



## BARNARD CASTLE SCHOOL

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

This is a whole school policy and is published to prospective applicants for employment and volunteering.

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<b>Action</b>	<b>Responsibility</b>	<b>Date</b>
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The School will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. **If an individual has a criminal record this will not automatically bar him/her from employment within the School.** Instead, each case will be decided on its merits, the nature of the position applied for and the circumstances and background of the offence.

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.

### **Recruitment of ex-offenders**

Under the relevant legislation, it is unlawful for the School 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 the School 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.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the Police and/or the DBS if:

- The School receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- The School has serious concerns about an applicant's suitability to work with children

The School requires all applicants to provide details of any criminal record in confidence, in writing to the Headmaster or Bursar before interview.

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, the School will consider the following factors before reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question;
- 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;
- In the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the School'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.

If the post involves access to money or budget responsibility, it is the School'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.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

### **Disqualification by association**

It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009, whether by association, or otherwise.

Keeping Children Safe in Education requires the school to ensure that adults working with or supervising children under the age of eight outside teaching hours, or managing the supervision of children under the age of eight are not living in a household with someone who could be a danger to children.

Only those affected will need to sign a declaration to this effect and confirm that you have not been prevented from working with children because of past convictions or local authority orders. If there is a possibility that you will not be able to sign this declaration you must inform a senior member of staff (Bursar or Headmaster) who will be able to advise you about the next steps you need to take.

You will be required to confirm that you have not

- been barred from working with children i.e. included on the Children's Barred List
- been cautioned for, convicted of or charged with a violent and sexual criminal offence against children or adults, at home or abroad
- been issued with an order against me relating to my care of children
- had my registration cancelled in relation to childcare or children's homes or have been disqualified from private fostering

**And that you do not, to your knowledge, live in the same household as anyone to whom those categories apply.**

Should your living arrangements change so that you were living with someone to whom the above applied, you would need to inform the school about the change.