

Recruitment of Ex-offenders Policy

Integrity

Our Mission

To inspire learners to recognise and achieve their full potential

Our Values

Excellence, Passion, Team Work, Integrity, Innovation,
Sustainability, Valuing Others and Supportiveness

Sparsholt College Group

The Sparsholt College Group (the College Group) includes Sparsholt College, Andover College, University Centre Sparsholt, Sparsholt College Services, Westley Enterprises and Andover Town Football Club. College Group policies apply to each part of the group unless specified otherwise.

The **Recruitment of Ex-offenders Policy** was reviewed and approved by the Board of Governors in January 2021 and replaces earlier versions.

Equality Impact Assessment	Conducted: June 2011
Originator: HR Manager	Located:
	College Intranet
	College Website
Date of next review: January 2026	

Recruitment of Ex-Offenders Policy

Both Sparsholt College Hampshire (including Andover College and University Centre Sparsholt) and Sparsholt College Services Limited, which form Sparsholt College Group (SCG,) have an obligation to take all necessary and available steps to ensure that staff employed or retained by either organisation do not possess a criminal record which renders them unsuitable for employment. Sparsholt College is a registered body with the Disclosure and Barring Service (DBS)- To meet our safeguarding obligations, an enhanced Disclosure and Barring Service check (which may include a check of the barred lists), including any relevant overseas checks, is undertaken as part of the recruitment process for all new staff.

The purpose of this policy is to ensure that, subject to the overriding consideration of protecting all learners and other people who access Sparsholt College's premises, sites and services, SCG will make every effort to prevent unfair discrimination against those with criminal records in line with its equality policies and employment practices.

This policy applies to all applicants applying for either paid employment or volunteering within the Group and is made available to all applicants at the outset of the recruitment process.

This policy does not form part of the contract of employment but is a policy statement describing the way in which equal opportunities issues are dealt with by Sparsholt College and Sparsholt College Services.

Background

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) was introduced to ensure ex-offenders who have not re-offended for a period of time following the date of their conviction are not discriminated against when applying for employment. Under the provisions of this Act, job applicants do not have to declare a previous conviction after a 'rehabilitation' period has passed.

As SCG is an educational provider, it is permitted to ask whether an applicant has any convictions, cautions, reprimands or final warnings which would not be filtered in line with current guidance, as defined by The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020)

It is a criminal offence for a barred individual to apply for a role which is classed as regulated activity (i.e. involves working with children and/or adults at risk).

Policy Statement

- 1 Sparsholt College Group will not discriminate unfairly against applicants who have a criminal record. Only convictions, cautions, reprimands or final warnings which have not been filtered out in line with current statutory guidance and legislation will be taken into account when assessing an applicant's suitability for a post.

- 2 Possession of a criminal record or an unspent conviction will not necessarily bar an applicant from employment; the nature and timeframe of the conviction and its relevance to the post will be considered.
- However, unspent convictions of violence, assault or damage to property, or an offence against a minor, are likely to be incompatible with working at Sparsholt.
- 3 The 'Disclosure' system, provided by the DBS, will only be sought after a candidate has been provided with a conditional offer of employment.
- 4 Those staff dealing with and handling 'Disclosure' information have been trained and abide by the DBS's Code of Conduct and the requirements of the Data Protection Act. We also ensure that they 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.
- 5 Applicants for posts will be made aware of the requirement for 'Disclosure' and advised how to access the Group's policy on the recruitment of ex-offenders and the DBS Code of Practice.
- 6 Where 'Disclosure' indicates that a prospective employee/volunteer has a criminal record the following will be taken into account when reaching a decision on the suitability for the post:-
- Whether the conviction or other matter revealed is relevant to the position to which they will be appointed.
 - The seriousness of any offence or any other matter revealed.
 - The length of time since the offence or other matter occurred.
 - Whether the applicant has a pattern of offending behaviour or other relevant matters.
 - Whether the applicant's circumstances have changed since the offending behaviour or other matters.
 - The circumstances surrounding the offence and the explanation(s) offered by the convicted person.
 - Whether or not the individual has declared the conviction on their application.
- 7 At interview, or in a separate discussion, the organisation 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.
- 8 The organisation undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
- 9 Any information which is provided to SCG as a result of a DBS check or disclosed by an individual regarding their criminal record, will be kept confidential.
- 10 Should a member of staff receive a conviction, caution, reprimand or final warning following the commencement of their employment, they are contractually obliged to submit details of the offence to the HR Manager immediately.