



# Whitefield

Academy Trust

## Employment of ex-offenders - information for applicants

For staff whose normal duties involve carrying out work of any sort in an educational institution or day care premises and/or caring for, training, supervising or being in sole charge of children (under 18), checks are made on successful applicants' criminal records through the Disclosures and Barring Service(DBS).

DBS checks are undertaken by Strictly Education Ltd which is a Registered Body for the purposes of processing such checks The Academy and Strictly Education meet the requirements of the DBS and its Code of Practice in relation to the processing, handling and security of Disclosure information. A copy of the school's policy on the employment of ex-offender's act will be sent to short-listed applicants.

Criminal Records will be taken into account for recruitment purposes only when the conviction is relevant. Having a Criminal Record will not necessarily bar you from employment. This will depend on the background, nature and circumstances of your offence(s).

The DBS charges £54 per check and this will be paid by the school on behalf of the successful applicant.

For relevant posts, employment will not be confirmed until a satisfactory Disclosure and Barring Service Certificate has been received by the employer. A previously issued Disclosure and Barring Service Certificate will only be accepted in certain restricted circumstances and you should speak to the school if you already possess a Disclosure and Barring Service Certificate.

The post you have applied for is subject to an Enhanced Disclosure and Barring Service check.

### **POLICY STATEMENT ON RECRUITING EX-OFFENDERS AND SAFEKEEPING OF DISCLOSURES**

The policy objective of Whitefield Academy Trust on disclosure information is:

- to ensure that disclosure information is used fairly in the recruitment process to prevent discrimination against staff, volunteers, service users, potential employees and ex-offenders on the basis of conviction or other details.
- to maximise the protection for children and other vulnerable people against those who might wish to harm them.

## **GENERAL PROVISIONS ON DISCLOSURE POLICY**

### **1. Recruitment Process**

Whitefield Academy Trust will carry out risk assessments for each position and encourage managers to adopt an open mind in recruitment decisions. In making recruitment decisions our managers will:

- Assess the nature and relevance of the offence, the potential risks involved in employing the offender, and how these could be sensibly and effectively managed.
- Focus on a person's abilities, skills, experience and qualifications.
- Consider the nature of the conviction and its relevance to the job in question.
- Identify the risks to our business, customers, clients and employees.
- Recognise that having a criminal record does not always mean a lack of skills,
- Note that high-quality training, leading to qualifications is available in prison
- State the level of Disclosure applicable to any posts that requires a Disclosure
- Discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- Ensure that where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to the HR Manager and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- Only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974, unless the nature of the position allows Whitefield Academy Trust to ask questions about your entire criminal record.
- Include in application forms or accompanying materials a statement to the effect that a criminal record will not necessarily be a bar to obtaining a position. Where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

### **2. Recruitment of Ex- Offenders**

Unless the nature of the work demands it, ex-offenders will not be asked to disclose any convictions 'spent' under the Rehabilitation of Offenders Act 1974. Having an 'unspent' conviction will not necessarily bar an individual from employment. This will depend on the circumstances and background of the offence(s).

Whitefield Academy Trust meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, therefore all applicants for positions of trust who are offered employment will be subject to a criminal record check from the Criminal Records Bureau before the appointment is confirmed. This will include details of cautions, reprimands or final warnings, as well as convictions.

### **3. Declaration of Convictions**

Applicants will be actively encouraged to declare any convictions, or any other information that may be relevant, at an early stage in the recruitment process. Failure to declare a conviction, caution or bind-over may, however, disqualify an applicant from appointment, or result in summary dismissal if the discrepancy comes to light.

### **4. Training**

We ensure that all those in Whitefield Academy Trust who are involved in the recruitment process has 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.

### **5. Storage & Access**

Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Documents are kept in lockable and non-portable storage containers. Keys or combinations for such storage units are only available to named individuals. Access to rooms containing storage containers are restricted to staff engaged in recruitment work.

No photocopy or other image of the Disclosure is retained, nor is any copy of the contents made or kept. However, records will be kept of the date of a Disclosure, the name of the applicant, the type of Disclosure, the post in question, the unique number issued by the Bureau and the recruitment decision taken, as well as a written record of the names to whom disclosure information has been revealed.

## **6. Handling**

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

There may be circumstances where a recipient of Disclosure information is asked to reveal details of a Disclosure to a third party in connection with legal proceedings for example, in a case submitted to an Employment Tribunal. In such instances Whitefield Academy Trust will inform the Bureau of any such request immediately and prior to the release of any information.

## **7. Usage**

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

## **8. Retention**

Once a recruitment (or other relevant) decision has been made, Disclosure information is kept for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.

If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the CRB about this and will give full consideration to the Data Protection and Human Rights of the individual subject before doing so.

Whitefield Academy Trust will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, we will retain the top part of the Disclosure certificate as proof of having received the document once the six-month retention period has elapsed. This contains the details of the applicant along with a reference number known to the CRB, but does not contain details of any convictions.

(References in this section to Disclosures include relevant non-conviction information supplied by the police but not included on Disclosures.)

## **9. Disposal**

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

## **10. Lost Disclosures**

If Disclosure information (or information contained within the Disclosure) is lost, the Bureau will be informed immediately. The Bureau will consider whether to issue a replacement, if this is requested.

## **11. Availability of Policy**

A copy of Whitefield Academy's Policy on employing people with criminal records is included in recruitment material. We make every subject of disclosure aware of the existence of Whitefield Academy Trust's full disclosure policy and handling of disclosures and the DBS code of practice. These will be made available to staff, potential employees and service users on request.

## **12. Assurance checks**

Whitefield Academy Trust will implement internal audit checks on the disclosure process and co-operate with the DBS in respect of any compliance enquiries and related matters.