

# Policy on the Employment of Ex-Offenders



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Please note:

- The version of this document published on the HR Intranet Site should be considered as the current and correct version.
- This policy and procedure(s) does not form part of an employees' contract of employment unless indicated in section 2.

## Policy on the employment of ex-offenders

- 1.1 Worth School and Worth Abbey, (hereafter referred to as “Worth”) will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. Worth makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar them from employment within Worth. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.
- 1.2 All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.
- 1.3 Under the relevant legislation, it is unlawful for Worth to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for Worth to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.
- 1.4 It is also unlawful for Worth to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)”.
- 1.5 It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within Worth. Worth will report the matter to the Police and/or the DBS if:
  - Worth receives an application from a disqualified person;
  - is provided with false information in, or in support of, an applicant's application; or
  - Worth has serious concerns about an applicant's suitability to work with children.
- 1.5 In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, Worth will consider the following factors before reaching a recruitment decision:
  - whether the conviction or other matter revealed is relevant to the position in question;
  - whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
  - the seriousness of any offence or other matter revealed;
  - the length of time since the offence or other matter occurred;
  - whether the applicant has a pattern of offending behaviour or other relevant matters;

- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- 1.6 If the post involves regular contact with children, it is Worth's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.
  - 1.7 If the post involves access to money or budget responsibility, it is Worth's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.
  - 1.8 If the post involves some driving responsibilities, it is Worth's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

