

LDST Policy for the Recruitment of Ex-Offenders v1.1

OUR TRUST'S PRAYER

Heavenly Father

Let peace, friendship and love grow in our schools

Send the Holy Spirit to give:

Excellence to our learning

Love to our actions and

Joy to our worship

Guide us to help others

So that we may all

Learn, Love and Achieve, Together with Jesus.

Amen

Purpose

This policy aims to set out Liverpool Diocesan Schools Trust's approach to ensure it complies with all relevant legislation regarding the recruitment of all staff and volunteers, including ex-offenders.

Background, legislation and guidance

There is a requirement that all registered bodies, responsible organisations, and those in receipt of the [DBS Update Service](#) information must have a policy for the recruitment of ex-offenders and this should be made available to all applicants upon request.

[The Rehabilitation of Offenders Act 1974](#) supports the rehabilitation into employment of those with convictions who have ceased offending and wish to turn their lives around. This allows for cautions and convictions to become 'spent' after a period of time so that an individual is not obliged to declare it for most purposes.

However, there are certain exceptions where someone may be asked to disclose their cautions or convictions, even if it is considered spent under the 1974 Act. The Exceptions Order 1975 (as amended) requires that for certain jobs and activities, including those working with children, an applicant will be required to list all cautions and convictions, including those that are spent, unless for the purposes of the job or activity they are considered 'protected.' Hence some old or minor offences no longer need to be declared as they are considered 'protected' offences and are subject to 'filtering' from a standard or enhanced DBS certificate. The [DBS filtering guide](#) provides further information on filtering. Where the Exceptions Order applies, this will be indicated in the job advert as set out in the [Ministry of Justice guidance](#) on the Rehabilitation of Offenders Act.

It is important to note that some cautions and convictions never become protected and must always be disclosed, hence those required to make a disclosure are strongly recommended to seek advice from [NACRO](#) or [Unlock](#).

Policy statement

- LDST is committed to the fair treatment of its staff, potential staff, volunteers or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- The Trust will also ensure its recruitment practices are compliant with the requirements set out in the DfE statutory guidance [Keeping Children Safe in Education](#) and [DBS Code of Practice](#).

- We will follow robustly the procedures set out in our Trust safer recruitment policy and select all candidates for interview based on their skills, qualifications and experience.
- We will ensure that those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences and 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.
- We actively promote equality of opportunity for all with the right mix of talent, skills and potential, and we welcome applications from a wide range of candidates, including those with criminal records.
- For posts exempt from the provisions of the Rehabilitation of Offenders Act 1974 (as amended in 2013 & 2020) shortlisted candidates will be required to complete a criminal self-disclosure form and disclose any cautions and convictions that are not protected. Candidates will be signposted to statutory guidance and independent charities in order to support their decision about what they are required to disclose.
- Application forms and recruitment information will contain a statement that relevant job applicants or volunteers will be required to undertake a criminal self-disclosure. Any information revealed will only be shared with those directly involved in the recruitment process.
- We will only ask an individual to provide details of convictions and cautions that LDST are legally entitled to know about. We can only ask an individual about cautions and convictions that are not protected. Failure to reveal information that is directly relevant to the job sought could lead to the withdrawal of an offer of employment.
- For those offered a position that involves working in regulated activity, including all school employees and unsupervised volunteers, we will request an enhanced DBS certificate with a children's barred list check. For other volunteers an enhanced DBS certificate without a children's barred list check may be required. Again, the requirement to undertake these checks will be set out in the job advert and other recruitment documents.
- We will comply fully with the [DBS Code of Practice](#) and will treat all applicants for positions fairly and not discriminate against any subject of a criminal record check on the basis of a conviction or other information revealed.

- Copies of DBS certificates and records of criminal information disclosed by the candidate are covered by UK GDPR/DPA 2018 Article 10. We will follow the guidance for the [handling of DBS certificate information](#) and [data protection in schools](#).
- At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place about any offence, including that revealed on an enhanced DBS certificate, or other matter that might be relevant to the position.
- When assessing any disclosure information on a DBS certificate or self-disclosure form, we will consider the following and undertake a written risk assessment:
 - the seriousness of any offence and relevance to the post applied for
 - how long ago the offence occurred
 - whether it was a one-off incident or a history of incidents
 - the circumstances around the incident and
 - whether the individual accepted responsibility for their actions.
- The Trust will consider all cases fairly, on an individual basis. Having a criminal record will not necessarily bar someone from working with the Trust or at a school. This will depend on the nature of the position and the circumstances, relevance and background of the offences. A decision not to appoint somebody because of their criminal history will always be clearly documented. We will discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Review Schedule

Policy Author	Chief Operating Officer	
Policy Approver	Board of Directors	
Current Policy Version	1.0	
Policy Effective From	October 2025	
Policy Review Date	By 31 October 2028	

Revision Schedule

Version	Revisions	By whom
1.0	Original Document Produced	THRL
1.1	Minor changes	TSP