



# Recruitment of Ex-offenders Policy

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| Policy adopted:     | September 2025                                                     |
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## **1. Introduction and background**

Aspire will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. Aspire makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar them from employment with Aspire. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 2 below.

In view of the fact that all positions at Aspire will amount to "regulated activity positions" within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), all applicants for employment must declare all previous convictions (including those which would normally be considered "spent" under the Rehabilitation of Offenders Act 1974). A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct.

A failure to disclose a previous conviction may also amount to a criminal offence. Under the relevant legislation, it is unlawful for Aspire to employ anyone who is included on the lists maintained by the DFE and the Department of Health of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for Aspire 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 a criminal offence for any person who is disqualified from working with children to attempt to apply for a position with Aspire. Aspire will report the matter to the Police, Disclosure and Barring Service (DBS) and/or the DFE Children's Safeguarding Operations Unit (formerly the Teacher's Misconduct Team), LADO if:

- Aspire receives an application from a disqualified person
- Aspire is provided with false information in, or in support of an applicant's application
- Aspire has serious concerns about an applicant's suitability to work with children

## **2. Assessment criteria**

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 disclosure check, Aspire will consider the following factors before reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question;
- Policy: Safer Recruitment Policy and Procedures
- 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
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is Aspire's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences:

- Murder, manslaughter, rape, other serious sexual offences, grievous bodily harm, other serious acts of violence, serious Class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is Aspire'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.

If the post involves some driving responsibilities, it is Aspire's normal policy to consider it a high risk to employ anyone who has found to have been convicted of drink driving within the last ten years.

### **3. Assessment procedure**

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 disclosure check, Aspire will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by a member of the Executive Leadership Team before a position is offered. If an applicant wishes to dispute any information contained in a disclosure, they can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, Aspire will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.