Criminal record history checks – information for applicants (school posts)

You are applying for a position in a school which involves working with children, young people and/or vulnerable adults or is a position of trust. This post meet the requirements for a criminal record history check (DBS check, previously called a CRB check) under the Rehabilitation of Offenders Act 1974 (Exceptions) Order (as amended in 2013).

You are required to declare within your application whether you have any convictions (including spent convictions), cautions, reprimands or final warnings which would not be filtered in line with the guidance, and the details.

This means you must declare the following where requested in your application form:

- Cautions given less than 6 years ago (if you were over 18 at the time of caution)
- Cautions given less than 2 years ago (if you were under 18 at the time of caution)
- If you have more than one conviction, all convictions must be declared (all convictions will appear on the DBS certificate, no conviction will be filtered)
- Convictions that resulted in a custodial sentence (regardless of whether served)
- Convictions given less than 11 years ago (if you were over 18 at the time of conviction)
- Convictions given less than 5.5 years ago (if you were under 18 at the time of conviction)
- Cautions and convictions relating to an offence from the list agreed by Parliament. This list includes a range of offences which are serious and which relate to sexual offending, violent offending and/or safeguarding. For more information please see: www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check

Any failure to disclose the appropriate information could result in the withdrawal of an offer of employment, dismissal or disciplinary action by the organisation. The information you provide will be treated in confidence and will not be considered by the recruiting manager until after an offer of employment has been made.

If you are successful in being appointed to the post, you will be required to apply for a DBS check from the Disclosure and Barring Service. Guidance on how to do this will be provided following appointment. Failure to comply with the request to apply for a DBS check could result in your conditional offer of appointment being withdrawn.

A DBS check will reveal any convictions, cautions, reprimands or final warnings that are not subject to 'filtering' as listed above.

Information provided by you or the Disclosure and Barring Service will be dealt with in a confidential manner in accordance with the DBS's Code of Practice. You may view the Code of Practice on the DBS website at www.gov.uk/dbs or alternatively a copy is available on request.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

If you require any further information or advice regarding the disclosure process please contact the HR Employment Service Centre on hremploymentservicecentre@wigan.gov.uk or on 01942 8727333

November 2014

Policy Statement on the Recruitment of Ex-offenders

As an organisation which uses the Disclosure & Barring Service (DBS) to assess applicants' suitability for positions of trust, the school complies fully with the DBS 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.

The 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 or mental disability or offending background.

We have a written policy on the recruitment of ex-offenders, which is available to all applicants upon request (this policy).

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.

A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

We ensure that all those in the school who are involved in the recruitment process 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 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, 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 make everyone who is required to complete a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment. In order to do this, applicants may be required to attend a meeting with a DBS countersignatory. The information contained in the DBS disclosure and the self-disclosure made as part of the application will only be shared with relevant persons in the course of their specific duties in relation to recruitment and vetting processes.

November 2014

Policy Statement: Secure Storage, Handling, Use, Retention and Disposal of DBS checks and Disclosure Information

General principles

As an organisation using the DBS service to help assess the suitability of applicants for positions of trust, the school complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has produced this written policy on these matters, which is available to those who wish to see it on request.

Storage and access

Any paper-based Disclosure information is kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties. Most Disclosure information is retained electronically within the ebulk system. Access to the information is strictly restricted by passwords and user profiles which are only allocated to nominated employees.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any paper-based Disclosure information is immediately and safely destroyed by use of a shredder and any electronic information removed from the system. All online data processed via the eBulk solution is removed from the system within 12 months.

However, notwithstanding the above, we may keep a record of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, the unique reference number of the Certificate and the details of the recruitment decision taken.

November 2014

Statement of Fair Processing

All personal information provided will be treated with the strictest of confidence and in accordance with the Data Protection Act 1998.

Personal data will only be processed with the consent of the individual for the purpose of administering a Disclosure application. Any information provided will be securely held on a password-protected database with access restricted to named individuals who require access as part of their normal duties.

Information will not be shared with any other parties outside of the DBS process, except where required by Law, without the express consent of the individual. If as a RB we utilise a third party supplier who has access to DBS electronic application data then this third party has been approved prior by DBS to process and handle this data securely.

All information held following a DBS application will be securely destroyed when no longer required.

In line with Section 7 of the Data Protection Act, an applicant will be provided with a copy of any information we hold on them, on request.