



IPSWICH SCHOOL

POLICY ON THE RECRUITMENT OF EX-OFFENDERS and the HANDLING OF DBS CERTIFICATE INFORMATION

THE RECRUITMENT OF EX-OFFENDERS

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), Ipswich School complies fully with the code of practice (<https://www.gov.uk/government/publications/dbs-code-of-practice>) and undertakes to treat all applicants for positions fairly.

Ipswich School undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Ipswich School can only ask an individual to provide details of convictions and cautions that the School 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).

Note: There has been a recent amendment to the law as follows: Section 193 of the Police, Crime, Sentencing and Courts Act 2022

Ipswich School can only ask an individual about convictions and cautions that are not protected.

Ipswich School 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.

This written policy on the recruitment of ex-offenders is made available to all DBS applicants at the start of the recruitment process.

Ipswich School actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes 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.

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.

Ipswich School ensures that all staff 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 staff 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 and recent amendments.

At interview, or in a separate discussion, Ipswich School 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.

Ipswich School 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. Copies can also be downloaded from the DBS website: <https://www.gov.uk/government/publications/dbs-code-of-practice>.

Since October 2021, Ipswich School has used an Umbrella Organisation to process online DBS applications. The Umbrella Organisation (Mayflower Disclosure Services Ltd) will also ensure applicants are fully aware of the code of practice.

Ipswich School undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

HANDLING OF DBS CERTIFICATE INFORMATION

General principles

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, Ipswich School complies fully with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

It also complies fully with its obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

Storage and access

Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This retention will allow for the consideration and resolution of any disputes or complaints, or be for the purpose of completing safeguarding audits.

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

Reviewed April 2024

See also: Ipswich School Explanatory Notes for Recruitment: https://www.ipswich.school/wp-content/uploads/2023/03/Explanatory_Notes_for_Recruitment_September_2023.pdf

Recent News (October 2023): <https://www.gov.uk/government/news/barrier-to-employment-lifted-for-thousands-of-ex-offenders>

Gov.UK (October 2023): https://assets.publishing.service.gov.uk/media/653f7e52d10f3500139a6b20/30102023_Guidance_on_the_Rehabilitation_of_Offenders_Act_1974_and_The_Exceptions_Order_1975.pdf