

## **Policy Statement on the recruitment of ex-offenders**

- A Disclosure and Barring Service (DBS) check forms part of the recruitment process for roles at Batley Multi Academy Trust (the Trust). For positions where a disclosure is required, all application forms and job adverts will contain a statement that a disclosure will be required for the post.
- Information about convictions and cautions will only be requested for candidates who are shortlisted for an interview and will only be seen by those who need to see it as part of the recruitment process. Such information is stored securely in line with Data Protection legislation. Any information given will be treated as confidential and will only be used in relation to the post for which you have applied.
- The amendments to the Exceptions Order state that certain 'spent' convictions and cautions are 'protected' and are not subject to disclosure, and cannot be taken into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website:  
<https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>
- All posts within the Trust are exempt from the Provision of Section 4 (2) of the Rehabilitation of Offenders Act 1974 by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 and 2020) and therefore applicants are not entitled to withhold information about convictions, cautions, reprimands or warnings that are not 'protected' as defined by the Act. The Trust can only ask an individual to provide details of convictions and cautions that the Trust is legally entitled to know about. Where a DBS certificate (either standard or enhanced) is requested for position, the Trust can only ask an individual about 'unspent' convictions.
- The Trust ensures that an open and measured discussion takes place, with the individual seeking the position, on the subject of any offences or other matters that might be relevant to the position. Failure to disclose information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment or disciplinary action which could result in dismissal.
- Having a criminal record will not necessarily prevent you from working with us. This will depend on the nature of the position and background of your offences.

- The Trust 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 dependents, age, disability, or offending background.

For further details please see the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013/2020; and Police Act 1997 (Criminal Records Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.