



## **Guidance Statement on the Recruitment of Learners who are Ex-Offenders.**

The Rehabilitation of Offenders Act 1974 ("ROA 1974") provides that, after a period of time, people who have been convicted of criminal offences and who have served their sentences are, with some exceptions, not obliged to disclose those convictions (Which are regarded as "spent"). There are however a number of exceptions to ROA.

The ROA has been reformed as a result of changes in the law in 2012. These came into force on the 10th March 2014.

The changes are 'retrospective', which means they apply to convictions received before the 10th March 2014, and in most cases the rehabilitation periods are reduced

### **Commitment**

Gateshead College is committed to:

- safeguarding and promoting the welfare of students, young people and adults at risk;
- promoting equality and diversity for all and to the fair treatment of applicants to the College.

### **Standards**

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for specific courses, Gateshead College complies fully with the DBS Code of Practice and undertakes to treat all applicants and learners fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

For those courses where a Disclosure is required, all applicants will be notified of this during the application process.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants to provide details of their criminal record at an early stage in the application process.

We ensure that staff processing DBS checks have received guidance to identify and assess the relevance and circumstances of offences. Where an applicant or student disclosure (relating to a criminal offence) is made to a member of staff this information will be reported to the Designated Safeguarding Lead Officer who will provide details of actions that are required to be taken by the Head of Department or Assistant Principal for a curriculum area.

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 enrolment.

### **Handling Disclosure Information**

All disclosure information is securely stored (where appropriate and with access restricted to specific individuals) and will be retained for no longer than is necessary for the particular purpose and within the guidelines as described by the Disclosure and Barring Service.

**Having a criminal record will not necessarily bar an individual from studying with us.** This will depend on the nature of the course and the circumstances and background of the offences.