



LINK EDUCATION LTD

P031 – RECRUITMENT OF EX-OFFENDERS POLICY

VERSION 1.0 | AUGUST 2026 | CONTROLLED DOCUMENT

1 PURPOSE AND COMMITMENT

Link Education Ltd is committed to equality of opportunity and to the fair treatment of applicants, candidates, agency workers and employees who have a criminal record. A conviction, caution or other information disclosed through a lawful criminal-record check will not automatically prevent registration, employment or assignment.

As an organisation using criminal-record checks processed through the Disclosure and Barring Service (DBS), Link complies with the DBS Code of Practice and will assess information lawfully, fairly, consistently and in relation to the requirements and safeguarding risks of the particular role.

2 SCOPE

This policy applies to applicants, candidates, agency workers, employees and other individuals whose suitability Link assesses for work or placement, and to all personnel involved in recruitment, vetting, decision-making or the handling of criminal-record information. It is made available to DBS applicants at the start of the recruitment process and may be requested in an accessible format.

3 LEGAL AND REGULATORY FRAMEWORK

- Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975, as amended;
- Police Act 1997 and related criminal-record regulations, as amended;
- Safeguarding Vulnerable Groups Act 2006 and Protection of Freedoms Act 2012;
- Data Protection Act 2018 and UK GDPR;
- Equality Act 2010;
- DBS Code of Practice and current statutory filtering rules; and
- Keeping Children Safe in Education and other safeguarding requirements applicable to the role.

4 INFORMATION LINK MAY REQUEST

Link will ask only for criminal-record information it is legally entitled to request. Where a role is eligible for a standard or enhanced DBS check, applicants must disclose information that is not protected by the statutory filtering rules. Protected convictions and cautions must not be requested, considered or used in a recruitment decision.

Applicants will be told the level and workforce of the check, why it is required, how the information will be used and the consequences of deliberately withholding information that is directly relevant and lawfully requested.

5 FAIR RECRUITMENT PRINCIPLES

- Applicants are selected for interview and assessment according to relevant skills, qualifications, experience, suitability and safeguarding requirements.
- Link welcomes applications from people with criminal records and will not discriminate unfairly because of an offending background.
- Criminal-record information will be assessed individually and will not be treated as an automatic bar unless legislation or a barred-list decision prohibits the work.
- Any discussion will be open, measured, respectful and limited to information relevant to the role.
- The individual will normally have an opportunity to explain information before an adverse decision is made.
- Decisions and reasons will be recorded and restricted to authorised personnel.

6 INDIVIDUAL ASSESSMENT

Where relevant information is disclosed or revealed, Link will conduct and record a proportionate suitability and safeguarding assessment. Relevant factors may include:

- the nature, seriousness and circumstances of the matter;
- its relevance to the duties, setting, children or vulnerable people involved;
- the person's age at the time and the time elapsed;
- whether the matter was isolated or forms part of a pattern;
- the sentence, disposal, outcome and any restrictions or barring decision;

- the person's explanation, insight, rehabilitation and subsequent conduct;
- employment history, references and other suitability information;
- the level of supervision, access, trust and opportunity associated with the role; and
- any legal, regulatory, client or safeguarding requirement.

Advice may be sought from the DSL, senior management, DBS, REC legal advisers, TRA/EWC or another appropriate specialist. The client will receive information only where disclosure is lawful, necessary and proportionate and may undertake its own suitability assessment.

7 DISCUSSION AND DECISION

Link will discuss relevant information with the individual before withdrawing a conditional offer, refusing registration or ending eligibility for assignments, unless prohibited by law or an urgent safeguarding measure is required. A difference between a disclosure and a DBS certificate will be clarified fairly; where certificate accuracy is disputed, the individual will be directed to the DBS dispute process.

Possible outcomes include clearance without restriction, clearance subject to recorded controls, referral for further evidence or advice, temporary pause, or refusal/withdrawal where the risk cannot be managed or the person is legally unsuitable. Interim action is neutral and does not predetermine the final outcome.

8 FAILURE TO DISCLOSE

Failure to disclose information that was directly relevant and lawfully requested may result in withdrawal of an offer, refusal or suspension of registration, removal from an assignment or action under the applicable conduct procedure. Link will first consider whether the question and guidance were clear, whether filtering applied and whether the omission was deliberate or material.

9 CONFIDENTIALITY AND RECORDS

Criminal-record information is sensitive personal data. It will be accessed only by authorised personnel, stored securely, shared on a need-to-know basis and retained and destroyed in accordance with P005, P021, the DBS Code of Practice and applicable law. Certificate information will not be copied, retained or disclosed beyond what is lawful and necessary.

10 TRAINING, COMPLAINTS AND RESPONSIBILITIES

- Personnel involved in recruitment decisions must understand filtering, lawful questioning, safeguarding relevance, fair assessment, confidentiality and escalation.
- The COO owns this policy; the DSL advises on safeguarding risk; managers ensure consistent decisions; all personnel must protect confidentiality and keep accurate records.
- Concerns about unfair treatment or the handling of criminal-record information may be raised under P007 – Complaints & Escalation Procedure. Data-rights concerns may be raised under P005/P024.

11 RELATED CONTROLLED DOCUMENTS

P001 – Safeguarding & Child Protection Policy
 P002 – Recruitment, Selection & Vetting Policy
 P005 – GDPR, Data Protection & Information Security Policy
 P007 – Complaints & Escalation Procedure
 P009 – Equality, Diversity & Inclusion Policy
 P021 – Data Retention & Secure Disposal Policy
 P024 – Privacy Policy
 F021 – Criminal Convictions Declaration Form
 DBS Code of Practice

12 DOCUMENT CONTROL

Field	Controlled information
Document title	Recruitment of Ex-Offenders Policy
Reference	P031
Version	1.0
Effective date	August 2026
Review date	August 2027
Owner	Chief Operating Officer
Approved by	Managing Director
Review frequency	Annually or sooner following legal, regulatory or operational change
Status	Controlled document – active
Supersedes	New controlled policy; content previously embedded in P002