

## **Statement on the Recruitment of Ex-Offenders – updated October 2016**

### **Rehabilitation of Offenders Act**

- RNN Group is an educational establishment that provides education to children (and/or vulnerable adults). Therefore we need to ensure that potential employees are suitable to be employed for the position they are applying for and is therefore entitled to ask questions about criminal records.
- Applicants are required to disclose certain information concerning spent and unspent criminal cautions and convictions (including those that are pending) as defined under *the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975*. The only exception to this requirement is that individuals do not need to disclose any 'protected' cautions or convictions as defined by *The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013*. Please see guidance on if a caution or conviction would be protected below.

### **Statement on Recruitment of Ex-Offenders**

- As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, RNN Group complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS Check on the basis of a conviction or other information revealed.
- RNN Group 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.
- We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome 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.
- We encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We guarantee that this information is only seen by those who need to see it as part of the recruitment process and that they have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training on the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, we ensure 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.
- We undertake to discuss any matter revealed in a DBS check with the person seeking the position and complete an appropriate risk assessment (as required) before withdrawing a conditional offer of employment.

**In summary, having a criminal record will not necessarily bar you from working with us.** We will consider any issues fairly and the outcome will depend on the nature of the position and the circumstances and background of your offences.

## **Guidance to applicants on disclosing information about cautions and convictions in their applications**

You are not legally required to disclose information concerning protected cautions and convictions. To determine if your caution or conviction is protected and whether or not you need to disclose it in your application, you need to refer to the relevant legislation, including the offences listed in [The Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(Amendment\) \(England and Wales\) Order 2013](#).

### **For Applicants who were over the age of 18 when the caution or conviction was issued**

#### **Do I need to disclose my conviction?**

If your answer to any of the following 3 questions is 'yes', you will need to disclose your conviction:

- 1) Is the conviction for a listed offence?
- 2) Did you receive a custodial sentence/sentence of service detention?
- 3) Have you been convicted of any other offence at any time?

If you answered 'no' to the above 3 questions, have 11 years or more passed since the date of the conviction?

If less than 11 years have passed since the time of the conviction, you will still need to disclose it.

#### **Do I need to disclose my caution?**

- 1) Is the caution for a listed offence?

If your answer to question 1 above is yes, you will need to disclose your caution.

If your answer to question 1 above is no and you were over age 18 at the time of the caution, have 6 or more years passed since the time of the caution?

If less than 6 years have passed since the time of the caution, you will still need to disclose it.

### **For Applicants who were under the age of 18 when the caution or conviction was issued**

#### **Do I need to disclose my conviction?**

If your answer to any of the following 3 questions is 'yes', you will need to disclose your conviction:

- 1) Is the conviction for a listed offence?
- 2) Did you receive a custodial sentence/sentence of service detention?
- 3) Have you been convicted of any other offence at any time?

If you answered 'no' to the above 3 questions, has 5 years and 6 months or more passed since the date of the conviction?

If less than have 5 years and 6 months have passed since the time of the conviction, you will still need to disclose it.

#### **Do I need to disclose my caution?**

- 1) Is the caution for a listed offence?

If your answer to question 1 above is 'yes', you will need to disclose your caution.

If your answer to question 1 above is 'no', has 2 or more years passed since the time of the caution?

If less than 2 years have passed since the time of the caution, you will still need to disclose it.

All cautions and convictions for specified serious violent and sexual offences, as well as other offences relating to the safeguarding of children and vulnerable adults will **always** need to be disclosed.

Applicants are strongly encouraged to refer to the extensive list of such offences which is available on the [Disclosure and Barring Service website](#). The list of offences will be kept updated to reflect changes to legislation in the future.

All applicants who are offered employment will be subject to a criminal records check from the Disclosure & Barring Service (DBS) and any appointment will be subject to satisfactory clearance of this check and any other relevant pre-employment checks.