



ANGLIAN LEARNING

*Dynamic, empowered learners who thrive and lead in  
their communities: locally, nationally and globally*

## RECRUITMENT OF EX-OFFENDERS POLICY

THIS POLICY WAS APPROVED:	AUTUMN 2021
POLICY VERSION:	1.0
THIS POLICY WILL BE REVIEWED:	AUTUMN 2024
MEMBER OF STAFF WITH RESPONSIBILITY FOR REVIEW:	DIRECTOR OF HR
THIS POLICY WAS CONSULTED WITH:	
THIS POLICY WAS DISTRIBUTED TO:	HTS, HR MANAGERS

## 1.0 Purpose

- 1.1 Anglian Learning is committed to equality of opportunity in employment. This policy outlines Anglian Learning's approach to the recruitment of ex-offenders.

## 2.0 Introduction

- 2.1 Candidates are assessed on their skills, experience and qualifications for the job role and criminal convictions will not be relied on as immediate grounds for refusal of employment.
- 2.2 Anglian Learning meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020), which requires applicants to disclose convictions and cautions except those which are 'protected' under Police Act 1997 – Part V and the amendments to the Exceptions Order 1975 (2013 and 2020). Guidance on the filtering of 'protected' cautions and convictions which do not need to be disclosed by a job applicant can be found on the [Ministry of Justice website](#).
- 2.3 A DBS check will therefore be carried out before appointment to any job within Anglian Learning is confirmed. This will include details of convictions and cautions (excluding youth cautions, reprimands or warnings) that are not 'protected' as defined by the Ministry of Justice. A criminal record will not necessarily be a bar to obtaining a position.
- 2.4 As an organisation which uses the Disclosure and Barring service, Anglian Learning complies fully with the [DBS Code of Practice](#) and undertakes not to discriminate unfairly against any subject of a Disclosure based on conviction or other information revealed. Anglian Learning is committed to the fair treatment of applicants on all protected grounds and in relation to all history of offending.
- 2.5 Staff employed by the Trust who are involved in the recruitment process have access to professional advice to identify and assess the relevance and circumstances of offences. They also will have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

## 3.0 Advertising Vacancies

- 3.1 When advertising roles the advert will specifically state the amount of contact with children and that the role is exempt from the Rehabilitation of Offenders Act.
- 3.2 All advertisements will contain the following text:

***Anglian Learning are committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and we expect all staff to share this commitment and undergo appropriate checks. Therefore, all posts within the Trust are subject to an enhanced Disclosure and Barring Services check. The Trust welcomes applications from all, irrespective of gender, marital status, disability, race, age or sexual orientation.***

3.3 Schools will provide a copy of their child protection policy on their website and the policy on employment of ex-offenders can be found on the Anglian Learning website. As part of the application pack for the post, details of the relevant document locations will be referenced.

#### **4.0 Application**

4.1 Application forms and recruitment documents will contain a statement that job applicants will be required to disclose “unspent” convictions if they are invited to interview and that a DBS check will be carried out if they are offered the job. Any disclosed information regarding a person’s criminal record will only be seen by those who need to see it as part of the recruitment process.

#### **5.0 Interview**

5.1 At interview, or in a separate discussion, Anglian Learning will ensure that an open and measured discussion takes place on the subject of any disclosed offences or other matters that might be relevant to the position.

5.2 If the nature of the offence is relevant to the role being applied for, the suitability of the candidate will be considered. In these circumstances, Anglian Learning reserves the right to refuse to offer employment to the candidate.

5.3 Failure to reveal information that is directly relevant to the job sought could lead to withdrawal of an offer of employment.

#### **6.0 Factors taken into consideration**

6.1 In order to assess whether a criminal record is relevant to the role, the convictions disclosed will be assessed in line with the duties of the role and how the work is carried out. Factors that should be considered, but are not limited to:

- whether the offence is relevant to the position in question
- the seriousness of any offence
- the type of offence or offences the applicant committed
- the circumstances and the explanation offered by the applicant
- the length of time that has passed since the offence took place
- whether the applicant’s circumstances have changed since the offending took place.

#### **7.0 Data protection**

7.1 The provisions of the Data Protection Act will be fully complied with when carrying out this process.