



## The Futures Trust Suitability Policy - Statement on the Recruitment of Ex-offenders

In accordance with the Disclosure and Barring Service (DBS) Code of Practice this document sets out the Trust's policy on the suitability of ex-offenders for employment. The Code is available at

As an organisation assessing the suitability of applicants for positions which are exempt from the provisions of the <https://www.gov.uk/government/publications/dbs-code-of-practice> Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, using criminal record checks processed through the DBS, the Trust complies fully with the DBS Code of Practice and undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

Schools within the Trust are committed to equality of opportunity and select all candidates for interview based on their knowledge, skills, abilities, qualifications and experience.

A disclosure will not automatically disqualify you from consideration. Any offence will only be taken into consideration if it is one which would make you unsuitable for the type of work you are applying for. However, offences relating to children may make you unsuitable since this is a 'regulated position' under the Under the Criminal Justice and Courts Services Act 2000.

The Trust can only ask an individual to provide details of convictions and cautions that it is legally entitled to know about. This includes all spent convictions and cautions, **except** those which are 'protected' under Police Act 1997 Part V and the amendments to the Exceptions Order 1975 (2013 and 2020), which are not subject to disclosure to employers on DBS certificates and cannot be taken into account.

Guidance on the filtering of 'protected' cautions and convictions which do not need to be disclosed by a job applicant can be found on the [Disclosure and Barring Service](#) website. The rules relating to disclosure were updated on 19<sup>th</sup> November 2020.

Application forms and recruitment information will contain a statement that job applicants will be required to disclose their criminal record if they are invited to interview and a DBS check will be carried out if they are offered the job. The information will only be seen by those who need to see it as part of the recruitment process.

The Trust ensures that all employees who are involved in the recruitment process have been suitably trained and have access to professional advice to identify and assess the relevance and circumstances of offences.

At interview, or in a separate discussion, an open and measured discussion will take place on the subject of any offences or other matter that might be relevant to the position applied for.

We undertake to discuss any matter revealed in a Disclosure with applicants before withdrawing a conditional offer of employment.

Failure to reveal information or relevant offences directly relevant to the job sought or the provision of false information could lead to withdrawal of an offer of employment, or result in summary dismissal if you are in post, with possible referral to the Police. It is an offence to apply for a role working in regulated activity in school if you are barred from engaging in regulated activity relevant to children.

Reviewed: September 2023