

Guidelines on the Recruitment of Ex-Offenders

Introduction

Having a criminal record will not necessarily prevent you from working with us at BCA. This will depend on the nature of the position, the outcome of any Disclosure and Barring Service (DBS) check, and the circumstances and background of the offences.

We believe that your experience of BCA as an employee starts from the moment you apply for a vacancy with us, so we want to ensure you have the best experience possible throughout all stages of our recruitment and selection process. We are committed to promoting equality and diversity, ensuring the recruitment and selection process is fair and effective and recruitment decisions are based on merit. Our recruitment and selection policies and procedures are designed to find the most suitable person for the position.

Requirement for DBS Checks

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability, BCA complies fully with the DBS Code of Practice and undertakes not to discriminate unfairly against an individual on the basis of conviction or other information revealed. At BCA we are committed to the fair treatment of our staff and potential staff, regardless of gender, race, nationality, ethnic or national origin, religious or political beliefs, disability, marital status, family circumstance, sexual orientation, spent criminal convictions, age or for any other reason.

All successful applicants who are offered a role at BCA will be required to complete a DBS check, in order to check the individual's suitability to work in an educational environment with children, young people and vulnerable adults. All application forms, job advert and job descriptions include a statement confirming that all posts are subject to enhanced DBS checks.

As part of our recruitment process, we require all applicants to provide details of any criminal record they may have during the application process. Please be assured that any disclosures will be treated under the strictest confidence, we guarantee that this information is only seen by those who need to see it as part of the recruitment process.

If an applicant already has a DBS certificate and has joined the DBS Update Service their certificate will be portable for use at BCA, provided checks have been completed on the Child workforce. All offers of employment are subject to completion of a satisfactory DBS check.

The Interview Process

All recruiting managers involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. They are also suitably trained in compliance of the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 and the Safeguarding Vulnerable Groups Act 2006, and of the need to comply with College policies and procedures relating to the recruitment of staff with a criminal record.

Disclosing a Criminal Record

All posts at BCA are exempt from the Rehabilitation of Offenders Act 1974 and, therefore, you must disclose any criminal convictions found against you. The amendments to the Exceptions Order 1975 (2013) provide that certain 'spent' convictions and cautions are 'protected', and are not subject to disclosure for employers and cannot be taken into account. Guidance and criteria on the filtering of these convictions and cautions can be found on the DBS website: www.gov.uk/dbis.

It is a criminal offence for a barred individual to undertake regulated activity. BCA will not offer employment to any barred individual.

Failure to Disclose a Criminal Record

Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of a conditional offer of employment or dismissal if you have already commenced employment. Action may also be taken, under the appropriate procedures, against an existing employee, where it is discovered that they have failed to reveal any information directly relevant to the position held.

Where it is revealed that an applicant has a criminal record, BCA will follow the appropriate procedures in deciding whether the nature of the criminal record is such that the individual should not be offered the post. BCA will undertake to discuss any matter revealed in a disclosure with the individual before withdrawing a conditional offer of employment.

Handling a Positive Disclosure

Where an applicant's DBS check reveals a positive disclosure, BCA will discuss any matter revealed on the DBS Certificate with the individual seeking the position before any decision is made. BCA will 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.

Applicants can view the DBS Code of Practice on their website: www.gov.uk/dbs.