



Employment Policy – EP5

Recruitment of Ex-offenders

Review Period: Annual

Staff Responsibility: Headmaster, School Business Manager/Deputy Head (Pastoral)

- 5.1 As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Windermere 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.
- 5.2 Windermere School has a written policy on the Recruitment of Ex-offenders which is made available to all DBS applicants at the outset of the recruitment process.
- 5.3 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.
- 5.4 All positions of employment at the School require an Enhanced Disclosure. All application forms and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- 5.5 We can only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. We encourage applicants called for interview to provide details of any convictions and cautions that are not protected at an early stage in the application process by using the Self Declaration form. We request that this information is returned in a separate sealed envelope, addressed to the Headmaster and marked 'Confidential' and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process and only if an applicant is shortlisted.
- 5.6 The School will assess whether a disclosed offence makes an individual, in its opinion, unsuitable to work with or to have regular contact with children. There are no hard and fast rules when assessing suitability for employment in relation to offences. As an example, it is probable that any offences of a sexual, violent or drug-related nature will debar applicants from employment, whereas others may not, particularly when factors such as type of employment and the period that has elapsed since an offence are taken into account.
- 5.7 The School ensures that all employees who fall within the relevant categories of staff defined in the Department for Education's statutory guidance on *Disqualification under the Childcare Act 2006* are made aware of the legislation, including that they may be

disqualified “by association” under regulation 9 of the 2009 Regulations where they live in the same household as a disqualified person or in a household in which a disqualified person is employed.

- 5.8 We ensure that all those in Windermere School who are involved in the recruitment process 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, eg the Rehabilitation of Offenders Act 1974.
- 5.9 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.
- 5.10 We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.
- 5.11 We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- 5.12 **Having a criminal record will not necessarily bar applicants from working with the School.** This will depend on the nature of the position and the circumstances and background of any offences.

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