

Recruitment of Ex-Offenders

Consulted with recognised trade unions	Spring 2023
Adopted by Trust	Spring 2023
Review	Spring 2028

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1. Introduction

- 1.1. This policy sets out the procedures and conditions for recruiting Ex-Offenders.
- 1.2. As part of the application of this policy, the Trust will collect, process and store personal data and special categories of data in accordance with our data protection policy. We will comply with the requirements of the Data Protection Legislation We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time and the relevant Information Commissioner's Employment Practices Code
- 1.3. As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the Trust complies fully with the code of practice and undertakes to treat all applicants for positions fairly
- 1.4. The Trust can only ask an individual to provide details of convictions and cautions that The Trust are 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)
- 1.5. The Trust can only ask an individual about convictions and cautions that are not protected.

2. Equality and Diversity

- 2.1. The Trust actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.
- 2.2. The Trust is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- 2.3. The Trust selects all candidates for interview based on their skills, qualifications and experience.
- 2.4. The Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

3. Recruitment & Training

- 3.1. An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job 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 the position.
- 3.2. The Trust ensures that all those in the Trust who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences using the DBS risk assessment and with advice from HR.
- 3.3. The Trust 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
- 3.4. At interview, or in a separate discussion, The Trust ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

3.5. The Trust undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

4. Review of policy

4.1 This policy is reviewed periodically by the Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.