

# BHASVIC

## STAFF RECRUITMENT OF EX- OFFENDERS POLICY

**Last Updated:** NOVEMBER 2015

**Review Date:** NOVEMBER 2018



## RECRUITMENT OF EX-OFFENDERS POLICY

### 1. Policy statement

- 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), BHASVIC complies fully with the **Code of Practice** and undertakes to treat all applicants for positions fairly. We undertake not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- BHASVIC 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. Candidates will only be refused employment if it is felt that it makes them unsuitable for work involving considerable access to children (up to the age of 18) or unsuitable to do the job or role for which they have applied.

### 2. Scope of policy

- This policy applies to all staff and governors who are new to the College, including staff who are employed on a fixed term contract.

### 3. General Principles

- The College will request an Enhanced Disclosure through the Disclosure and Barring Service on all successful candidates, governors and volunteers in accordance with the College vetting and barring checks.
- The information obtained from this Disclosure will remain confidential and will only be shared with relevant members of staff in the course of the recruitment and vetting process.
- This policy on the recruitment of ex-offenders is made available to all applicants on our website at the outset of the recruitment process.
- The College 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. We will select all candidates for interview based on their skills, qualifications and experience.
- We encourage all applicants called for interview to provide details of any criminal record at an early stage in the application process. We guarantee that this information is only seen by those who need to see it as part of the recruitment process.
- The College ensures that all those who are responsible for leading on the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure 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.
- At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matters 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 or the cessation of employment.
- The College will make every subject of a criminal record check submitted to the DBS aware of the existence of the Code of Practice.
- The College will undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment or ending their employment.

Having a criminal record will not necessarily bar an applicant from working at BHASVIC. This will depend on the offence and the relevance of the offence in relation to the position applied for. The factors taken into account will include the responsibilities of the position, the level of access to students, the nature of the offence(s), the number and pattern of the offences (if there is more than one), how long ago the offence(s) occurred and the age of the

offender when the offence(s) occurred.

#### **4. Filtering of certain offences from criminal record certificates**

- On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.
- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.
- For further guidance can be found at <https://www.gov.uk/government/collections/dbs-filtering-guidance>

#### **5. Review of Policy**

- This policy will be reviewed every three years or sooner if required.

#### **6. Related policies and documents**

- Child Protection Policy
- Contract of Employment
- Data Protection Policy
- Equality and Diversity Policy
- Instrument and Articles of Government
- Race Equality Policy
- Safeguarding Policy
- Staff Recruitment and Selection Policy

October 2015