



RECRUITMENT OF EX-OFFENDERS

1. Purpose and Values

Callywith College is committed to fair, inclusive and compassionate recruitment practices. We recognise that individuals with criminal records can make valuable contributions to our community and we welcome applications from people with a wide range of backgrounds, experiences and circumstances.

This policy reflects the college's core values of Success, Respect, Resilience and Compassion. We aim to support individuals in moving forward positively, while ensuring the safety and wellbeing of our students, staff and wider community.

2. Policy Statement

Where roles require criminal record checks through the Disclosure and Barring Service (DBS), the college complies fully with the DBS Code of Practice and relevant legislation, including the Rehabilitation of Offenders Act 1974.

We are committed to:

- Treating all applicants fairly and consistently
- Assessing each case on its individual merits
- Not discriminating unfairly on the basis of a criminal record
- Ensuring all recruitment decisions are proportionate, evidence-based and risk-informed.

We treat all staff, applicants and service users with dignity and respect, regardless of race, gender, religion, sexual orientation, caring responsibilities, age, disability or offending background.

3. Commitment to Safer Recruitment

Callywith College has a duty to safeguard and promote the welfare of children and vulnerable groups.

Where a role is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order, the College is entitled to request disclosure of relevant criminal history (subject to DBS filtering rules), including spent convictions.



Having a criminal record will not necessarily prevent employment. Each case will be carefully assessed in line with safeguarding guidance, including *Keeping Children Safe in Education*.

4. Guidance for Applicants with a Criminal Record

- The college will only ask applicants to disclose convictions and cautions that are not protected (i.e. filtered) in line with DBS rules.
- Disclosure will be handled securely, sensitively and in accordance with data protection requirements.
- Applicants who declare a conviction will be invited to share further details confidentially with the People team.

Applicants are encouraged to apply and can be confident that any information disclosed will be considered fairly, respectfully and in confidence.

All offers of employment are conditional and subject to satisfactory pre-employment checks, including DBS clearance where appropriate.

5. Assessing Criminal Records

Each disclosure is considered on a case-by-case basis. When assessing relevance, the college will consider:

Nature and Context

- Seriousness of the offence
- Circumstances and any mitigating factors
- Country in which the offence occurred.

Time and Pattern

- Length of time since the offence
- Whether it was a single incident or part of a pattern



Personal Development

- Age at the time of the offence
- Evidence of change, rehabilitation or personal growth

Role-Related Risk

- Nature of the role and level of responsibility
- Degree of supervision
- Access to children or vulnerable groups

A formal risk assessment will be undertaken for roles involving regulated activity.

6. Decision-Making Process

An open and respectful discussion will take place with the applicant (either at interview or separately) to explore any relevant disclosures.

A panel including the Head of People and senior leadership will make a confidential, evidence-based decision, balancing:

- Safeguarding requirements
- Fairness and proportionality
- The individual circumstances of the applicant

Where appropriate, a conditional offer may be made subject to satisfactory DBS clearance.

In some cases, the college may determine that it is not appropriate to progress an application where risks cannot be safely managed.

7. Disclosure and Barring Service (DBS) Checks

DBS checks will only be carried out where the role is eligible under relevant legislation.

The college:

- Complies with the DBS Code of Practice

- Ensures disclosures are obtained with the individual's consent.
- Handles all information sensitively, securely and confidentially.

Any concerns arising from a DBS disclosure will be discussed with the applicant before a final decision is made.

8. Outcomes of DBS Checks

Satisfactory Disclosure

A disclosure will be considered satisfactory where:

- Information matches that previously provided.
- No new concerns arise relevant to the role.

Unsatisfactory Disclosure

Where new or contradictory information is identified:

- The applicant will be invited to discuss the findings.
- A further assessment will be undertaken.
- A conditional offer may be withdrawn if risks cannot be mitigated.

All decisions will be fair, proportionate and clearly documented.

9. Right of Review

Applicants have the right to request a review if they believe a decision is unfair.

- Requests must be made in writing within 14 days.
- Appeals should be addressed to the Principal.
- Further escalation may be available through governance processes where appropriate.

Applicants will receive a clear explanation of decisions where requested.

10. Existing Employees

Failure to Disclose

Deliberate failure to disclose relevant information may be treated as a serious matter and could result in disciplinary action, including withdrawal of an offer or dismissal.

New Convictions During Employment

Employees must inform the college through the Head of People of any relevant convictions that may affect their role.

The college:

- Recognises that circumstances can change.
- Will consider each situation sensitively and proportionately.
- Will seek to support employees where possible, while maintaining safeguarding responsibilities

Outcomes may include:

- No action
- Additional safeguards
- Role adjustment
- Disciplinary action in serious cases

Line managers will only be informed where necessary and appropriate.

11. Confidentiality and Data Protection

The college ensures that all information relating to criminal convictions is:

- Handled confidentially
- Accessed only by authorised personnel
- Stored securely

- Retained only for as long as necessary.

Criminal offence data is processed in accordance with UK GDPR (Article 10).

DBS certificates will not normally be retained for longer than six months unless there is a justified reason.

12. DBS Barred List and Referrals

The college will:

- Check relevant barred lists where required.
- Not employ individuals who are barred from working with children or vulnerable groups.

We are legally required to refer individuals to the DBS where they have been removed from regulated activity due to safeguarding concerns.

