

## **Statement on the recruitment of ex-offenders**

### **Scope**

This statement applies to all applicants applying for jobs at the college and is made available to all applicants at the outset of the recruitment process.

### **Introduction**

Cambridge Regional College is committed to safeguarding and promoting the wellbeing of its students and staff. The college ensures that all relevant procedures and recommendations set out by Cambridgeshire & Peterborough Adults & Children Safeguarding Boards are followed, and all safeguarding legislation and guidance is adhered to.

To meet these obligations, a disclosure and barring service (DBS) enhanced disclosure is undertaken as part of the recruitment process for all new staff, once they have been offered a role with the college.

As an organisation using the DBS disclosure service to assess applicants' suitability for all positions, Cambridge Regional College complies fully with the DBS code of practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.

Cambridge Regional College is committed to the fair treatment of its staff and potential staff regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability, or offending background.

### **Rehabilitation of Offenders Act 1974**

As Cambridge Regional College is an educational establishment, it is permitted to ask questions about an applicant's entire criminal records, including 'spent' convictions, as defined by the Rehabilitation of Offenders Act 1974.

### **Principles**

The college actively promotes equality of opportunity for all with the right mix of talent, skills, and potential. The college selects candidates for interview on the basis of their skills, qualifications, and experience.

Application forms, job adverts and job descriptions will contain a statement that a disclosure will be requested in the event of the individual being offered the position, so that applicants are aware.

As a disclosure forms part of the recruitment process, applicants are encouraged to provide details of a criminal record at an early stage in the application process. We request that this information is included on the application form, and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

The college ensure that all those involved in this process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.

At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of 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.

The college undertakes to discuss any matter revealed in a disclosure with the person concerned before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar an individual from working at the college. This will depend on the nature of the position and the circumstances and background of the offences.

### **Secure storage, handling, use, retention and disposal**

Cambridge Regional College complies fully with the DBS code of practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information. It also fully complies with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention, and disposal of disclosure information.

Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

In accordance with section 124 of the Police Act 1977, disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom disclosures or disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Once a recruitment (or other relevant) decision has been made, we do not keep disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep disclosure information for more than six months, we will consult the DBS about this and will give full consideration to data protection and human rights before doing this. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Once the retention period has elapsed, we will ensure that any disclosure information is immediately suitably destroyed by secure means. While awaiting destruction, disclosure information will not be kept in any insecure receptacle. We will not keep any photocopy or other image of the disclosure or any copy of representation of the contents of the disclosure. However, notwithstanding the above, we keep a record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and details of the recruitment decision taken.

## **Process for dealing with a disclosure**

Applicants who have a criminal record, including cautions, reprimands, warning and convictions must provide details of the offences, including dates on the application form when applying for a post. This will only be seen by the human resources department and will remain confidential.

The human resources department will assess the information based on:

- Whether the post involves one-to-one contact with children, students, or visitors.
- Whether the post involved 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 suggests 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 applicants' circumstances since the offence was committed.
- Whether the offence had been decriminalised or, where a 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 sex offenders register) the human resources department will write to the applicant to inform them that the college will be unable to take the application further.

Where further information is required, a member of the human resources department 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 be assessed on the relevant knowledge, skills, qualifications, and experience for the role and where an applicant is successful in being selected for interview they will be assessed on the same criteria.

Where the 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.

All offers of appointment are made subject to the relevant employment checks, which include a DBS check.

Where information is received from the DBS that has not been provided, or contradicts information provided by the applicant, the college will arrange to meet with the new appointee to discuss the information received.

Failure to provide information or providing inaccurate information could result in the college withdrawing the offer of employment. The final decision will be made by the Principal.

**Should an employee receive a conviction during the course of their employment, they are obliged to submit details of the offence to the human resources department as soon as possible.**