

RECRUITMENT OF EX OFFENDERS

This policy was reviewed in February 2014 And takes into account the changes made to the Rehabilitation of Offenders Act with effect from 10 March 2014. Further reviews will be in accordance with changes in legislation, statutory guidance and codes of good practice.

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 policy applies to all College staff, governors, volunteers and learners.

3.0 REFERENCES AND RELATED DOCUMENTATION

This policy has been developed with reference to:

- Guidance issued by NACRO available at www.nacro.org.uk
- HM Government: Working Together to Safeguard Children 2013
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) 2013
- S139 of the Legal Aid, Sentencing and Punishment Act 2012
- Chartered Institute of Personnel and Development: Employing Ex Offenders – a Practical Guide

This Policy should be read in conjunction with the following documentation:

- Safeguarding Policy
- Safer Recruitment and Selection of Staff and Volunteers Procedure
- Disclosure and Barring Service (DBS) Policy
- Child and Vulnerable Adult Protection Policy

4.0 STATEMENT OF ACTION

4.1. Stockton Riverside College is a further education establishment that includes working with

children under 18 and as such is an organisation that is entitled to ask exempted questions under the Rehabilitation of Offenders Act 1974 as set out in the Rehabilitation of Offenders (Exceptions) Order 1975.

4.2. As an organisation using the Disclosure and Barring Service (DBS) service to assess applicants' suitability for positions of trust, the College complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of conviction or other information received.

4.3. Stockton Riverside College 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.

4.4. This policy on the recruitment of ex-offenders is made available to all applicants at the outset of the recruitment/placement process.

4.5. 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 select all candidates for interview in accordance with the College's Safer Recruitment of Staff and Volunteers Policy.

4.6. A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a

DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

4.7. Applicants are invited to disclose details of their criminal record at an early stage in the application process. Any such information is requested to be sent under separate, confidential cover, to a designated person within the College and we guarantee that this information will only be seen by those who need to see it as part of the recruitment/placement process. The guidance relating to disclosure of details of an individual's criminal record are contained at Section 4 of the Safer Recruitment and Selection of Staff and Volunteers Procedure.

4.8. We ensure that those 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.

4.9. At interview, or in a separate discussion, the College 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/placement.

4.10. Stockton Riverside College will make every subject of a DBS check aware of the existence of the DBS policy and make a copy available on request.

4.11. The College undertakes to discuss any matter revealed in a Disclosure with the person seeking the position as part of a risk assessment procedure relevant to the duties of the post offered.

4.12. Having a criminal record will not necessarily bar anyone from working at the College or attending a student work placement. This will depend on the nature of the position and the circumstances of the offences.