an ex-offender is being considered for a role.

The assessment will evaluate:

- The nature and seriousness of the offense.
- The time that has elapsed since the offense.
- Whether the offense was a one-time occurrence or part of a pattern.
- The age of the individual at the time of the offense.
- The ex-offender's actions since the offense, including rehabilitation efforts.
- The nature of the role applied for, including any access to children.

Based on the risk assessment, the school may:

- Offer the role with appropriate safeguards in place.
- Decline the offer if the offense is deemed incompatible with the safeguarding requirements.

6. Safeguarding and Support

If an ex-offender is appointed, the school will implement the following safeguards:

- **Induction:** The individual will receive training on the school's safeguarding policies, including KCSIE guidelines, and their role in protecting children.
- **Supervision:** The individual may be placed under additional supervision, especially in the early stages of their employment.
- **Ongoing Monitoring:** The school will monitor the employee's performance and adherence to safeguarding policies and address any concerns promptly.

7. Data Protection

All information related to criminal convictions will be treated in strict confidence, in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). It will only be shared with those involved in the recruitment process and safeguarding decisions.

8. Appeals Process

If an applicant or employee feels they have been unfairly treated or discriminated against due to their criminal record, they have the right to appeal the decision. Appeals will be handled in line with the school's grievance policy.

9. Review of Policy

This policy will be reviewed annually or when there are significant updates to safeguarding legislation and guidance.

Approved by: Naomi Fearon – Head Teacher and DSL

Date of Approval: 11/09/2024

****Next Review Date:11/09/2025**

This policy ensures compliance with safeguarding principles while allowing for fair consideration of ex-offenders, following all relevant legal and educational guidelines.