

The Sherwood Psychotherapy Training Institute
**DBS POLICY STATEMENT ON THE RECRUITMENT OF STUDENT'S
DECLARING A RELEVANT CRIMINAL CONVICTION**

The purpose of this statement is to underpin SPTI's Policy and Procedure Statement on the Student Recruitment of ex-Offenders in its practice of Student Recruitment. As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1973 (Exceptions) Order, using criminal record checks processed through the Disclosure and Barring Service (DBS), The Sherwood Psychotherapy Training Institute (SPTI) complies fully with the Code of Practice and undertakes to treat all applicants for courses fairly. SPTI undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

SPTI can only ask an individual to provide details of convictions and cautions that SPTI 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), SPTI can only ask an individual about convictions and cautions that are not protected.

SPTI is committed to the fair treatment of its students, potential students and users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

SPTI has a written policy and procedure on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.

SPTI actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. SPTI select all candidates for interview based on their skills, qualifications and experience.

An application for a criminal record check is only submitted to the DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to study on the course concerned. For those courses where a criminal record check is identified as necessary, all application forms, 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 a place on the course.

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

SPTI 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, SPTI ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to participation in the course. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of a place on a course.

SPTI makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and makes a copy available on request.

SPTI undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of a place on a course.

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*On the 29 May 2013, legislation** came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure. In addition, course providers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for courses concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

SPTI BSc and MSc degree courses may involve placements with vulnerable adults meaning that convictions that are spent (as defined by the Rehabilitation of Offenders Act 1974) are considered to be relevant and SPTI is legally entitled to know about any and all offences that fall into this category. A relevant conviction is for offences involving unlawfully supplying controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking.

**For further information see Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.