

Garretts Green Nursery School & Enhanced Provision



Recruitment of ex-offenders policy

At Garretts Green Nursery School & Enhanced Provision we respect and value all children and are committed to providing a caring, friendly and safe environment for all our pupils so they can learn, in a relaxed and secure atmosphere. We believe every pupil should be able to participate in all school activities in an enjoyable and safe environment and be protected from harm. This is the responsibility of every adult employed by, or invited to deliver services at, Garretts Green Nursery School. We recognise our responsibility to safeguard all who access school and promote the welfare of all our pupils by protecting them from physical, sexual and emotional abuse, neglect and bullying.

'Children have the right to XXXXXX.'

(United Nations Convention on the Rights of the Child, Article XXX).

Date of Review: Spring 27

Name/Position: Chair of Governors



Garretts Green Nursery School & Enhanced Provision follow the policies and procedures from Birmingham City Council and Birmingham Safeguarding Children Board (BSCB) which includes the Government's Prevent Strategy.

Further information on conviction information.

The [code of practice](#) published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed.

The code also obliges registered bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to DBS applicants at the outset of the recruitment process..

Information about conviction

On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

- in addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions
- all cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded
- you can direct applicants to the guidance and criteria which explains the [filtering of old and minor cautions and convictions](#) which are now 'protected' so not subject to disclosure to employers

Policy

Garretts Green Nursery School as an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Garretts Green Nursery School and Enhanced Provision complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly

Garretts Green Nursery School and Enhanced Provision undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed

Garretts Green Nursery School and Enhanced Provision can only ask an individual to provide details of convictions and cautions that Garretts Green Nursery School and Enhanced Provision are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)

Garretts Green Nursery School and Enhanced Provision can only ask an individual about convictions and cautions that are not protected



Garretts Green Nursery School and Enhanced Provision 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

Garretts Green Nursery School and Enhanced Provision has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process

Garretts Green Nursery School and Enhanced Provision actively promotes 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

Garretts Green Nursery School and Enhanced Provision select all candidates for interview based on their skills, qualifications and experience

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position

Garretts Green Nursery School and Enhanced Provision ensures that all those in Garretts Green Nursery School and Enhanced Provision who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences

Garretts Green Nursery School and Enhanced Provision also ensures 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, Garretts Green Nursery School and Enhanced Provision ensures 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

Garretts Green Nursery School and Enhanced Provision makes every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request

Garretts Green Nursery School and Enhanced Provision undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Signed: _____ Lesley Wiltshire Chair of Governing Body

This policy was created using the guidance from [Sample policy on the recruitment of ex-offenders - GOV.UK \(www.gov.uk\)](#)

