

# Recruitment of ex-offenders Policy Statement

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<b>1.0. Policy Statement .....</b>	<b>2</b>
<b>2.0 Scope.....</b>	<b>2</b>
<b>3.0 Principles .....</b>	<b>2</b>
<b>4.0 Legal Framework.....</b>	<b>3</b>
<b>5.0 Monitoring and review .....</b>	<b>3</b>
<b>6.0 Links to other policies, procedures and terms and conditions .....</b>	<b>4</b>
<b>7.0 Equality and Diversity .....</b>	<b>4</b>

## **1.0. Policy Statement**

- 1.1** City of Wolverhampton Council (the Council) is committed to the fair treatment of its employees, potential employees or users of its service regardless of offending background.
- 1.2** The Council uses the Disclosure Barring Service (DBS) to obtain information about applicants to assess their suitability for employment in positions of trust. The Council complies fully with the DBS Code of Practice and does not discriminate unfairly against any individual on the basis of a conviction or any other information revealed as a result of a DBS disclosure.
- 1.3** 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 DBS the Council complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

## **2.0 Scope**

- 2.1** This policy applies to all employees and potential employees of the Council and shall be followed in respect of individual employees, including Senior Management. It excludes NJC employees and Teachers employed by Governing Bodies who are covered by Schools HR Policies. Policies adopted by the Council may, following discussion with relevant trade unions also be recommended as good practice models for adoption by maintained school governing bodies.

## **3.0 Principles**

- 3.1** The Council undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed. The Council is committed to treating all people because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 3.2** The Council will make a copy of this policy statement available to all DBS applicants at the start of the recruitment process.
- 3.3** A disclosure is only requested where it is considered necessary and relevant to the positions considered, having taken into account the appropriate legislation in this area. For those positions where a DBS is required, recruitment information will contain a statement that a DBS certificate will be requested in the event of the individual being offered the position.
- 3.4** The Council will only ask an individual about convictions and cautions that are not protected.
- 3.5** The Council 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 a criminal record. 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 the offences.

- 3.6** The Council will select all candidates for interview based on their skills, qualifications and experience.
- 3.7** An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- 3.8** The Council ensures that all those within the Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- 3.9** The Council 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.
- 3.10** At interview, or in a separate discussion, the Council ensures that an open and measured discussion takes place on the subject of any offences or any other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment.
- 3.11** The Council makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.
- 3.12** The Council undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

#### **4.0 Legal framework**

- Rehabilitation of Offenders Act 1974
- Childcare Act 2006
- General Data Protection Regulation (GDPR), Data Protection Act 2018
- Revised Code of Practice for DBS Registered Persons.

#### **5.0 Monitoring and review**

- 5.1** The policy statement will be regularly reviewed and will be updated and be available to managers and employees via the HR Intranet.

## **6.0 Links to other policies, procedures and terms and conditions**

**6.1** The Recruitment of ex-offenders Policy Statement cannot be seen in isolation and must be read in conjunction with the following policies:

- DBS
- GDPR
- Recruitment and Selection.

## **7.0 Equality and Diversity**

**7.1** The Council is committed to equality and fairness for all employees and will not discriminate because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

**7.2** In developing this policy we have undertaken an Equality Analysis the results of which indicate that it is lawful to proceed in the way described by this policy. The Council is committed to promoting equality and recognising the diversity of our communities and will work to ensure all parts of our community are treated fairly.