

TITLE: Rehabilitation of Offenders Policy	REF: HSA019	VERSION: 1
APPROVAL BODY: GM	DATE: 01.06.2026	REVIEW: June 2027
LEAD PERSON: GM in conjunction with DSLs		
VERSION	REVIEWER/APPROVAL SIGNATURE	REVIEW NOTES
Version 1 – 01.06.2026	<i>Georgie Mann</i>	On behalf of the Senior Management Team

Rehabilitation of Offenders Policy

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1. Purpose

Heritage Skills Academy is committed to promoting equality of opportunity for all applicants, learners, staff, volunteers, and contractors. We recognise the value that people with previous convictions can bring to our organisation and seek to ensure that no individual is unfairly discriminated against on the basis of a criminal record.

This policy outlines how Heritage Skills Academy complies with the Rehabilitation of Offenders Act 1974, the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, safeguarding legislation, and Disclosure and Barring Service (DBS) requirements.

2. Scope

This policy applies to:

- Job applicants and employees
- Apprentices and learners
- Volunteers
- Governors, trustees, and directors
- Contractors and agency staff engaged by Heritage Skills Academy

3. Policy Statement

Heritage Skills Academy will:

- Treat all applicants fairly and consistently.
- Not discriminate unfairly against any person with a criminal conviction or caution.
- Only request information about criminal convictions where it is lawful and relevant to the role or activity.
- Ensure all criminal record information is handled confidentially and in accordance with data protection legislation.
- Undertake DBS checks only where there is a legal or safeguarding requirement to do so.

A criminal record will not automatically prevent an individual from working, volunteering, or studying with Heritage Skills Academy. Decisions will be based on an assessment of risk and relevance to the role or programme.

4. Rehabilitation of Offenders Act 1974

Under the Rehabilitation of Offenders Act 1974, certain convictions and cautions become "spent" after a specified rehabilitation period. Once spent, individuals are generally not required to disclose them, and Heritage Skills Academy will not take spent convictions into account unless the position is exempt from the Act.

Where a role is covered by the Exceptions Order, applicants may be required to disclose convictions and cautions that are not protected under current disclosure legislation.

5. Recruitment and Selection

Heritage Skills Academy promotes a fair and inclusive recruitment process.

We will:

- Assess applicants on their skills, qualifications, experience, and suitability for the role.
- Inform applicants where a DBS check is required.
- Discuss any disclosed criminal record information openly and fairly before making a decision.
- Consider the circumstances surrounding any offence rather than making decisions solely on the basis of a criminal record.

Factors considered may include:

- The nature and seriousness of the offence.
- The relevance of the offence to the role.
- The age of the individual when the offence occurred.
- The time elapsed since the offence.
- Evidence of rehabilitation.
- The safeguarding responsibilities associated with the role.

6. Apprentices and Learners

Heritage Skills Academy welcomes applications from learners who may have previous convictions.

Where a criminal record may affect:

- Access to employer premises;
- Work placement opportunities;
- Apprenticeship employment;
- Regulatory or licensing requirements;

the Academy will work with learners and employers to assess risks and identify appropriate support wherever possible.

Any disclosures made by learners will be treated confidentially and only shared on a need-to-know basis.

7. DBS Checks

All roles within Heritage Skills Academy will require an Enhanced DBS check because they involve regulated activity or work with children, young people, or adults at risk. Details of all DBS checks, including the level and date of check, are recorded and maintained on the HSA Single Central Record in line with Safeguarding requirements.

A DBS certificate containing criminal record information will not automatically disqualify an applicant. Each case will be assessed individually.

8. Safeguarding Considerations

As a training provider delivering apprenticeships and supporting learners, Heritage Skills Academy has a duty to safeguard children, young people, and adults at risk.

Where criminal record information raises safeguarding concerns, the Academy will undertake a risk assessment considering:

- The nature of the offence.
- The vulnerability of those who may be affected.
- The level of supervision available.
- The individual's conduct since the offence.
- Any relevant safeguarding guidance.

The safety and welfare of learners will remain the primary consideration.

9. Confidentiality and Data Protection

Information relating to criminal convictions and DBS disclosures will be:

- Processed in accordance with UK data protection legislation.
- Kept secure and confidential.
- Accessible only to authorised personnel.
- Retained only for as long as necessary and then securely destroyed.

Heritage Skills Academy will comply with the DBS Code of Practice where applicable.

10. Risk Assessment

Where a criminal record is disclosed, an individual risk assessment may be undertaken.

The assessment may consider:

- The specific duties of the role.
- The relevance of the conviction.
- Potential risks to learners, staff, employers, and the public.
- Mitigating factors and evidence of rehabilitation.

Decisions will be proportionate, evidence-based, and documented where appropriate.

11. Appeals

Individuals who believe they have been treated unfairly in relation to criminal record information may raise concerns through the Academy's complaints or grievance procedures.

Any appeal will be considered objectively and without prejudice.

12. Responsibilities

Senior Management Team

The Senior Leadership Team is responsible for:

- Ensuring compliance with relevant legislation.
- Implementing this policy consistently.
- Maintaining appropriate safeguarding and recruitment practices.

Managers

Managers are responsible for:

- Applying this policy fairly.
- Maintaining confidentiality.
- Undertaking appropriate risk assessments where required.

Staff and Applicants

Staff and applicants are responsible for:

- Providing accurate information where disclosure is legally required.
- Informing the Academy of any circumstances that may affect their suitability for a role.

13. Monitoring and Review

This policy will be reviewed annually or sooner where legislative or operational changes require amendment.

14. Related Policies

This policy should be read in conjunction with HSA's related policies and procedures, including:

- Safeguarding and Prevent Policy
- Equality, Diversity and Inclusion Policy
- Data Protection Policy
- Safer Recruitment Policy
- Professional Standards Policy