



The SMB Group – Safeguarding Notice to Applicants

The SMB Group is a Further Education College based in Leicestershire, providing education and training to a range of students, including children and vulnerable adults.

You will appreciate that the College needs to carefully assess the suitability of applicants for appointment to posts involving contact with children under the age of 18, or vulnerable adults.

The SMB Group meets the requirements in respect of exempted occupations under the Rehabilitation of Offenders Act 1974. Applicants are therefore required to disclose whether they have any spent or unspent criminal convictions, cautions, reprimands or final warnings that are not 'protected' as defined in the Rehabilitation of Offenders Act 1974 (exemptions) Order 1975 (Amendment) Order 2013.

Any disclosures should be attached separately to your application. If you are applying via post please place in a separate, sealed envelope marked 'confidential' and attached to the application. If you are applying via email please attach a separate document marked 'confidential'.

Any information disclosed will remain confidential and used only in connection with your application.

Guidance on the Rehabilitation of Offenders Act 1974 can be found here:

<https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>

Guidance and criteria on the filtering of cautions and convictions and a list of offences which are never protected can be found on the Disclosure and Barring Service website:

<https://www.gov.uk/government/collections/dbs-filtering-guidance>

The College will not unfairly discriminate against applicants who declare previous offences and disclosure will not automatically prevent you from being appointed to the job. We will carefully consider how any previous convictions, cautions, reprimands or final warnings could affect the position that you have applied for.

Any disclosure will only be taken into account if the offence is relevant to the job you would be doing and as per the Police Act 1997, will only be viewed by individuals who are required to do so in the course of their duties. The College will discuss the disclosure with the applicants prior to withdrawing any offer of employment.

Disclosure and Barring Checks

In accordance with the recommendations of the Home Office and the statutory guidance published by the Department for Education - *Keeping Children Safe in Education* (KCSIE), successful candidates for all posts within the College are deemed to be undertaking 'regulated activity', therefore will be the subject of an enhanced disclosure to the Disclosure & Barring Service (DBS), regardless of the answer given to the question concerning previous convictions.

All offers of employment are subject to a satisfactory DBS clearance. Acceptance of an offer of appointment will be deemed to be acceptance that such a check will take place.

The College operate under the DBS Code of Practice which can be viewed on the Disclosure and Barring website:

<https://www.gov.uk/government/publications/dbs-code-of-practice>

Checks for Individuals who have lived or worked outside of the UK

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges.

Where an individual has lived or worked outside of the UK for a period of three consecutive months, within the previous five years, The College will require the individual to obtain a criminal record check from the country/countries where they resided, sometimes referred to as a certificate of good conduct.

Further details can be found at:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

The Home Office has published guidance on criminal record checks for overseas applicants. The Department for Education has also issued guidance on the employment of overseas-trained teachers. This gives information on the requirements for overseas-trained teachers from the European Economic Area to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the United States of America.

Further details can be found at:

<https://www.gov.uk/government/publications/employing-overseas-trained-teachers-from-outside-the-eea>

In the event you are offered employment, any failure to disclose unprotected convictions or cautions or providing false information, could result in disciplinary action which may lead to your dismissal from the College. For this reason, if you are unsure about how the law applies to you, you are encouraged to seek legal advice before making your application.

Applicants are informed that providing false information is a disciplinary matter and may result in summary dismissal.

The College also operates a Child and Vulnerable Adult Policy. If you are barred from “regulated activity” with either children or vulnerable adults, you must not seek to work in the college as this deemed a criminal offence.