



POLICY ON THE RECRUITMENT OF EX-OFFENDERS

This policy will be reviewed annually or in response to changes in legislation		
Created	December 2023	Head of HR, Head of Compliance, Chief People Officer, HR Manager
Last Review		
Approved	January 2024	Operations Board, Education Board

This Policy applies to all Thomas's Schools, including Thomas's Kindergarten. Thomas's London Day Schools operates as a united group of schools with a similar ethos and values and as such is referred to as a singular body.

This Policy should be read in conjunction with the Safer Recruitment Policy.

1. INTRODUCTION

- 1.1. Thomas's London Day Schools (the Group) will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The Group makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the Group. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.
- 1.2. All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.
- 1.3. Under the relevant legislation, it is unlawful for the Group to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the Group to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the Group to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006".

2. PROCEDURES

- 2.1. It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Group. The Group will report the matter to the Police and/or the DBS if:
- the Group receives an application from a disqualified person;
 - is provided with false information in, or in support of an applicant's application; or
 - the Group has serious concerns about an applicant's suitability to work with children
- 2.2. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a DBS check, the Group will consider the following factors before reaching a recruitment decision:
- whether the conviction or other matter revealed is relevant to the position in question;
 - whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
 - the seriousness of any offence or other matter revealed;
 - the length of time since the offence or other matter occurred;
 - whether the applicant has a pattern of offending behaviour or other relevant matters;
 - whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
 - in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
 - the circumstances surrounding the offence and the explanation(s) offered by the convicted person.
- 2.3. If the post involves regular contact with children, it is the Group's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.
- 2.4. If the post involves access to money or budget responsibility, it is the Group's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.
- 2.5. If the post involves some driving responsibilities, it is the Group's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

3. DATA PROTECTION

- 3.1. The Group will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.