



Woodland Pathways

Recruitment of Ex-Offenders Policy

Fair consideration, lawful disclosure and safeguarding-led decision-making

RECRUITMENT POLICY

Date adopted: 01 September 2026

Review due: August 2027, or sooner if legislation or DBS guidance changes

Policy owner: Woodland Pathways Directors

1. Policy statement

Woodland Pathways Ltd is committed to safeguarding children and young people and to equality of opportunity. We welcome applications from people with the right skills, values and potential, including people who have criminal records. A conviction, caution or other information does not automatically prevent appointment.

Woodland Pathways treats applicants fairly and does not discriminate unlawfully because of a criminal record or information revealed through a Disclosure and Barring Service (DBS) check. Selection for interview is based on the role criteria and the information requested at the application stage.

2. Scope

This policy applies to applicants for employed, self-employed, sessional and voluntary roles for which Woodland Pathways is entitled to request criminal-record information. It should be read with the Safer Recruitment and Selection Policy, Recruitment Privacy Notice and Safeguarding and Child Protection Policy.

3. Legal and guidance framework

- Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975, as amended;
- Police Act 1997 and Safeguarding Vulnerable Groups Act 2006;
- DBS Code of Practice and current DBS filtering guidance;
- Data Protection Act 2018, UK GDPR and Data (Use and Access) Act 2025;
- Keeping Children Safe in Education 2026, applied as relevant to Woodland Pathways and commissioner expectations;
- Equality Act 2010.

4. Roles at Woodland Pathways

Practitioner roles normally involve regulated activity with children and are exempt from the Rehabilitation of Offenders Act 1974, subject to statutory filtering rules. Woodland Pathways will state the safeguarding requirements and DBS level in the role information. It is an offence for a person who is barred from regulated activity relating to children to apply for work from which they are barred.

5. When disclosure is requested

Criminal-record details are not requested within the initial Woodland Pathways application form. Following shortlisting, candidates for an exempt role will be asked to complete a separate confidential self-disclosure so that relevant matters can be discussed fairly before the DBS certificate is received.

Applicants are required to disclose only information that the law permits Woodland Pathways to ask about. Protected convictions and cautions must not be disclosed and will not be taken into account. Applicants should use current official DBS filtering guidance if unsure.

6. DBS checks

- Woodland Pathways requests only the level and type of check for which the role is legally eligible.
- Applicants are told why a check is required and are made aware of the DBS Code of Practice.
- The applicant must show the original DBS certificate where required; a DBS application result is not treated as automatic proof of suitability.
- Update Service checks are used only with consent and where the existing certificate matches the workforce and level required.
- DBS information is handled securely, accessed only by authorised people, retained only as necessary and securely destroyed.

7. Fair assessment of information

Any relevant self-disclosure, DBS certificate information or other lawful criminal-record information is assessed by authorised people with appropriate safer recruitment knowledge. The assessment is individual, evidence-based and proportionate.

Factors may include:

- whether the information is legally relevant to the role and may lawfully be considered;
- the seriousness, nature and circumstances of the conduct;
- the age of the person at the time and the time elapsed;
- whether there is a pattern of behaviour or an isolated event;
- the relationship between the conduct, the role, access to children, level of supervision and opportunity for harm;
- the applicant's explanation, insight, candour, rehabilitation and evidence of change;
- any inconsistency with the application, self-disclosure, references or other checks;
- the welfare and best interests of children, alongside fairness to the applicant;
- whether risk can lawfully and safely be managed; for a barred person, regulated activity cannot be offered.

8. Discussion with the applicant

Woodland Pathways will discuss any matter that may affect suitability with the applicant before withdrawing a conditional offer or deciding not to proceed, unless the law prevents disclosure. The applicant may explain the circumstances, challenge inaccuracies and provide relevant evidence. The discussion and decision will be recorded confidentially.

9. Non-disclosure and discrepancies

Failure to disclose information that Woodland Pathways was lawfully entitled to request and that is directly relevant to the role may lead to rejection, withdrawal of an offer or termination of an engagement. Before deciding, Woodland Pathways will consider whether the question was clear, whether the information was protected or filtered, and any explanation given. Applicants will not be penalised for failing to disclose information they were not legally required to disclose.

10. Decision-making and risk assessment

The final decision is made by at least two authorised people where practicable, including safeguarding leadership where information raises a child-safety issue. A written suitability/risk assessment records the information considered, relevance, discussion with the applicant, safeguards considered, decision and reasons. External advice may be sought from DBS, the LADO, a commissioner, legal adviser or another competent authority where appropriate and lawful.

11. Confidentiality and data protection

Criminal-record information is highly restricted. It is stored separately or with enhanced access controls, shared only where necessary and lawful, and retained in line with the Recruitment Privacy Notice and DBS requirements.

Commissioners will normally receive proportionate assurance that checks are complete rather than copies of a DBS certificate or the applicant's full disclosure information.

12. Training and monitoring

People involved in recruitment will receive suitable safer recruitment guidance and understand DBS eligibility, filtering, fair assessment, confidentiality and the law on barred persons. The Directors monitor use of this policy and review it at least annually or sooner following legal, DBS or safeguarding changes.

13. Applicant questions or challenge

Applicants may ask for a copy of this policy, request clarification or raise a concern by contacting office@woodlandpathways.uk. A challenge about the accuracy of a DBS certificate should also be made through the DBS certificate dispute process without delay.