

Policy on the Recruitment of Ex-offenders

Bussage C of E Primary School



Bussage Primary School is a Church of England Voluntary Aided Primary School and this policy is written within the context of the Christian faith, practice and values which underpin our ethos, and which are in keeping with our Trust Deed.

Our school's Christian ethos is that all pupils, whatever their ability or talents, are created in the image of God, and are loved equally by Him.

Our school's mission is to provide a learning and development environment in which all pupils and staff can make the most of their God given potential and aspire to "be the best that they can be."

Our school vision is built upon the four cornerstones of WISDOM, HOPE, COMMUNITY and DIGNITY.

For children to be able to learn effectively and to live life to its fullness they must be safe and secure and they must feel safe and secure. In our school, Child Protection and Safeguarding is always our top priority.

Approved by:	FGB	Date: Autumn 2026
Last reviewed on:	Autumn 2026	
Next review due by:	Autumn 2028	

1. Introduction

Bussage C of E Primary School is committed to safeguarding and promoting the welfare of children and to the fair and lawful recruitment of people with criminal records. Having a criminal record will not necessarily prevent an individual from working at the school. Decisions will be made fairly and on an individual basis, having regard to the requirements of the role, the nature and circumstances of any relevant offence or information, and the school's safeguarding responsibilities.

Due to the nature of work undertaken in a school, certain posts are excepted from provisions of the Rehabilitation of Offenders Act 1974 that would otherwise prevent an employer from asking about spent convictions and cautions. This is subject to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended, and to the statutory filtering rules for protected convictions and cautions.

In accordance with Keeping Children Safe in Education (KCSIE), shortlisted candidates will be asked to complete a self-declaration of their criminal record and other relevant information that could make them unsuitable to work with children. Applicants will not be required to disclose protected convictions or cautions which they are not legally required to disclose.

The school will undertake the DBS and other pre-employment safeguarding checks appropriate to each role. Most staff working in school will be engaging in regulated activity with children and will therefore require an enhanced DBS check including children's barred-list information. The school will only request barred-list information where it is legally entitled to do so.

The school will comply with the current version of KCSIE, the DBS Code of Practice, Ministry of Justice guidance concerning the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975, and applicable equality and data-protection legislation.

2. Disclosure, filtering and barred-list provisions

Certain convictions and cautions are subject to statutory disclosure and filtering rules. Applicants are only required to disclose information which they are legally required to disclose. Applicants should refer to current Ministry of Justice and DBS guidance, including the government disclosure checker, when determining what information must be declared.

Protected convictions and cautions are not required to be disclosed. The school will not ask applicants to disclose protected information and will not take protected convictions or cautions into account if it becomes aware of them.

It is a criminal offence for a person who is barred from engaging in regulated activity with children to seek to engage in regulated activity with the group from which they are barred. Where the school becomes aware that a barred person has applied to undertake regulated activity, it will take appropriate action, including making any referral or report required by law.

The school will request only the level of DBS check appropriate to the role. Barred-list information will not be requested for a person who is not engaging in, or seeking to engage in, regulated activity.

3. Responsibilities

3.1 The headteacher

Uphold the school's commitment to the fair treatment of all job applicants and to safeguarding children.

Ensure recruitment information explains when a self-declaration will be requested, what applicants are legally required to disclose, and the safeguarding checks relevant to the role.

Ensure staff involved in recruitment receive appropriate safer-recruitment guidance and training and understand the lawful treatment of criminal-record information.

Ensure recruitment and criminal-record information is processed in accordance with the school's data-protection arrangements and retention schedule.

3.2 Staff involved in recruitment

Treat applicants fairly and assess relevant criminal-record information on an individual basis.

Keep criminal-record and self-declaration information confidential, with access limited to those who need it for recruitment and safeguarding purposes.

Ensure shortlisted applicants complete the required self-declaration before interview and sign a declaration confirming that the information provided is true.

Ensure offers of appointment remain conditional until all mandatory pre-employment checks have been satisfactorily completed.

Discuss relevant disclosures with the applicant where appropriate and consider the applicant's explanation before reaching a decision.

Clearly document any decision not to appoint because of a conviction, caution or other relevant criminal-record information.

Seek specialist HR or legal advice where appropriate.

3.3 Applicants

Familiarise themselves with the disclosure requirements that apply to the role and use current government guidance where necessary.

Complete any self-declaration honestly and completely, disclosing only information which they are legally required to disclose.

Not disclose protected convictions or cautions which are not required to be disclosed.

Participate in any necessary discussion arising from the self-declaration or subsequent safeguarding checks.

4. Process for disclosure and assessment

4.1 Shortlisting and self-declaration

Criminal-record information will not be requested on the application form for the purpose of deciding who should be shortlisted. All shortlisted candidates will be asked to complete a self-declaration before interview, in accordance with KCSIE and Ministry of Justice guidance.

The self-declaration will cover the categories of information described in the current version of KCSIE, as applicable to the particular role. This may include relevant criminal history, children's barred-list status, prohibition from teaching, relevant overseas information, whether the candidate is known to the police and children's local authority social care, and childcare disqualification where applicable. Applicants must not be asked to disclose protected convictions or cautions which they are not legally required to disclose.

Applicants will be required to sign a declaration confirming that the information they have provided is true. Where recruitment processes are conducted electronically, the school will follow the current KCSIE requirements concerning verification or signing of application and declaration information at interview.

Self-declaration information will be kept separate from information used to determine shortlisting and will not form part of the decision about whom to shortlist. Access will be restricted to those who need the information for the safer-recruitment process. Relevant disclosures may be considered and discussed with the candidate at interview.

Failure to disclose information which an applicant is legally required to disclose, or the provision of false or misleading information, may affect the application or lead to withdrawal of a conditional offer, subject to consideration of the circumstances and appropriate HR advice.

Information about criminal convictions and cautions will be processed securely and confidentially. It will be retained and securely disposed of in accordance with the school's data-protection policy, recruitment privacy notice and records-retention schedule.

4.2 DBS and other pre-employment checks

All offers of appointment will be conditional upon satisfactory completion of the pre-employment checks required by law and KCSIE for the role.

The school will obtain the level of DBS check appropriate to the role and will comply with any applicable provisions of KCSIE concerning applicants moving directly, or within the relevant period, from previous employment in a school or college. Most school staff will be engaging in regulated activity with children and will require an enhanced DBS check including children's barred-list information. Where an individual is not engaging in regulated activity, the school will obtain only the level of DBS check, and any barred-list information, that it is legally entitled or required to obtain.

The school will compare relevant information on the DBS certificate with information provided during recruitment and will consider any discrepancy or new information. Other checks, including prohibition, right-to-work, identity, professional qualification, overseas and childcare-disqualification checks, will be completed where applicable under KCSIE and relevant legislation.

Where there are statutory restrictions on allowing a person to begin regulated activity before the required DBS information is available, including applicable requirements for provision within the Early Years Foundation Stage, the school will comply with those restrictions.

4.3 Disclosure discussions and assessment

Where information establishes that a candidate is legally barred or otherwise prohibited from the work for which they have applied, the school will not appoint them to that work and will take any further action required by law.

In all other cases, a conviction or caution will not automatically prevent employment. Relevant information will be considered fairly and on an individual basis, with regard to safeguarding and the requirements of the post. Where appropriate, the matter will be discussed with the candidate, normally at interview or before a final appointment decision is made.

The assessment may include consideration of:

The nature and seriousness of the offence or other relevant information and its relevance to the post.

How long ago the offence or incident occurred and the age of the applicant at the time.

Whether it was an isolated matter or forms part of a pattern.

The circumstances surrounding the offence or incident.

Whether the applicant has accepted responsibility for their actions.

Any explanation offered by the applicant, including evidence of changed circumstances or rehabilitation.

For applicants to teaching posts, the incident will also be considered, where relevant, in the context of the Teachers' Standards and current teacher misconduct guidance.

Any safeguarding risks arising from the duties, level of supervision, access to children or other circumstances of the role.

The school will not ask an applicant about protected convictions or cautions and will not take protected information into account. Any decision not to appoint because of a conviction, caution or other relevant criminal-record information will be clearly documented, together with the reasons for the decision, in accordance with the school's data-protection and record-retention arrangements.

4.4 Volunteers and regulated activity

The school will determine whether volunteer activity constitutes regulated activity in accordance with the law and the current version of KCSIE.

From 1 September 2026, changes introduced by the Crime and Policing Act 2026 affect the circumstances in which volunteer activity involving teaching, training, instructing or supervising children constitutes regulated activity. Where a volunteer will be engaging in regulated activity, the school will obtain an enhanced DBS check including children's barred-list information in accordance with KCSIE.

Where an existing volunteer became engaged in regulated activity as a result of the changes taking effect from 1 September 2026, the school will ensure that the volunteer's children's barred-list status is checked in accordance with KCSIE.

For volunteers who are not engaging in regulated activity, the school will undertake and record a written risk assessment and use its professional judgement when determining what checks, if any, are appropriate. Barred-list information will not be requested where the school is not legally entitled to obtain it.

Where the volunteer will work within provision subject to the Early Years Foundation Stage, the school will comply with the specific DBS requirements applicable to that provision.

5. Equality and data protection

The school will apply this policy consistently and fairly and will have regard to its obligations under equality and data-protection law. Criminal-record information will be used only where relevant and lawful for recruitment and safeguarding purposes. Decisions will not be based on a protected conviction or caution that the applicant is not required to disclose.

6. Related policies and guidance

- Child Protection and Safeguarding Policy
- Equality Policy
- Safer Recruitment Policy
- Keeping Children Safe in Education 2026
- Ministry of Justice guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975

Note: This policy should be read alongside the school's Safer Recruitment Policy. Where statutory guidance or legislation changes, the current legal requirements and statutory guidance take precedence and the policy should be reviewed accordingly.