

Recruitment of Ex-Offenders Procedures

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1. Purpose

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, the College will, in accordance with Section 122 of the Police Act 1997, comply 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 conviction or other information received.

In accordance with our Equality and Diversity Policy, the College is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, gender reassignment, religion or belief, sexual orientation, marriage or civil partnership, pregnancy and maternity, responsibilities for dependents, age, disability or offending background.

This procedure on the recruitment of ex-offenders is made available to all applicants at the outset of the recruitment process.

2. Scope

This procedure applies to all posts.

3. Responsibility

Ultimate responsibility for this procedure within the College lies with the Principal/Chief Executive.

4. Procedure

4.1 Guidelines

- 4.1.1 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 in accordance to the College's Recruitment and Selection Policy and Procedures.
- 4.1.2 All posts within the College are offered subject to the successful applicant obtaining an Enhanced Disclosure. Applicants are invited to disclose, in complete confidence, an existing criminal record. Any such information received will be considered only in relation to the post applied to. The College guarantees that this information will only be seen by those who need to see it as part of the recruitment process.
- 4.1.3 We ensure that those 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.
- 4.1.4 At interview, or in a separate discussion, we will 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.

- 4.1.5 We undertake to discuss any matter revealed in a Disclosure with the person seeking the position as part of a risk assessment procedure relevant to the duties of the post offered.
- 4.1.6 Having a criminal record will not necessarily bar anyone from working at the College. This will depend on the nature of the position and the circumstances of the offences.
- 4.1.7 All application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of an individual being offered the position.

4.2 Employing Ex-Offenders

- 4.2.1 A Standard or Enhanced Disclosure will show details of convictions, cautions, reprimands, final warnings or non-conviction information. It will also show whether, under Schedule Four of the Criminal Justice and Courts Services Act 2000 whether the person is banned from working or seeking work with young people under the age of 18.

It is an offence for a person banned from working with young people to apply for such work and also for an employer to knowingly employ a banned person in such a capacity.

- 4.2.2 All applicants for posts within the College are required to complete a declaration of criminal record. The applicant then has the opportunity to provide more information, in complete confidence, on a separate sheet of paper, which will be seen only by the College's Human Resources Director.
- 4.2.3 If the applicant is offered the appointment, at this stage, a full risk assessment will be undertaken to determine the relevance of the criminal record to the post applied for. During this, the applicant will fully participate in the process and guidance from the Rehabilitation of Offenders Act 1974. Only if the criminal record is a Schedule Four offence will the offer of employment be automatically withdrawn.
- 4.2.4 Where the applicant is still under probation or youth justice supervision, the College reserves the right, with the applicant's consent, to seek advice from a relevant probation officer or youth justice worker about suitability for the post applied for.
- 4.2.5 The College also reserves the right to amend the offer of employment to allow for the outcome of the risk assessment to be implemented, e.g. to temporarily amend the job description for the post so that the applicant may be given greater opportunity during their initial probationary period to demonstrate their suitability for the post.
- 4.2.6 Any subsequent decision to withdraw an offer of employment because of, or partly because of, a criminal record will relate to an aspect of the person specification which is seen to be unmet. In cases such as these, the applicant will be advised of why the offer of employment has been withdrawn.
- 4.2.7 In circumstances where the appointment of a person with a serious record might give rise to criticism of the College, the Human Resources Director should be consulted before the appointment is confirmed.

5. Monitoring

This procedure will be monitored by the Director of Human Resources and overall decisions will be made by the Principal/Chief Executive.