



## **Recruitment of Ex-Offenders Policy.**

### **OBJECTIVE**

Some positions at the RSC qualify for a DBS check which provide access to sensitive criminal record information about candidates.

The recruitment of ex-offenders policy aims to:

- Ensure that recruitment processes are fair and that individuals are not wrongly discriminated against on the grounds of past convictions.
- Help managers use sensitive data to inform recruitment decisions within legal parameters.
- Comply with the Rehabilitation of Offenders Act 1974, Safeguarding Vulnerable Groups Act 2006 and the DBS Code of Practice.

### **ELIGIBILITY**

The policy applies to all posts across the Company, and particularly posts for which DBS Disclosures are requested.

### **FEATURES**

- As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of Trust, the RSC must comply fully with the relevant legislation and DBS Code of Practice and undertake to treat all applications for positions fairly. We must undertake not to discriminate unfairly. We must undertake not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.
- The company is committed to the fair treatment of its employees, volunteers, contractors and potential employees regardless of race, sex, marriage & civil partnership, pregnancy, gender reassignment, religion or belief, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- The RSC actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. It selects candidates for interview based on their skills, qualifications and experience.

- A DBS is only requested for those positions where it is relevant and legal to do so. For those positions where a disclosure is required, job adverts and recruitment briefs must contain a statement that a disclosure will be requested in the event of the individual being offered the position.
- All those who are involved in the recruitment process, in particular the recruiting manager, must be suitably trained to identify and assess the relevance and circumstances of offences and they should have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, eg the Rehabilitation of Offenders Act 1974.

The relevance of convictions should be judged against the following criteria:

- The seriousness of the offence and its relevance to other employees and customers etc.
- The length of time since the offence occurred.
- Whether the offence was a one-off or part of a history of offending.
- Circumstances which led to the committing of the offence.
- Whether the applicant's personal circumstances have since changed.
- The country in which the offence occurred.
- Decriminalisation and remorse.

It is important 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 or volunteering but a thorough discussion between the recruiting manager, HR and the candidate should have taken place first before any offer is withdrawn.

Every subject of a DBS Disclosure must be made aware of the existence of the **DBS Code of Practice** and make a copy available on request.

Only convictions which are relevant to the role which an individual applies for must be taken into consideration. Past convictions which are spent a long period of time ago and which would not impact on an individual's ability to perform a role competently and safely, must not bar an individual from taking up a position within the company.

Having a criminal record will not necessarily bar an individual from working with the RSC. This will depend on the nature of the position and the circumstances and background of the offences.