



Kingsdale Foundation School

Policy on Employment of Ex-Offenders

This policy statement outlines our procedures for the consideration of the employment of ex-offenders. It should be read in conjunction with our Recruitment Policy.

As 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), Kingsdale Foundation School complies fully with the DBS Code of Practice (available [here](#)) and Ministry of Justice guidance (available [here](#)) and undertakes to treat all applicants for positions fairly.

Kingsdale Foundation School undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Kingsdale Foundation School can only ask an individual to provide details of convictions and cautions that Kingsdale Foundation School 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).

Kingsdale Foundation School can only ask an individual about convictions and cautions that are not protected.

Kingsdale Foundation School 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.

Kingsdale Foundation School has written this policy on the recruitment of ex-offenders, which is made available to all applicants at the start of the recruitment process. Kingsdale Foundation School 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.

Kingsdale Foundation School select all candidates for interview based on their skills, qualifications and experience.

We recognise the contribution that ex-offenders can make as employees.

A person's criminal record will not in itself, prevent a person from being appointed to a post. Any information given will be treated in the strictest confidence.

Suitable candidates will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they are applying.

All cases will be examined on an individual basis, and we will take the following into consideration:

- whether the caution or conviction is relevant to the position applied for
- the seriousness of any offence revealed
- the age of the candidate at the time of the offence(s)
- the length of time since the offence(s) occurred
- whether the candidate has a pattern of offending behaviour
- the circumstances surrounding the offence(s), and the explanation(s) offered by the person concerned
- whether the candidate's circumstances have changed since the offending behaviour

It is important that candidates understand that failure to disclose all unspent cautions and convictions; and also, any adult cautions and spent convictions that are not protected could result in disciplinary proceedings or dismissal.

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.

Kingsdale Foundation School ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

Kingsdale Foundation School 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, Kingsdale Foundation School 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. Kingsdale Foundation School makes every subject of a criminal record check submitted to DBS aware of the existence of the DBS Code of Practice (available [here](#)) and makes a copy available on request.

Kingsdale Foundation School undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

This policy is reviewed annually.

Adopted: June 2025

Next Review: Summer 2026