**Employment of Ex-Offenders Policy**

This policy sets out the School’s position on employing people who have criminal convictions. The School is an equal opportunity employer and is fully committed to a policy of treating all of its job applicants fairly and equally and it aims to select people for employment on the basis of their skills, experience, abilities and qualifications. The School will therefore consider ex-offenders for employment on their individual merits. Having a criminal record will not necessarily bar a person from working for the School. This will depend on the specific nature of the job role and the circumstances and background of the criminal offences.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.

All applicants who are offered employment in a school will be subject to a Disclosure and Barring Service check before an appointment is confirmed. This will include details of cautions, reprimands and warnings as well as spent and unspent convictions. An enhanced DBS (check) may also contain non-conviction information from local police records.

A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the School.

The School will make a report to the Police and/or the DBS if:

* it receives an application from a barred person;
* it is provided with false information in, or in support of an applicant's application; or
* it has serious concerns about an applicant's suitability to work with children.

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 following factors will be taken into account:

* 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 applicants circumstances have changed since the offending behaviour or the other relevant matters, and
* The circumstances surrounding the offence and the explanation(s) offered of the offending person.

There are, however, particular offences that would automatically prevent an offer of employment in a school being confirmed. These include:

* Rape
* Incest
* Unlawful sexual intercourse
* Indecent assault
* Gross indecency
* Taking or distributing indecent photographs
* Violent behaviour towards children or young people
* A sexual, or otherwise inappropriate relationship with a pupil (regardless of whether the pupil is over the legal age of consent)
* A sexual offence against someone over the age of 16
* Any offence involving serious violence
* Drug trafficking and other drug related offences
* Stealing school property or monies
* Deception in relation to employment as a teacher or at a school, for example false claims about qualifications, or failure to disclose past convictions
* Any conviction which results in a sentence of more than 12 months imprisonment
* Repeated misconduct or multiple convictions unless of a very minor nature.
* Robbery
* Theft
* Deception or fraud

**Data Protection requirements**

The School is committed to ensuring that all information about a person’s criminal convictions, cautions or offences, including any information released in the Disclosure and Barring Service checks, is used and processed fairly and lawfully and stored confidentially and in accordance with the provisions of the UK GDPR and the Data Protection Act 2018. In particular, personal data about a person’s criminal convictions, cautions or offences will only be held for as long as the retention period set out in the School’s data protection policy. This information will only be seen by those who need to see it as part of the recruitment and employment process and it will not be shared with or disclosed to any other employer, prospective employer or other unauthorised third party.