



## **Recruitment at Manchester Islamic Educational Trust (MIET)**

### **DISCLOSURE OF CRIMINAL BACKGROUND OF THOSE WITH ACCESS TO CHILDREN**

Posts exempt from the Rehabilitation of Offenders Act 1974 (ROA)

The amendments to the Rehabilitation of Offenders Act 1974 [exceptions] Order 1975 [2013 and 2020] provides that when applying for certain jobs and activities certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers and, if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found in 'Changes to the Criminal Records System November 2020.docx Page 2' on the Ministry of Justice Website and the websites of charities NACRO and UNLOCK.

If the job into which MIET is seeking to recruit is one of the excluded jobs listed in the ROA, MIET will only require shortlisted applicants to complete a self-declaration form of their criminal record or information that would make them unsuitable to work with children. Applicants must disclose on the declaration form all convictions, whether spent or unspent (other than where 'protected' cautions and protected convictions do not need to be disclosed, depending on the post concerned).

Even in these circumstances, however, MIET will not refuse to employ a particular individual unless the nature of the conviction has some relevance to the post for which the individual has applied. Furthermore, if the job is exempt, MIET will, once it has selected the person to whom it wishes to offer employment, seek documentary evidence about that person's criminal convictions. MIET will seek the applicant's agreement to make a joint application to the Disclosure and Barring Service (DBS) for an Enhanced DBS with barred lists check. Where the individual is member of the DBS update service, MIET will, with their permission, carry out a status check on any current certificate.

If an applicant has a conviction that is unspent/ spent and if the nature of the offence is relevant to the job for which they have applied, MIET will review the individual circumstances of the case and may, at its discretion, decline to select or withdraw an offer of employment.

MIET will not reimburse the individual the fee for obtaining the appropriate criminal records certificate.