



W A T E R T O N
ACADEMY TRUST®



Recruitment of Ex-Offenders Policy

It is a legal requirement that all registered bodies and prospective employers must treat DBS applicants who have a criminal record fairly and not discriminate because of a conviction or other information revealed. It also obliges registered bodies and employers who are Regulated Activity providers (including schools) to have a written policy on the recruitment of ex-offenders, a copy of which can be given to DBS applicants at the outset of the recruitment process.

This policy statement should be read alongside our Equal Opportunities policy.

Policy Statement

- 1.** As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, Waterton Academy Trust complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. We undertake not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.
- 2.** Waterton Academy Trust 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.
- 3.** Waterton Academy Trust can only ask an individual to provide details of convictions and cautions that the Trust is legally entitled to know about and where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate, the Police Act Regulations as amended)
- 4.** The recruitment advert will contain the following wording: 'we are committed to treating all applicants fairly and have a policy on the recruitment of ex-offenders which is available to applicants on request'.
- 5.** We actively promote 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 based on their skills, qualifications and experience.
- 6.** All paid employees at Waterton Academy Trust are in regulated activity and therefore subject to checks with the DBS including the children's barred list.
- 7.** We request a DBS check for all volunteer positions. The level of DBS check will be dependent on and risk assessed against the type and frequency of activity being undertaken.

- 8.** We perform robust risk assessment and accreditation checks on all contractors. Contractors who are engaged in regular visits to our academies will be required to provide evidence of a DBS check from their own organisation.
- 9.** For those positions where a DBS check is required, job adverts will contain a statement that a DBS check will be requested in the event of the individual being offered the position. Offer letters will also clearly state that any offer of employment is subject to the receipt of an enhanced DBS check.
- 10.** We ensure that all applicants are aware of the changes to the Rehabilitation of Offenders legislation in 2013, which removed the duty on individuals to declare all spent convictions and allowed criminal history to be filtered and some minor offences to be 'protected'.
- 11.** We ask all applicants called for interview to provide details of any unprotected criminal record (UK and overseas offences) via a Trust self-disclosure form. We request that this information is sent (under separate, confidential cover) to the Chair of the interview panel at least one day prior to interview. The purpose of a self-declaration is so that candidates will have the opportunity to share relevant information and allow this to be discussed at interview. This is in line with Keeping Children Safe in Education 2021. We guarantee that this information will only be seen by those who need to see it as part of the recruitment process and will be held securely in line with GDPR. Applicants unsuccessful at interview will have their self-disclosure form securely destroyed immediately.
- 12.** We ensure that at least one panel member involved in the recruitment process has been suitably trained by means of safer recruitment. This is to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance on the relevant legislation relating to the employment of ex-offenders (e.g. the Rehabilitation of Offenders Act 1974 and its amendments in 2013) and know how to access advice and support e.g. from a registered body, the DBS, etc.
- 13.** At interview, or in a separate discussion, we 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. At interview, a fair assessment criteria is always applied.
- 14.** We make every subject of a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request.
- 15.** We agree to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment. This discussion and any subsequent risk assessment will be undertaken by a Trust led review panel. Both

the DBS check and self-disclosure form will be compared against each other to highlight any issues or discrepancies.

16. All new recruits will be required to register for the DBS update service, this will be a condition written in their conditional offer letter. Failure to do so will result in their offer of employment being withdrawn.

Document Detail			
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2	26/05/21	VC & AW	
3	June 22	V Collins	Updated to reflect a change of practice relating to when a self-declaration would be checked in the interview process