



National Star

Realising the aspirations
of people with disabilities

National Star College Policy – Recruitment of Ex-Offenders Policy

Senior Manager Responsible	Head of Human Resources
Superseded Documents	
Associated Documents	Safeguarding Policy, Equality and Diversity Policy, Secure Storage, Handling, Use, Retention and Disposal of Disclosures Policy and Disclosure Information Policy

Impact Assessment			
Name	Comments	Date	

Authorisation	Authorisation Date
S Parsons (Chair of Trustees)	16.12.13

Review Date	Name	Comments
September 2013		

Resubmission Date	Name	Comments
September 2016		

1. Introduction

1.1 Background and legal framework

National Star College regards the protection of its learners, who may be children and vulnerable adults, as a priority and is committed to safeguarding these groups. As part of this responsibility National Star is a registered body with the Disclosure and Barring Service (DBS).

The DBS provides a checking service to help assess applicants' suitability for positions of trust. This service will be used for all roles due to the potentially vulnerable nature of those who access our various services. Safer recruitment practices are a requirement for Care Quality Commission and Ofsted compliance.

Rehabilitation of Offenders Act 1974.

1.2 Purpose

As a registered body with the DBS, National Star must comply with their Code of Practice and this Policy outlines our approach and responsibilities.

2. Scope

This Policy applies to all applicants for positions of trust with National Star and its partner organisations.

3. Policy statement

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, National Star complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

National Star is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical / mental disability or offending background.

Our written Policy on the recruitment of ex-offenders is made available to all DBS applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential, and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

Where a DBS check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process, except for certain spent convictions and cautions which are 'protected' so not subject to disclosure to employers and that cannot be taken into account. We request that any information not subject to this filtering is sent under separate, confidential cover, to the Head of Human Resources and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows National Star to ask questions about the entire criminal record - except for certain spent convictions and cautions which are 'protected' so not subject to disclosure to employers and that cannot be taken into account - we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

Any offences disclosed during the recruitment process will be referred to the Head of Human Resources or the Assistant Principal at National Star to 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, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a DBS check aware of the existence of the Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment

4. Roles and responsibilities

4.1 Implementation

The Head of Human Resources is responsible for policy implementation and the HR department will facilitate any associated training or communication to ensure that the Policy is applied fairly and consistently.

4.2 Support, advice and communication

Support and advice is available is available from the Head of Human Resources or the HR department.

5. Review

This Policy should be reviewed every three years or in light of any legislation or DBS Code of Practice changes.