



OLD BUCKENHAM HALL

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Policy for the Recruitment of Ex-Offenders

Reviewed Feb 2013



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Policy for the Recruitment of Ex-Offenders

Policy Statement

As an organisation using the Disclosure and Barring Service (DBS) (formally CRB) to assess applicants' suitability for positions of trust, Old Buckenham Hall (the School) 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 Disclosure on the basis of a conviction or other information revealed.

Old Buckenham Hall 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.

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. We select all candidates for interview based on their skills, qualifications and experience.

Having a criminal record will not necessarily bar an applicant from working with us. This will depend on the nature of the position and the circumstances and background of the offences.

Scope of the Policy

This policy applies to all applicants who apply for a post within Old Buckenham Hall. As Education has an exemption order, which overrules the employment rights of ex offenders, as outlined in the Rehabilitation of Offenders Act 1974 i.e. applicants do not have the right to conceal information in respect of spent convictions when applying for jobs within Education. All applicants are therefore required to disclose on their application form, any information regarding spent or unspent criminal convictions, cautions, bind overs, reprimands or final warnings.

Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act was introduced to help restore the reputation of individuals who had been convicted of an offence but have since reformed and not committed any further offences.

Exceptions Order 1975

There is an Exceptions Order within the Act, which sets out when the non disclosure of an offence does not apply. The Order covers posts that involve particular risks, such as work with children or vulnerable adults, provision of health and care services and financial services. All posts at the school may have unsupervised access to vulnerable people and is therefore exempt from the provisions of the Rehabilitation of Offenders Act 1974 (Exemptions Order) 1975. Therefore, applicants are required to disclose 'spent' as well as 'unspent' convictions on their application form.

Should applicants require any additional information regarding how this act applies to their application, they should contact their local Probation Officer, Citizen Advice

Bureau, solicitor, or consult the Home Office's rehabilitation document on their website: <http://www.homeoffice.gov.uk/justice>

Disclosure Statement

To ensure that all job applicants are familiar with the School's policy of disclosure, our application form will contain a statement that will inform applicants that they are required to disclose any unspent or spent criminal convictions, cautions, bind overs, reprimands or final warnings, as part of the recruitment process.

Use of Disclosure Information

Where an applicant discloses information regarding convictions etc. on their application form, the School will ensure that this information is treated confidentially and only divulged to those who need to access it for recruitment processes i.e. interview panel members and Human Resources Department staff.

Interview panel members will hold an open discussion with candidates who disclose that they have a spent or unspent conviction, caution, bind over, reprimand or final warning at interview. The purpose of this discussion is to explore the circumstances and background to their conviction etc. and their rehabilitation, to assess their suitability for employment in the post.

Withdrawing an Offer of Employment

Where an applicant has a conviction, caution, bind over, reprimand or final warning and they fail to disclose this information on their application form, it may result in the withdrawal of an offer of employment.

The School reserves the right to withdraw an offer of employment following a DBS Disclosure Check, where it reveals a conviction, etc, which renders the appointee unsuitable to work directly or indirectly with patients / children or a finance related post.

In such circumstances, the Headmaster or Business Manager will contact the appointee to discuss the information divulged in the Disclosure Check and explain why the offer of employment is being withdrawn.

In accordance with the Rehabilitation of Offenders Act (1974) Exception Order, all applicants are required to disclose information in respect of unspent and spent convictions, cautions, reprimands and final warnings on their application form. Where applicants fail to disclose this information and it is later found that they have a conviction, etc. it may result in disciplinary action, which may include dismissal.

Equality

The School recognises the diversity of those in its employ. The School's aim is therefore to provide a safe environment free from discrimination and a place where all individuals are treated fairly, with dignity and appropriately to their need.

All candidates short listed for interview will be selected on the basis of their qualifications, experience, skills, knowledge and personal qualities as specified in the post's job description/person specification. The declaration of a conviction etc. will not necessarily prevent applicants from being short listed for interview or appointed to

posts within the School. Conviction information will only be considered, to determine the candidate's suitability in respect of the post applied for.

Monitoring and Review

The application of this policy will be monitored by the Business Manager, on an ongoing basis in conjunction with the Recruitment and Selection Procedures to ensure the School is compliant with all relevant bodies.

This policy will be reviewed every 3 years by the Business Manager. Earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation or guidance.

Anne-marie Shropshire
Business Manager

~~Reviewed Nov 2011~~
Reviewed Feb 2013