South Gloucestershire and Stroud College

Recruitment of ex-offenders policy

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Please contact the Human Resources Department

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Job Title/Role:	Director or People and Organisational Culture
Ref. No.: **Q/P 204**	**Date of this version:** **29/07/2022** **Review date:** **28/07/2025** (Subject to any legislative changes) **Upload to College website?** **Yes** **Upload to e-Campus?** **No**
Approved by:	SGS Executive
Date:	03/08/2023

Recruitment of ex-offenders policy

1. Policy Intent

    1.1.   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 SGS Group ('the Group') complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. The Group undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

2. Scope

    1.2.   This policy applies to all applicants for employment to South Gloucestershire & Stroud College (SGS College) Throughout this document, the employer will be referred to as 'SGS' or 'The Group'.

3. Procedure

    3.1.   The Group can only ask an individual to provide details of convictions and cautions that the College is 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), The Group can only ask an individual about convictions and cautions that are not protected.

    3.2.   The Group 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

    3.3.   The Group has this written policy on the recruitment of ex-offenders, which is made available to all job applicants at the outset of the recruitment process.

    3.4.   The Group 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. The Group selects all candidates for interview based on their skills, qualifications and experience

    3.5.   A DBS check 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 DBS check is required, all

application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

3.6. The Group ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The Group 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.

3.7. At interview, or in a separate discussion, The Group 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. During this discussion a fair and transparent risk assessment will be completed to ensure the roles suitability for the candidate.

3.8. The Group makes every subject of a criminal record check submitted to the DBS checks aware of the existence of the DBS Code of Practice and makes a copy available on request.

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

4. Policy **Implementation**

4.1. The SGS Group is responsible for ensuring the implementation of this policy. All employees are responsible for fulfilling their roles in the implementation as defined by this policy.

5. Enforcement

5.1. Failure to comply with the standards of the policy and procedure outlined in this document may result in disciplinary action. Such disciplinary action may result in dismissal depending on the circumstances.

5.2. If an employee is ever unsure about what action is appropriate to a particular situation, they should seek advice from their line manager.

6. Related Policies, Procedures, Charters, Plans, Guidance and Legislation

- https://www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide

- Employing prisoners and ex-offenders - GOV.UK (www.gov.uk)

- [Secure Handling of DBS Certificates Policy and Procedure](#)

- [DBS Code of Practice](#)

- [Guidance on the Rehabilitation of Offenders Act 1974](#)

- [SGS Recruitment Policy](#)

7. **Impact**

    7.1.   To ensure that a fair and consistent process is followed by all staff members of the SGS Group when recruiting staff or volunteers with a criminal record to paid or unpaid posts where there is access to children and/or vulnerable adults.

8. **Additional useful information**

    8.1.   The Director of People and Organisational Culture will review and monitor the policy and procedures and will recommend and implement approved changes where necessary.

MANDATORY INITIAL IMPACT SCREENING

Name: Kelly Gillett	Title: Director of People and Organisational Culture	28/02/2(

I have read the guidance document: Completing a Policy Impact Assessment?	✓
If this policy has been up-dated, please tick to confirm that the initial impact screening has also been reviewed:	✓

EQUALITY AND DIVERSITY IMPACT ASSESSMENT	
Characteristic	This policy seeks to:
Age	No appreciable impact
Disability	No appreciable impact
Faith or Belief	No appreciable impact
Gender	No appreciable impact
Race or Ethnicity	No appreciable impact
Orientation	No appreciable impact
Gender reassignment	No appreciable impact
Economic disadvantage	No appreciable impact Policy seeks to eliminate potential discrimination
Rural isolation	No appreciable impact Policy seeks to eliminate potential discrimination
Marriage	No appreciable impact
Pregnancy & maternity	No appreciable impact
Carers & care leavers	No appreciable impact
Vulnerable persons	Other (Please state): Policy seeks to eliminate potential discrimination
Please identify any sections of the policy that specifically seek to maximise opportunities to improve diversity within any of the College's stakeholder groups:	
Please identify any sections of the policy that specifically seek to improve equality of opportunity within any of the College's stakeholder groups:	
Is there any possibility that this policy could operate in a discriminatory way?	☐ ✗	If you have ticked yes (red), which characteristic will be most affected? Choose an item.
If yes please confirm that the Policy has been sent for a full Equality & Diversity Impact Assessment, and note the date:	☐	Click or tap to enter a date.

Note: if the policy does not seek to increase diversity or improve equality you should go back and review it before submitting it for approval.

MAPPING OF FUNDAMENTAL RIGHTS	
Which United Nations Convention on the Rights of the Child (UNCRC), Right does this policy most protect:	Art. 2 Non-discrimination
Which Human Right (HRA) does this policy most protect:	Art. 14 Prohibition of discrimination Choose an item.

DATA PROTECTION & PRIVACY BY DESIGN SCREENING	
Tick to confirm that you have considered any data protection issues as part of the design and implementation of this policy; and, that implementing this policy will <u>not</u> result in the collection, storage or processing of personal data outside of official College systems:	✓
Tick to indicated that this policy has or requires a Data Privacy Impact Assessment:	✓