SOLENT
Academies Trust

Together we inspire lifelong learning, perseverance, kindness and growth,

Transforming the lives of our children and families.

Employment of Ex-Offenders Policy

Scope:	Trust Policy
Author:	Sarah Robb, ELPC
Name of Responsible Officer:	Sharon Burt CEO
Approving Committee:	Sharon Burt
Statutory Basis:	Yes
Requirement to publish on website:	Yes
Date reviewed:	February 2026
Review Period:	Every two Years
Review date:	February 2028

1. Introduction

Solent Academies Trust is committed to safeguarding and promoting the welfare of children and young people working in accordance with Keeping Children Safe in Education (KCSIE), and the DBS Code of Practice, which require that the Trust makes available a copy of its Policy on the Recruitment of Ex-offenders to all job applicants.

This policy provides a clear framework to ensure that all cases are considered fairly, consistently, and on an individual basis. Solent Academies Trust will not discriminate unfairly against any applicant or employee on the basis of a conviction or other information disclosed, and all decisions will be made following a proportionate risk assessment in accordance with relevant legislation and guidance.

2. Scope

This policy applies to all employees, volunteers, Trustees and Governors of Solent Academies Trust.

3. Adoption Arrangements and Date

This policy was adopted by Solent Academies Trust on 21st February 2023 and supersedes any previous Employment of Ex-Offenders Policy.

This policy will be reviewed by the Executive Lead for People & Culture every 2 years or earlier if there is a need.

The effectiveness of this policy will be monitored, evaluated, and reviewed by the Chief Executive Officer and Trustees.

4. Background

The Rehabilitation of Offenders Act 1974 (ROA) allows most convictions and cautions to be considered spent after a specified period of time. Once a caution or conviction is spent the person is considered rehabilitated and the ROA treats the person as if they had never committed an offence. This means that jobseekers with criminal records have the right to legally withhold such information from a prospective employer when applying for most jobs.

However, roles that involve working with children are exempt from the provisions of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1075 (as amended). Applicants must therefore declare all previous convictions and cautions, that are not "protected" under the current Disclosure and Barring Service (DBS) filtering rules. Convictions and cautions that are protected are not required to be disclosed and will not appear on a DBS certificate.

As part of the Trust's safer recruitment procedures candidates will be asked to complete a Self-Disclosure form at the shortlisting stage. They will be asked to disclose any relevant convictions, court orders, reprimands, warnings, or other matters which may affect an applicant's suitability to work with children.

Failure to disclose relevant information may result in the withdrawal of a conditional offer of employment or, where applicable, disciplinary action.

Further information regarding the self-declaration process is provided within the Trust's Recruitment Guidance Notes. Additional guidance for employers is available from Nacro's Criminal Record Support Service.

5. Legal Requirements

Keeping Children Safe in Education (KCSIE)

Solent Academies Trust operates in accordance with the statutory guidance Keeping Children Safe in Education gives statutory guidance and states:

- Where a role involves engaging in regulated activity with children, the Trust will make clear within the application form and/or applicant information pack that it is a criminal offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.
- The Trust will provide applicants with access to its Child Protection and Safeguarding Policy and its Policy on the Recruitment of Ex-Offenders, either within the application pack or via a link to its website.
- The Trust will assess all cases where criminal record information is disclosed fairly, consistently, and on an individual basis.
- Where a decision is made not to appoint an individual because of disclosed conviction information, the rationale will be clearly recorded to demonstrate that the decision was proportionate, lawful, and in line with this policy.

DBS Code of Conduct

The DBS Code of Conduct, published under section 122 of the Police Act 1997 requires that all registered bodies must treat DBS applicants with a criminal record fairly and not discriminate automatically because of a conviction or other information revealed.

Registered Bodies, and those in receipt of the DBS Update Service information, must have a written policy on the suitability of ex-offenders for employment in relevant positions. This should be available upon request to potential applicants and, in the case of those carrying out an umbrella function, should be made available to their clients. Clients of Registered Bodies should make this policy available to their potential or existing employees.

6. Policy Statement

- 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), Solent Academies Trust will comply fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.

- Solent Academies Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

- Solent Academies Trust will only ask an individual to provide details of convictions and cautions that Solent Academies Trust 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).

- Solent Academies Trust can only ask an individual about convictions and cautions that are not protected.

- Solent Academies Trust 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.

- Solent Academies Trust will make this written policy on the recruitment of ex-offenders available to all DBS applicants at the start of the recruitment process.

- Solent Academies Trust 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.

- Solent Academies Trust select all candidates for interview based on their skills, qualifications, and experience.

- 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.

- Solent Academies Trust ensures that all employees involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences using information available at www.nacro.org.uk

- Solent Academies Trust also ensures that employees 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, Solent Academies Trust 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 a conditional offer of employment.

- Solent Academies Trust makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and a copy available on request.

- Solent Academies Trust undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Further advice must be sought from the HR Team.