

### Policy/Procedure/Guideline Review

<b>Policy/Procedure / Guideline:</b>	Recruitment of Ex-Offenders Policy Statement
<b>Senior Manager Responsible:</b>	Assistant Principal – Finance and HR
<b>Author:</b>	Director of HR
<b>Approved By:</b>	Board
<b>Date Approved:</b>	15 October 2024
<b>Next Review Date:</b>	15 October 2027
<b>Publication:</b>	Staff Hub
<b>Changes Made:</b>	<ul style="list-style-type: none"> <li>• Addition of the risk assessment template for DBS disclosures as Appendix 1</li> <li>• Reference to Disciplinary Policy where a DBS disclosure is for an existing member of staff and may have implications for their ongoing employment at the College.</li> <li>• General tidying up policy format and language</li> </ul>

## Recruitment of Ex-Offenders Policy Statement

1. As an organisation using the Disclosure and Barring Service to assess applicants' suitability for positions of trust, Nelson and Colne College Group complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. The College undertakes not to discriminate against any subject of a disclosure on the basis of a conviction or other information revealed.
2. This written policy on the employment of ex-offenders is available to all disclosure applicants on the College website and the Staff Hub.
3. Nelson and Colne Group actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes 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.
4. As the College is considered a "specified place", whereby all staff have the opportunity for regular contact with children (and, depending on their role, potentially with vulnerable adults), enhanced DBS disclosures are requested for all positions at the College. All application forms, job adverts and recruitment campaigns will contain a statement that an enhanced DBS check will be requested in the event of the individual being offered the position.
5. We encourage all applicants to provide details of their criminal record at an early stage in the recruitment process. This information is held confidentially by HR and will only be considered if the applicant is identified as the most appointable candidate at the end of the selection process.
6. We will ensure that Human Resources staff, who are involved in recruitment processes, 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, including the Rehabilitation of Offenders Act 1974.
7. Throughout the recruitment and selection process, applicants will be encouraged to declare convictions in the confidence that such declarations will be managed sensitively and confidentially. Failure to reveal information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment or a dismissal at a later date.
8. Every subject of a DBS disclosure will be made aware of the existence of the DBS Code of Practice, a copy of which is available on request.
9. Having a criminal record will not necessarily bar an applicant for an employment opportunity. This will depend on the nature of the position and the circumstances and background of the offence(s).
10. The College undertakes to discuss any matter revealed on a DBS certificate with the individual seeking employment (or existing member of staff) to assess the relevance of an applicant's criminal record. To do this, consideration will be given to the duties and responsibilities of the post they have been offered, alongside the nature of any offence(s). This may include, but is not limited to:
  - The level of contact with children (under 18) or vulnerable adults
  - The level of close supervision the individual will receive
  - The responsibility for money or items of value
  - The seriousness of the offence
  - The length of time since the offence was committed
  - The pattern or number of offences where there are multiple
  - Whether the applicant's circumstances have changed.

This information will be documented on the risk assessment form (Appendix 1) and reviewed and approved by the Director of HR, before being stored on the individual's employee file. Where the offence(s) detailed on a DBS disclosure bring in to question the individual's suitability to work with children and/or vulnerable adults, the Director of HR will liaise as appropriate with the Designated Safeguarding Lead (DSL), or delegated deputy before signing off the risk assessment.

With this full information, a decision will be made as to whether to continue with the offer of employment (or where it relates to an existing member of staff, whether there are implications for their ongoing employment at the College, which would be managed via the Disciplinary Policy where necessary).

11. Other relevant policies:

- Recruitment and Selection Policy
- DBS Policy
- Disciplinary Policy

Appendix 1

## Risk Assessment – DBS Disclosure

Private & Confidential

**Details:**

<b>Employee Name:</b>			
<b>Date of Birth:</b>			
<b>Start Date:</b>			
<b>Staff Number:</b>			
<b>Job Title:</b>			
<b>Department:</b>			
<b>Manager:</b>			
<b>Role Type:</b>	Established	PTHP/Casual	
<b>DBS Number:</b>			
<b>DBS Issue Date:</b>			
<b>Barred List Check Completed:</b>			

**Further Information:**

<b>Working with:</b>	Children aged: 0-15 years	Children aged: 16-19 years	Vulnerable adults
<b>Was the conviction/ warning/ caution previously disclosed on the original application for the post?</b>			YES / NO
<b>Is the risk assessment a result of the employee contacting HR to advise of a new conviction/ warning/ caution?</b>			YES / NO
<b>Date of conviction:</b>			
<b>Is it a spent conviction?</b>		YES / NO	

**Employee Summary of the Case:**

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**HR Recommendations from Findings:**

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**Actions Attached in Relation to Findings:**

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**Risk to the Organisation:**

High

Moderate

Low

Comments:

Completed by:

Signature:

Position:

Date:

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Approved

Not Approved

If not approved, please explain why:

Signature:  
(Director of HR)

Date: