THE HAVEN

Operated by the Autistic Girls Network charity — 1196655 (England and Wales), SC054837 (Scotland)

Employment of Ex-Offenders Policy

Document	Employment of Ex-Offenders Policy
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Nominated Governor: Designated Safeguarding Lead (DSL)
Version: 10.26

1. Purpose

This policy ensures that The Haven acts fairly, lawfully, and without discrimination when considering applications from individuals with criminal records.
It fulfils our duties under the **Rehabilitation of Offenders Act 1974 (Exceptions Order 1975)**, the **DBS Code of Practice**, and **Keeping Children Safe in Education (KCSIE 2026)**.

Our aim is to:

- Safeguard children and young people in all aspects of recruitment and employment.
- Promote an inclusive, restorative culture in which past mistakes, where irrelevant to safeguarding, do not automatically exclude a person from meaningful work.
- Comply fully with the law and ensure transparency for all applicants.

2 Scope

Applies to all:

- Employees, contractors, agency workers, volunteers, and governors.
- Recruitment and vetting processes across The Haven's online and hybrid provision.

3 Guiding Principles

- **Safeguarding first:** the welfare of children is paramount.

- **Fairness and inclusion:** no applicant is treated unfairly because of a criminal record that does not make them unsuitable to work with children.
- **Rehabilitation and growth:** we believe in people's capacity to learn and change.
- **Confidentiality:** disclosure information is handled in accordance with GDPR and the DBS Code of Practice.

4 Legal Framework

This policy operates under:

- *Rehabilitation of Offenders Act 1974* and *Exceptions Order 1975 (2013 & 2020 amendments)
  > *
- *Police Act 1997* and *DBS Code of Practice
  > *
- *Data Protection Act 2018 / UK GDPR
  > *
- *Equality Act 2010
  > *
- *Keeping Children Safe in Education 2026
  > *
- *Independent School Standards (Part 4 – Suitability of Staff) — adopted as a voluntary benchmark; The Haven is not a DfE-registered independent school and these Standards do not apply to it as a matter of law
  > *

5 Disclosure and Recruitment Process

- **Advert and Application
  > **
  - All job adverts state that an enhanced DBS check (with barred list information where appropriate) is required.
  - Applicants are informed that The Haven has a policy on the recruitment of ex-offenders and can request a copy at the start of the process.
- **Disclosure of Criminal Records
  > **
  - Applicants are asked to disclose only information that is *not* "protected" under the Rehabilitation of Offenders Act (2013 & 2020 filtering rules).
  - Disclosures are requested only after short-listing and before appointment.
- **Consideration of Disclosures
  > **
  - A criminal record will not automatically bar employment.
  - Each case is assessed individually considering:
    - nature and seriousness of the offence;

        - relevance to the role and contact with children;
        - age at the time and circumstances;
        - pattern or isolated incident;
        - time elapsed since the offence;
        - evidence of rehabilitation.
    - A risk assessment is completed by the DSL and Head of Learning before a decision is made.
- **Information Storage
  > **
    - Disclosure information is kept confidentially within The Haven Google Workspace secure drive (access limited to DSL and Senior Admin).
    - Records are retained for no longer than six months after a recruitment decision, unless a safeguarding issue necessitates longer retention.

6 During Employment

- Staff must declare any relevant cautions, convictions, or police investigations that arise during employment.
- The Haven will review such disclosures in consultation with the LADO and decide whether action is required under the Managing Allegations Against Staff Policy v10.26.
- Support and confidential discussion will be offered to any employee making a self-disclosure.

7 Confidentiality and Data Protection

- Information about criminal records is treated as sensitive personal data.
- Access is strictly controlled and used only for the purpose for which it was obtained.
- The Haven complies with the *DBS Code of Practice* and the *UK GDPR*.

8 Training and Awareness

- All staff involved in recruitment receive Safer Recruitment training which includes guidance on the fair handling of criminal record information.
- DSL and Senior Admin staff receive periodic refreshers on data protection and DBS regulations.

9 Monitoring and Review

- The DSL reviews this policy annually to ensure compliance with statutory guidance.
- Lessons from case reviews and audit findings inform updates to practice.

10 Linked Policies and Documents

- Safer Recruitment and Use of Volunteers Policy v10.26 (version 10.26, October 2026)
- Managing Allegations Against Staff Policy v10.26
- Staff Conduct Policy v10.26

- Grievance and Disciplinary Policy v10.25
- Child Protection and Safeguarding Policy v10.26
- Recruitment Privacy Notice

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