

PERSONNEL 14 – RECRUITMENT OF EX-OFFENDERS

1.0 PURPOSE

To set out how the college will meet its legal duty not to discriminate unfairly against any applicant on the basis of a conviction or other information revealed during the **application process for a post or course requiring disclosure** of offending history.

2.0 SCOPE

This Quality Code applies to all college staff, governors, volunteers and learners.

3.0 REFERENCES AND RELATED DOCUMENTATION

The Quality Code has been developed by reference to:

- DCFS: Safeguarding Children and Safer Recruitment in Education 2010
- Guidance issued by the CRB available at www.businesslink.gov.uk/crb accessed 3/8/11
- Guidance issued by the ISA available at www.isa.homeoffice.gov.uk accessed 3/8/11
- The Vetting and Barring Scheme: Home Office guidance on Safeguarding arrangements during the Scheme review period
- CRB Quality Code April 2009
- LSIS Safeguarding and Safer Recruitment guidance April 2011
- Safeguarding Vulnerable Groups Act 2006
- Police Act 1997 (section 127)
- Rehabilitation of Offenders Act 1974

This Quality Code should be read in conjunction with the following documentation:

- Safeguarding Policy
- Personnel 12 - Safer Recruitment of Staff and Volunteers Quality Code
- Personnel 13 - CRB Disclosure Quality Code
- Safeguarding 1 - Child and Vulnerable Adult Protection Quality Code

- HR & Personnel Regulations & Quality Codes

4.0 DEFINITIONS

CRB: Criminal Records Bureau: The body responsible for checking and releasing information held on the PNC, information held locally by the police, and information held by the ISA.

PNC: Police National Computer: Stores information detailing people's criminal history including spent convictions, unspent convictions, cautions, warnings, reprimands and final warnings.

ISA: Independent Safeguarding Authority: The body responsible for helping to prevent unsuitable people working with children and vulnerable adults.

Regulated Activity: Specified work with children and/or vulnerable adults that is done either paid or unpaid on a frequent (once a week or more), intensive (on 4 or more days in a single month) or overnight basis. Includes teaching, training, instructing, care, supervision, monitoring of online chat rooms, driving, IAG, and day to day management of a person carrying out regulated activities.

Controlled Activity: Work that involves frequent or intensive support activity with children and/or vulnerable adults, or that involves access to records of children and/or vulnerable adults

5.0 STATEMENT OF ACTION

Stockton Riverside College is committed to safeguarding and promoting the welfare of children and vulnerable adults and expects all staff, governors and volunteers to share this commitment. The college will help achieve this aim by:

- Using the CRB service to help assess applicants' suitability for positions of trust; Stockton Riverside College complies fully with the CRB Quality Code and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a CRB check on the basis of a conviction or other information revealed.
- Being committed to the fair treatment of its staff, governors, potential staff, volunteers and users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- Making its written policy on the recruitment of ex-offenders available to all CRB applicants at the outset of the recruitment process.

- Actively promoting equality of opportunity for all with the right mix of talent, skills and potential and welcoming applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- Only requesting a CRB check after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a CRB check is required, all application forms, job adverts and recruitment briefs will contain a statement detailing what level of CRB check will be requested in the event of the individual being offered the position or a place on the course.
- Encouraging all applicants to provide details of their criminal record at an early stage in the application process where a CRB check is to form part of the recruitment process. We request that this information is sent under separate, confidential cover, to a designated person. For staff and volunteers the designated person is the Personnel Manager. For learners the designated person is the senior manager responsible for Safeguarding. We guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- Specifying how much you will be asked to disclose. Due to the nature of the work (classed as regulated or controlled activity) undertaken by most college employees and some learners (e.g. those on childcare, health & social care and trainee teacher programmes that will involve placements working with children or vulnerable adults) we are very likely to ask questions about your entire criminal record (e.g. all information held on the PNC) as well as any information held by the ISA. Information held by both bodies will be revealed on the enhanced CRB disclosure we will ask you to apply for. If the nature of the position does not warrant this we will only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- Ensuring that all those in Stockton Riverside College who are involved in 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 and the ISA Vulnerable Groups Act 2006.
- Ensuring that at interview, or in a separate discussion, 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, volunteering opportunity or a place on the course.

- Informing the ISA if a person barred from working with children and/or vulnerable adults applies for a role classed as regulated activity as it is a serious offence to do so.
- Making every subject of a CRB check aware of the existence of the CRB Quality Code and making a copy available on request.
- Undertaking to discuss any matter revealed in a CRB check with the person seeking the position before withdrawing a conditional offer of employment or a place on the course.

Version	1	Author/ Reviewer	Liz Boynton	Validation Panel	NP, PH, LMc, SD, AMA, SE, LB, NE, VO
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Applies to Merged Organisation					