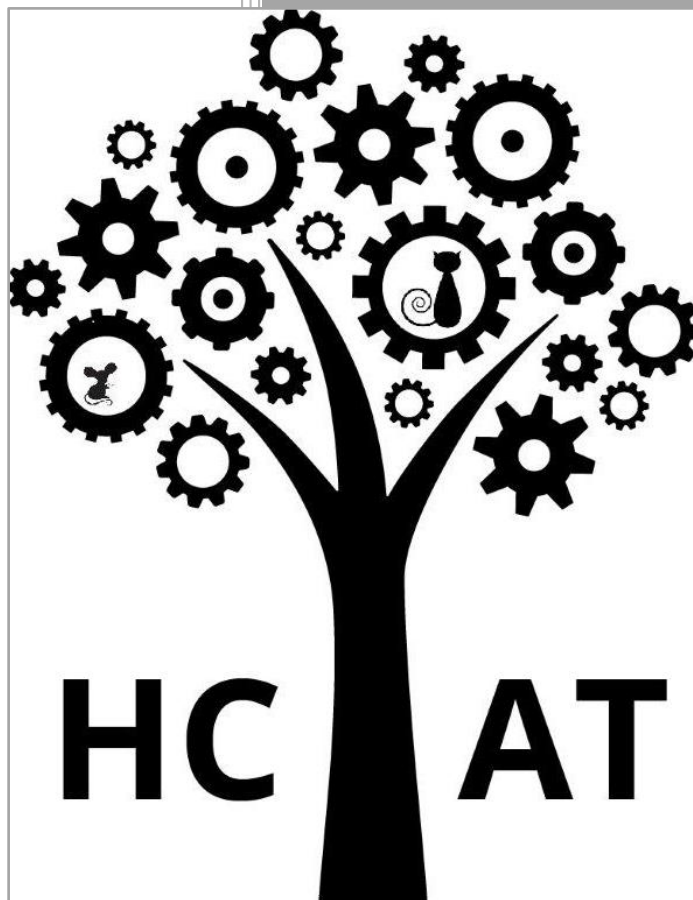


HCAT

Employment of Ex-Offenders Policy



Reviewed August 2023

## Employment of Ex-Offenders

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## **1.0 Purpose**

**1.1** HCAT is committed to the principal of equality of opportunity, subject to the consideration of protecting children and vulnerable people, we undertake to treat all applicants for positions fairly and not discriminate unfairly against any subject of a disclosure based on a conviction or other information revealed during the recruitment process and during employment.

## **2.0 Scope**

**2.1** This policy applies to all potential job applicants and existing employees who engage in regulated activity. This policy is available to all applicants and can be sourced on individual academy websites under recruitment.

**2.2** Those involved in recruitment processes should ensure they are aware of the content of this policy and how to proceed when the disclosure of a conviction comes to light.

## **3.0 Policy Statement**

**3.1** As an organisation by using the Disclosure and Barring Service (DBS) to assess an applicant's suitability for a position of trust, HCAT complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.

**3.2** HCAT is committed to the fair treatment of employees and potential employees regardless of race, gender, religion, sexual orientation, age, physical/mental disability, responsibility for dependents or offending background.

**3.3** HCAT promotes equality of opportunity for all and welcomes applications from a wide range of applicants with the right mix of talent and potential, including those with criminal records. Candidates are selected for interview based on their skills, abilities, qualifications, and experience.

**3.4** Having a criminal record will not necessarily bar an applicant from working for HCAT. This will depend on the nature of the position and the circumstances and background of the offence(s).

**3.5** This written policy on the Employment of Ex-Offenders is made available to all applicants at the outset of the recruitment process.

**3.6** When appointing individuals to work in regulated activity relating to children it is a legal requirement that a range of recruitment checks must be completed satisfactorily before employment can commence. These include:

- Verifying an applicant's identity.
- Obtaining a Disclosure and Barring Service check.
- Obtaining a separate children's barred list check if appropriate.
- Verifying an applicant's mental and physical fitness to carry out the duties of the post.
- Verifying the applicant's right to work in the UK.
- Verifying professional qualifications.
- Undertaking a prohibition check in the case of teaching employees

**3.7** At the interview stage applicants are asked to complete a criminal record declaration form giving details of any criminal record history that is not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). The

criminal record declaration form includes guidance on what should and should not be disclosed. HCAT guarantees that this information will only be seen by those who need to see it as part of the recruitment process.

**3.8** All those involved in the recruitment process at HCAT have received the appropriate training and have been supplied with guidance relating to the employment of ex-offenders, in order that they are able to assess the relevance and circumstances of offences.

**3.9** HCAT ensure that at interview, or in a separate discussion, an open and honest discussion will take place about any 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 withdrawal of an offer of employment.

**3.10** A DBS disclosure will only be requested when a conditional offer of employment has been made.

**3.11** Every person subject to a DBS disclosure is made aware of the existence of the DBS Code of Practice and a copy is made available on request.

**3.12** A representative of HCAT will undertake to discuss any matters revealed in a DBS disclosure with the person seeking the position, before withdrawing a conditional offer of employment.

#### **4.0 Adherence to the Policy**

**4.1** Responsibility for the implementation, monitoring and development of this policy lies with the Deputy CEO of HCAT.

**4.2** The Principal, (Executive) Headteacher, Heads of School, Director of Human Resources, Trustees and Governors are responsible for ensuring that this policy is adhered to.

#### **5.0 Complaints Procedure**

**5.1** Any applicant wishing to raise a complaint should do so in writing to the Deputy CEO, HCAT Central Office, Unit 7, Great Cliffe Business Park, Dodworth, Barnsley, S75 3SP. An investigation will then be conducted by a representative of Human Resources who has not previously been involved in the selection procedure. Applicants will receive written notification of the outcome of the investigation.

#### **6.0 Income Tax and National Insurance Implications**

**6.1** There are no income tax and national insurance implications arising because of this procedure.