



Policy

Recruitment of Ex-Offenders

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It does not form part of this Policy document.

Policy

Recruitment of Ex-Offenders

1 Background

- 1.1 The Rehabilitation of Offenders Act 1974 (“ROA 1974”) provides that, after a period of time, people who have been convicted of criminal offences and who have served their sentences are, with some exceptions, not obliged to disclose those convictions (which are regarded as “spent”).
- 1.2 There are however a number of exceptions to ROA. Working for a further education institution where the normal duties of that work involve regular contact with persons aged under 18 is exempt from ROA 1974. Where a post is exempt from ROA 1974, an applicant is required to declare all convictions, regardless of whether or not they are “spent”, to allow their suitability for the relevant position to be assessed. Standard and enhanced disclosures can also be obtained from the Disclosure & Barring Service (DBS) in respect of individuals working with students. Such disclosures provide information on which individuals are considered unsuitable for or banned from working with students.

2 Commitment

- 2.1 Gateshead College is committed to safeguarding and promoting the welfare of students and adults at risk and expects all staff and volunteers to share this commitment.
- 2.2 The College actively promotes equality of opportunity for all and welcomes a wide range of applicants, including those with criminal records. Candidates are selected for interview on the basis of their skills, qualifications and experience.
- 2.3 The written policy on the recruitment of ex-offenders is made available to all applicants at the outset of the recruitment process.

3 Standards

- 3.1 As an organisation using the disclosure and barring service, Gateshead College ensures that information released in enhanced disclosures is used fairly and that sensitive personal information is handled and stored appropriately. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.
- 3.2 The disclosure process is complementary to the existing recruitment process and for those positions where a disclosure is required; all applicants will be made aware that a disclosure will be requested in the event of the individual being offered the position.
- 3.3 The College encourages all applicants called for interview to provide details of their criminal record at an early stage of the application process. This information will only be seen by those who need to consider it as part of the recruitment process.
- 3.4 If any convictions are raised at the interview stage, the College 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 relating to any criminal offences could lead to withdrawal of an offer of work.

- 3.5 We ensure that all those in Gateshead College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offenders. 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 Handling Disclosure Information

- 4.1 All disclosure information will be securely stored (with access restricted to specific individuals) and will be retained for no longer than is necessary for the particular purpose.
- 4.2 Having a criminal record will not necessarily bar an individual from working with us. Disclosures obtained from the DBS may contain details of convictions which are irrelevant to employment with students. Much will therefore depend on the nature of the position sought and the circumstances and background of the offences.

Related Documents:

HR-POL-005 Recruitment & Selection Policy

HR-PRO-020 Human Resources Disclosure & Barring Service Storage Procedure