

WEST COUNTRY EDUCATIONAL AGENCY LTD

POLICY RECRUITMENT OF EX-OFFENDERS

West Country Educational Agency Ltd an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), West Country Educational Agency Ltd complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly.

West Country Educational Agency Ltd undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

West Country Educational Agency Ltd can only ask an individual to provide details of convictions and cautions that West Country Educational Agency Ltd are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).

West Country Educational Agency Ltd can only ask an individual about convictions and cautions that are not protected.

West Country Educational Agency Ltd 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.

West Country Educational Agency Ltd has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.

West Country Educational Agency Ltd actively promotes 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.

West Country Educational Agency Ltd select all candidates for interview based on their skills, qualifications and experience.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned.

For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

West Country Educational Agency Ltd ensures that all those in West Country Educational Agency Ltd who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

West Country Educational Agency Ltd also ensures 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.

At interview, or in a separate discussion, West Country Educational Agency Ltd 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.

West Country Educational Agency Ltd makes every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request.

West Country Educational Agency Ltd undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

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The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to children or vulnerable adults. The Rehabilitation of Offenders Act (Exceptions) Order 1975 (The Exceptions Order) which lists these positions as exceptions to the 1974 Act, recognises that due to the nature of these roles, fuller disclosure of a person's criminal record history is relevant, 11 June 2013 amendments were made to the Exceptions Order so that certain old and minor cautions and spent convictions are filtered and not subject to disclosure under the Exceptions Order. They will not appear on a standard or enhanced disclosure certificate issued by the DBS as protected cautions and convictions are filtered from the DBS disclosure.

West Country Educational Agency Ltd expect all candidates to declare all unprotected spent cautions and convictions when applying for any of our positions. Failure to disclose any unprotected cautions, even if spent, may result in the termination of the candidate's application.