

# **Statement on the Recruitment of Ex-Offenders**

<b>Date of Review:</b>	<b>July 2021</b>
<b>Approved by:</b>	<b>Trust Board</b>
<b>Next Review Date:</b>	<b>July 2022</b>

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. Registered Bodies and employers who are Regulated Activity Providers (including schools) are obliged to have a written policy on the recruitment of ex-offenders, which is available to DBS applicants at the outset of the recruitment process.

### **Policy Statement**

1. UTC Leeds is committed to using the Disclosure and Barring Service (DBS) along with the Regulatory System to assess applicants' suitability for all positions of trust, we comply fully with the DBS Code of Practice to undertake to treat all applicants for positions fairly. We do not discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
2. We are committed to the fair treatment of our staff, potential staff or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
3. This written statement, on the recruitment of ex-offenders, is made available to all Disclosure applicants at the outset of the recruitment process.
4. 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. As a Regulated Activity Provider (RAP) all paid employees of UTC Leeds are in regulated activity and therefore subject to enhanced DBS checks.
6. An Enhanced DBS Disclosure is also always undertaken for Trustees, Staff, Supply staff, Student trainees, Contractors, Governors and Regular volunteers who work or support within UTC Leeds.
7. We check all qualified teachers against the Prohibition from Teaching List (DfE Secretary of State requirement September 2013), including those who may not be employed as a teacher in a student facing role where applicable. We undertake checks for management positions (including the Chair of the Trust) in line with the Prohibition from Management List (Section 128) to ensure staff/Trustees/Governors are suitable for management positions. We also undertake the European Economic Area (EEA) Teacher Sanctions and Restrictions checks for individuals who may have either lived or worked outside the UK.

8. For those positions where a DBS check, Prohibition Order, Section 128 and EEA check are required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.
9. For any other individuals where this is a requirement they will be informed prior to working/supporting within UTC Leeds.
10. All job applicants are asked to disclose all spent and unspent convictions, cautions, reprimands and final warnings that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (as amended in 2013). Guidance and criteria on the filtering of these cautions and convictions can be found using the following link. <https://www.gov.uk/government/publications/dbs-filtering-guidance>
11. All job applicants are also asked to disclose and details of any police enquiries undertaken following allegations against them which may have a bearing on their suitability for this post that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (as amended in 2013).
12. We request that this information is sent in a separate sealed envelope submitted with the completed application, marked for the attention of the Principal. This information will be confidential and only shown to those who need to see it as part of the recruitment process. Disclosed information will only be considered for shortlisted applicants. Disclosures for applicants that are not shortlisted will be confidentially destroyed and will not be considered during the recruitment process.
13. The HR Manager who oversees the recruitment process and provides advice and guidance to our Recruitment Panels has been suitably trained to identify and assess the relevance and circumstances of offences and is aware of all the relevant legislation relating to the employment of ex-offenders.
14. Candidates will have the opportunity for an open and measured discussion on the subject of any offences or other matter that might be relevant to the position with a member of the HR team. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or disciplinary action which could result in dismissal.
15. All employees have a duty to advise their Principal and the HR Manager of any Police enquiries regarding any concerns/allegations which have been made against them at the point which they are made aware. This is referenced within the Personal and Professional Conduct of Staff Policy.
16. Where a candidate/employee/adult has committed an offence, received a caution, or be the subject of a Police investigation, following a discussion, a risk assessment is undertaken by HR to determine whether or not their actions pose a risk to children, young people or UTC Leeds as a whole. Once a decision has been made the

individual and the Principal will be informed of the outcome. A written copy of the risk assessment, where applicable, is held confidentially on file.

17. All staff employed by UTC Leeds are made aware of the policies and procedures in line with their responsibilities to support their work with Children and Young People across the Trust e.g. Personal and Professional Conduct of Staff and Safe Working Practice Policies.
18. Trustees, Staff, Student trainees, Supply Staff, Contractors, Governors and Regular volunteers who work or support within UTC Leeds, are made aware of the existence of the DBS Code of Practice, Working Together to Safeguard Children, Keeping Children Safe in Education statutory guidance and their statutory responsibilities within them.
19. For any supply staff, contractors on site and/or other agency workers who may attend our academies we will ensure that an Enhanced DBS check has been carried out. We will also record an identity check and ensure we have written confirmation from their organisation that demonstrates they have undertaken the relevant checks and obtained the appropriate certificates and the date they were received.
20. We make every subject of a DBS check aware of the existence of the Code of Practice [www.gov.uk/government/publications/dbs-code-of-practice](http://www.gov.uk/government/publications/dbs-code-of-practice) and make a hard copy available on request.
21. We undertake to ensure that any matter revealed in a DBS Disclosure or Prohibition Order is discussed with the person seeking the position and risk assessed before withdrawing a conditional offer of employment.
22. Having a criminal record will not necessarily bar candidates from working for us. This will depend on the nature of the position and the circumstances and background of the offences.