



Recruitment of Ex-offenders Policy

1. Introduction and Scope

- 1.1 Chichester College Group (CCG) is committed to the fair treatment of staff and job applicants, in accordance with the Group's Equality, Diversity and Inclusion policy, and welcomes applications from a wide range of candidates, including those with criminal records.
- 1.2 To meet our safeguarding obligations, an enhanced Disclosure and Barring Service (DBS) check (which may include a check of the barred lists), including any relevant overseas checks, is undertaken as part of the recruitment process for all new staff.
- 1.3 Anyone who is employed to provide childcare to children who have not attained the age of eight, or who will be directly concerned in the management of that childcare, will be required to sign a disqualification self-declaration form to confirm that they have not been disqualified from this type of work, in accordance with the Childcare Act 2006.
- 1.4 In line with the Keeping Children Safe in Education guidelines, Human Resources will undertake online searches using Google for all successful candidates and may undertake these searches for shortlisted candidates if deemed necessary. If anything of concern is flagged on these searches, the Human Resources Manager will ensure that a confidential and measured discussion takes place on the subject of any concerns that may be relevant to the position.
- 1.5 In line with the Keeping Children Safe in Education guidelines, shortlisted candidates will be sent a link to a self-declaration form, which asks candidates to disclose any further information regarding any previous criminal record or information which would make them unsuitable to work with children. The self-declaration must be completed prior to the scheduled interview date.
- 1.6 CCG complies fully with the DBS Code of Practice and undertakes to treat all applicants fairly. CCG will not discriminate unfairly against any individual on the basis of a conviction or other information revealed.



- 1.7 This policy applies to all applicants applying for either paid employment or volunteering at the Group and is made available to all applicants at the outset of the recruitment process.
- 1.8 It is a criminal offence for a barred individual to apply for a role which is classed as regulated activity (i.e. involves working with children and/or adults at risk).

2. Related Policies

- 2.1 This policy should be read in conjunction with the Recruitment and Selection policy, Disclosure and Barring Service policy, Equality, Diversity and Inclusion policy and Employee Data policy.

3. Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975

- 3.1 As CCG is an educational provider, it is permitted to ask whether an applicant has any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974, and/or whether they have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020.

4. Principles

- 4.1 CCG actively promotes equality of opportunity for all, and selects all candidates for interview on the basis of their skills, qualifications and experience.
- 4.2 Job adverts, job descriptions and the Group websites contain a statement that a Disclosure will be requested in the event of the individual being offered the position, so that applicants are aware.
- 4.3 The Group websites contain a statement to the effect that a criminal record will not necessarily bar an individual from being offered a position. This will depend on the nature of the position and the circumstances and background of the offence(s).



4.4 As a Disclosure may form part of the recruitment process, shortlisted candidates are required to provide full details, including the context of any criminal record prior to the scheduled interview. The Group requests that this information is sent confidentially to the Human Resources Manager, and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process. (Refer to Annex A for the procedure for dealing with a disclosure).

4.5 Where appropriate, the Human Resources Manager will ensure that a confidential and measured discussion takes place on the subject of any offences, or other matters that may be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment, or the termination of employment if employment has already started.

5. Confidentiality and Data Security

5.1 Disclosure information will only be passed to those authorised to see it and will be considered only for the purpose for which it was obtained. CCG will not keep any photocopy or other image of the Disclosure, or any representation of the contents of a Disclosure without consent from the individual, in line with the DBS Code of Practice. For more information, please refer to the Employee Data policy.

5.2 Applicants who have resided outside the UK for a continuous period of 6 months or more within the last 5 years, may be required to complete a consent form, agreeing for Human Resources to release personal information to a third party to obtain an overseas criminal records check.

6. DBS Code of Practice

6.1 CCG undertakes to make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and will make a copy available on request. The Code of Practice can also be downloaded from the Group and DBS web-sites.



7. Status of this policy

- 7.1 The operation of this procedure will be kept under review by the Director of Human Resources. It may be reviewed and varied from time to time by the Resources Committee. It has been equality impact assessed to ensure that it does not adversely affect staff. If you would like to review this policy in a different format please contact Human Resources.

Date reviewed: September 2023

Next review date: September 2025



Annex A

Procedure for responding to a disclosure

- Shortlisted candidates who have a criminal record, including convictions, cautions, reprimands and final warnings, which would not be filtered in line with current guidance must provide full details including the context of the offences. This information must be sent to the Human Resources Manager prior to the scheduled interview and marked as confidential.
- The Human Resources Manager, or an appropriate representative from Human Resources, will assess the information based on:
 - Whether the post involves one-to-one contact with children, students or visitors;
 - whether the post involves any direct responsibility for finance or cash handling;
 - the level of supervision the post-holder will receive;
 - the seriousness and relevance of the offence history;
 - whether the offence(s) suggest any safety implications to staff, students or property;
 - the length of time since the offence(s);
 - the age of the applicant at the time;
 - the background to the conviction;
 - any changes to the applicant's circumstances since the offence was committed;
 - whether the offence has been decriminalised or, where the conviction is committed abroad or in Scotland, whether the action would constitute a crime within England and Wales;
 - any relevant information provided by the applicant relating to the offence (e.g. domestic issues, financial difficulties, etc.).
- In exceptional circumstances, where the offence is considered serious enough to bar an individual from employment in the post for which they have applied (for example, the applicant is found to be on the Vetting and Barred List) the Human Resources Manager or an appropriate representative will inform them that CCG will be unable to take their application further.



- Where further information is required, the Human Resources Manager will contact the applicant directly and, where necessary arrange to meet with the applicant to discuss the relevant conviction.
- Where the information is not considered serious enough to bar an individual from employment in that role, their application will continue through the selection process and will be assessed on the relevant knowledge, skills, qualifications and experience for the role.
- Where the recruitment panel wish to appoint an individual who has provided details of a criminal record, Human Resources will decide whether any further action should be taken.
- As with all new members of staff, CCG will obtain an enhanced Disclosure and Barring Service check (which may include a check of the barred lists), including any relevant overseas checks once the applicant has been appointed. All offers of appointment are conditional and are subject to the relevant employment checks, which will include a DBS check and an overseas check, if applicable.
- Where information is received from the DBS that has not been provided, or contradicts the information provided by the applicant, CCG will arrange to meet with the new appointee to discuss the information received.
- Failure to provide information or intentionally providing inaccurate information could result in CCG withdrawing the offer of employment. The final decision will be made by a member of the Group Leadership Team.
- Should a member of staff receive a caution or conviction following the issue of their contract of employment, they are contractually obliged to submit details of the offence to the Human Resources Manager immediately.