



SPAGHETTI BRIDGE

Rehabilitation of Offenders Policy

Policy Owner	Head of HR
Applies to	All services and departments
Associated Documents	Safer Recruitment Policy Equality Policy Child Protection & Safeguarding
Review Frequency	Every two years
Date of Implementation	October 2022
Review Date	May 2025
New Review Date	May 2027
Approved by Chief Executive Officer	<p><i>Dan Alipaz</i></p> <hr/> <p>Dan Alipaz (Jun 2, 2025, 11:56am)</p>
Approved by the Chair of the Board	<p><i>Stephen Bradshaw</i></p> <hr/> <p>Stephen Bradshaw (Jun 2, 2025, 10:18am)</p>



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1. Introduction

Purpose/Aim

The purpose of this policy is to set out the principles and practice of the Spaghetti Bridge in relation to the recruitment of ex-offenders.

Legal Framework

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), Spaghetti Bridge complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

2. Scope

This policy applies to any person who makes an application to work at Spaghetti Bridge and to all existing staff across our services.

3.1 Policy Statement

Spaghetti Bridge undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Spaghetti Bridge can only ask an individual to provide details of convictions and cautions that Spaghetti Bridge is 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).

Spaghetti Bridge can only ask an individual about convictions and cautions that are not protected.

The majority of roles at Spaghetti Bridge meet the requirements for exemption from the Rehabilitation of Offenders Act 1974.

This means that, where a role involves regulated activity, applicants are required to disclose **relevant** convictions and cautions (excluding exemptions – see section 3.2) if **shortlisted** for employment.

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.

Roles involving regulated activity will also be subject to an enhanced Disclosure and Barring Service (DBS) check with barred list check.

Having a criminal record will not necessarily bar candidates from working at our schools and within our group. The success of an application will depend on; suitability for the job, the nature of the role, and the circumstances and background of any offences.

We actively promote 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.

Spaghetti Bridge 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 dependents, age, physical/mental disability or offending background.

We are committed to:

Our duty to safeguard children under:

- [Keeping Children Safe in Education](#)
- [The DBS code of practice](#)

The fair treatment of all applicants and equality of opportunity.

This policy on the recruitment of ex-offenders, which is made available to all applicants at the start of the recruitment process, via our website

Spaghetti bridge ensures that all those in the Group who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

Spaghetti Bridge also ensures 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.

At interview, or in a separate discussion, the Group ensures that an open and measured discussion takes place on the subject of any offences or other matters 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 employment.

Spaghetti Bridge undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

3.2 Protections and exemptions

'Specified offences' will always be disclosed on a DBS certificate, and should always be included in self-declarations – see the [government's list](#) for further details.

It is a criminal offence for any person who is barred from working with children to apply for a position in a school. Spaghetti Bridge will make a report to the DBS and/or the police as appropriate, if it receives an application from a barred person.

'Protected offences' are certain old or minor offences that may not be disclosed on a DBS check. Guidance as to whether a caution or conviction is 'protected' can be found in:

The Ministry of Justice's [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975](#)

The government's tool to [check whether to disclose cautions or convictions](#)

Applicants **should not** list any 'protected' offences on their self-declaration form, and we will not take them into account if we are made aware of them.

3.3 The process for disclosing and assessing previous convictions

Self-declaration

All shortlisted applicants will be asked to complete a self-declaration form before the interview stage. Applicants must complete these forms accurately, and reveal all relevant convictions, as well as any other information that would make them unsuitable to work with children. Failure to reveal any relevant information could lead to the withdrawal of an offer of employment.

All job application forms will include information about this requirement.

Applicants will not be asked for information about previous convictions or cautions before this stage, and any such information that is disclosed before shortlisting stage won't be taken into account in the shortlisting process.

We will store all sensitive personal data securely, only share it with relevant staff members, and destroy it securely when we no longer need it.



Further disclosure discussions may be needed following safeguarding checks. A conditional offer may only be confirmed once staff are happy that any previous convictions don't make applicants unsuitable for the role. Final recruitment decisions are not made or confirmed until receipt of all safeguarding checks.

DBS checks

Successful candidates are subject to DBS and other safeguarding checks, as set out in statutory guidance, Keeping Children Safe in Education. If a DBS check includes a disclosure consideration will be given to whether:

The checks reveal any new information that might prohibit or otherwise make a candidate unsuitable for the role.

The checks match any information disclosed in an applicant's self-declaration.

Further disclosure discussions may be needed following safeguarding checks. A conditional offer may only be confirmed once staff are happy that any previous convictions don't make applicants unsuitable for the role.

Disclosure discussions

When a disclosure or the results of a DBS check reveal that an applicant is barred from the role or ineligible to be employed in that role, their recruitment process will not proceed any further, and the candidate will be informed that they legally cannot be considered for the job.

In all other cases, previous convictions will not necessarily prevent applicants from being employed by our group.

Where relevant, disclosure discussions will happen and will take the applicant's explanation into consideration. For example, we will consider:

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

Whether the applicant accepted responsibility for their actions

Their employment history and references following the offence



Staff will then assess whether applicants' previous convictions or cautions make them unsuitable for the role. In the event that it is found that the candidate is not suitable for the role, the offer of employment will be withdrawn.

We will not ask applicants about protected convictions and cautions.

A section 128 check will be requested for all roles that relate to the management of the school including but not limited to governors, trustees, directors and headteachers.

3. Roles & Responsibilities

Implementation

All school leaders, Business Managers, Recruiting Managers and the HR Business Partner are responsible for the implementation of this policy.

4. Support, Advice and Communication

For further support, guidance or feedback regarding this policy please contact the HR Business Partner



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