

Burnley College Policy Statement on the Recruitment of Ex-Offenders

- 1 This statement forms part of a suite of documents dedicated to Recruitment and Selection and should therefore be read in conjunction with the College's Recruitment & Selection Procedures, the Safer Recruitment and Working Practices Policy Statement and the Safeguarding and Protection Policy.
- 2 As an organisation using the Disclosure and Barring Service to assess the suitability of all staff for all positions, Burnley College will comply fully with relevant legislation and commits to treating all applicants for positions fairly. The College will not discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.
- 3 We are committed to the fair treatment of our staff, potential staff or users of our services, paying mind to equal opportunities and any offending background. Any information the College receives regarding an individual's suitability to work at the College will be balanced against our need to ensure the safeguarding and welfare of children and vulnerable adults.
- 4 As a College, we mainly provide full-time education for under 18s and, as such, all staff have the opportunity for regular contact with children (and, depending on their role, potentially with vulnerable adults). We therefore consider that under the Protection of Freedoms Act, our College qualifies as a "specified place"; an establishment with opportunity for contact with children. Further, the majority of our staff undertake "regulated activity"; work that a barred person must not do, by teaching, instructing, supervising or providing advice and guidance on wellbeing, to students under the age of 18 or vulnerable adults.
- 5 This Policy is available to all applicants at the outset of the recruitment process and is available as part of our recruitment material on the College website.
- 6 We actively promote equality of opportunity for all with the right mix of talent, skills and potential and we welcome applications from a wide range of candidates. We select all candidates for interview based on merit due to their skills, qualifications and experience.
- 7 We understand our responsibilities and are particularly careful to enquire into the character and background of applicants for appointment to posts involving contact with students up to the age of 18 and vulnerable adults (as relevant to role). Applicants are fully aware that a Disclosure will be requested in the event of the individual being offered a position and posts are offered subject to all appropriate clearance being obtained. New starters are also informed regularly that they must comply with the checks required of them as a Burnley College employee, the reasons for them, and the consequences of non-compliance.

- 8 We require 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 the Human Resources Department within Burnley College and we guarantee that this information is only seen by those who need to see it, as part of the recruitment process.
- 9 Burnley College managers involved in the recruitment process have been suitably trained to identify and assess the relevance of any offences and the circumstances surrounding them. These staff also understand our obligations in relation to the employment of ex-offenders and Safeguarding.
- 10 Having a criminal record will not necessarily bar an applicant from employment at Burnley College. This will depend on the nature of the position and the circumstances and background of the offence/s. Consideration of a criminal record will only take place once a decision has been made as to whether the applicant is otherwise suitable for and appointable to the post.
- 11 Should any concerns be found or raised, we will ensure that an open and measured discussion takes place via a separate meeting, regarding any offences or other matters that may be relevant to the candidate and their potential position. It is important to note however that failure to reveal information that is directly relevant to the position sought, could lead to the withdrawal of an offer of employment.
- 12 We will always discuss any matter revealed in a disclosure with the person applying for the position before withdrawing a conditional offer of employment. These meetings will take place with the Deputy Principal and a member of the Human Resources team. Summary notes will be taken, and an outcome letter will be sent to the member of staff, confirming with them the outcome of the investigation into the disclosure(s).
- 13 Checks into the background and character of new staff appointed to designated posts will be undertaken as part of a suite of checks carried out on new starters, upon which the offer of employment is based. Re-checks will be undertaken where a member of staff has a significant change of duties during their employment with the College, as part of annual quality checks on members of staff identified at random, where any concerns about a member of staff are registered or where staff advise of changes to their DBS status (staff are annually requested to confirm there has been no change to their DBS status,).
- 14 New starters are reminded frequently about documentation or checks still outstanding. Where a new starter (or current employee with a substantial change to post) does not supply the requisite information and checks, including where this information comes from a third party (i.e. references) in a timely manner (usually within two months), the offer of employment may be withdrawn.
- 15 Burnley College complies fully with the Disclosure and Barring Service requirements regarding the correct handling, use, storage, retention and disposal of Disclosure information

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