

## **POLICY ON THE EMPLOYMENT OF PEOPLE WITH CRIMINAL CONVICTIONS IN EDUCATIONAL ESTABLISHMENTS/SERVICES**

1. The Authority or Governing Body, in the aim to promote equality of opportunity for all their employees and potential employees in Educational Establishments/Services, will consider individuals who have a criminal conviction for employment and promotion.
2. Individuals will be subject to the level of Criminal Records Bureau (CRB) Disclosure as recommended by Children's Services.
3. Job descriptions and person specifications for posts will clearly state the level of Disclosure check necessary. Application forms will also include the relevant advice to the applicant concerning the requirements relating to 'spent' convictions under the Rehabilitation of Offenders Act, 1974.
4. All applicants will be judged on merit in relation to the selection criteria identified on the person specification for the post. Having 'spent' or 'unspent' convictions will not necessarily bar an individual from employment; this will depend on the relevance and circumstances relating to the offence(s).
5. Individuals who declare a criminal conviction on their Disclosure Application Form will be given an opportunity, if selected for appointment, to discuss the matter with an approved Disclosure Officer (Counter Signatory) from Children's Services.
6. All posts requiring a CRB Disclosure will be offered subject to the receipt of a verification of the individual's criminal record and other Disclosure information, which is satisfactory to Children's Services approved Disclosure Officer (Counter Signatory). Disclosure information will be considered on the following basis:
  - whether the conviction or 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 matter occurred;
  - whether the applicant has a pattern of offending behaviour or other relevant matters;
  - whether the the applicant's circumstances have changed since the offending behaviour or other relevant matters occurred.

7. In accordance with the Police Act 1997, unauthorised Disclosure of any information revealed in a Standard or Enhanced Disclosure is a criminal offence. However, the Act provides for information to be passed on in certain circumstances. When arranging a check for a school, the Disclosure Officer for Children's Services may pass the information to the body ie. members who need to know it for the purposes of their duties.
8. If there are any discrepancies between the information provided by an individual and the results of the CRB Disclosure check, the individual will be given the opportunity to discuss these with a Children's Services approved Disclosure Officer, before he/she makes a final recommendation to the Governing Body on the suitability, where the appointment relates to a post in a school. In such cases, the Governing Body will consider this recommendation in deciding whether to withdraw the offer of employment.
9. All reasonable attempts will be made by the Disclosure Officer for Children's Services to resolve any discrepancy. However, if it is not possible to resolve the discrepancy by discussion, the Authority or Governing Body will reserve the right to make a decision on whether to withdraw the offer of employment. Individuals will be advised to use the Criminal Records Bureau Appeals procedure if they believe the information is incorrect.
10. All information obtained by a Disclosure check will be treated confidentially and will be revealed to a Children's Services approved Disclosure Officer who may pass the information to the Governing Body, in appropriate circumstances.
11. Governors, Head Teachers and other senior managers in schools involved in the recruitment of employees will be encouraged to undertake recruitment and selection training, which will incorporate reference to this policy.

Managers involved in the recruitment of employees to other Educational Establishments and Services will be expected to attend appropriate training and are advised to follow the Authority's procedures relating to recruitment and selection.