



# Southend East Community Academy Trust

“Strong Partnerships, Strong Community, Strong Schools”

## Disclosure & Barring Services (DBS) Policy 1<sup>st</sup> September 2016

**Status** : Statutory  
**Next revision due** : September 2018  
**Reviewed and recommended by** : Trustees  
**Signed by Chair** :



## **The Recruitment of Ex-offenders and Safekeeping of Disclosure Information**

As an organisation using the Disclosure & Barring Service (DBS) to assess applicants' suitability for positions of trust, Southend East Community Academy Trust (SECAT) complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

SECAT is committed to the fair treatment of its staff, potential staff and volunteers, and aims to select people for employment within the organisation on the basis of their individual skills, abilities, experience and knowledge irrespective of their age, disability, gender reassignment, marriage and civil partnership, pregnancy, maternity, race, religion and belief, sexual orientation, and caring responsibilities or offending background.

We actively promote 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. We select all candidates for interview based on their skills, qualifications and experience.

We encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the organisation and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows the organisation to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in SECAT who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training.

At interview, or in a separate discussion, we 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. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or to disciplinary action which could be dismissal.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

In making recruitment decisions, the SECAT Academies will:

- assess the nature and relevance of any offence
- consider the nature of any conviction and its relevance to the job in question
- identify any risks to the organisation's business, customers, clients and employees involved in employing an offender and assess how these could be effectively managed
- undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment

Having a criminal record will not necessarily bar an applicant from employment. This will depend on the nature of the position as well as the circumstances and background of the offences. However, failure to declare a conviction or sentence may disqualify an applicant from appointment, or result in summary dismissal if the discrepancy comes to light later.

SECAT complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure Information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. SECAT recognises that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

In circumstances where a recipient of Disclosure information is asked to reveal details of a Disclosure to a third party in connection with legal proceedings for example, in a case submitted to an Employment Tribunal, SECAT will inform the Criminal Records Bureau of any such request immediately and prior to the release of any information.

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given. The members of SECAT will co-operate fully with requests from DBS to undertake assurance checks as to the proper use and safekeeping of Disclosure information.