

HR Policy: Recruitment of ex-offenders

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2.	06/10/2017	General Policy review to ensure in keeping with current legislation	Rob Alexander

1. Introduction and Purpose

- 1.1 It is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed.
- 1.2 It also obliges Registered Bodies have a written policy on the recruitment of ex-offenders; a copy of which can be given to Disclosure applicants at the outset of the recruitment process.

2. Policy Statement

- 2.1 As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, UWE complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.
- 2.2 UWE 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 We actively promote 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. We select all candidates for interview based on their skills, qualifications and experience.
- 2.4 A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- 2.5 Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within UWE and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- 2.6 Unless the nature of the position allows UWE to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- 2.7 We ensure that all those at UWE who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure 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.
- 2.8 At interview, or in a separate discussion, we ensure 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.
- 2.9 We make every subject of a Disclosure Barring Service check aware of the existence of the DBS Code of Practice and make a copy available on request.

- 2.10 We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- 2.11 **Having a criminal record will not necessarily bar you from working with us.** This will depend on the nature of the position and the circumstances and background of your offences.

3. Data Protection

- 3.1 UWE is committed to ensuring that all information provided about an individual's criminal convictions, including any information released in disclosures, is used fairly and stored and handled appropriately and in accordance with the provisions of the Data Protection Act 1998 and DBS' Code of Practice.
- 3.2 Data held on file about an individual's criminal convictions will be held only as long as it is required for employment purposes and will not be disclosed to any unauthorised person.