

Recruitment of Ex-Offenders Policy



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Document summary

Information about how East Sussex County Council considers information about criminal offences received during the recruitment process.

Enquiries

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Key points

- East Sussex County Council complies fully with the [DBS Code of Practice](#).
- All applicants for positions are treated fairly.
- Candidates are selected for interview based on an assessment of their application against the person specification for the role.
- DBS Disclosures are only requested where it is relevant to the position concerned.
- All information is kept private and confidential, in accordance with data protection law.
- Where relevant information is declared or disclosed, we take careful consideration of the circumstances and whether or not this impacts the position being applied for.

1. Introduction

- 1.1. As an organisation using the DBS Disclosure service to assess applicants' suitability for positions of trust, the Council complies fully with the DBS Code of Practice. It undertakes not to unfairly discriminate against any applicant the basis of a conviction or other information revealed.

2. Principles

- 2.1. East Sussex County Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of offending background. The Council selects all candidates for interview based on an assessment of their application against the person specification for the role.
- 2.2. This policy is available to all applicants on the East Sussex County Council jobs site.

3. Previous offences

- 3.1. The Council requires all applicants to disclose criminal convictions. Some posts require information relating to both "spent" and "unspent" convictions whereas other posts require "unspent" information only. The information provided will be treated strictly confidentially. This information can either be:
 - stated in the relevant section of the application form
 - emailed to recruitmentsupport@eastsussex.gov.uk, marked as confidential.
 - sent with the application in a sealed envelope marked 'strictly confidential'. When received it will be processed with appropriate discretion by the Recruitment Support Team.
- 3.2. East Sussex County Council ensures that all those in the Council who are involved in the recruitment process are able to identify and assess the relevance and circumstances of offences.
- 3.3. Where applicants disclose a relevant offence, this may be discussed with the candidate after their job interview. This conversation is separate to the assessed part of the job interview. Human Resources provide advice to managers to ensure this discussion takes place in an open and measured way.
- 3.4. If the preferred candidate has a criminal conviction, then Assistant Director or Headteacher approval is required to confirm the appointment.

4. DBS Disclosures

- 4.1. Applicants who are offered posts may be required to apply for one of the following types of check from the Disclosure and Barring Service below:
 - Basic DBS disclosure
 - Standard DBS disclosure
 - Enhanced DBS disclosure
 - Enhanced check for regulated activity children, adults or both (depending on the nature of the role)

- 4.2. A DBS disclosure is only requested after an assessment has indicated that one is both proportionate and relevant to the position concerned. Depending on the type of check carried out, the disclosure may include information about:
- Spent convictions and cautions, subject to filtering
 - Unspent convictions and conditional cautions
 - Relevant non-conviction information from the police
 - Whether the applicant is barred from working with children or vulnerable adults.

5. Withdrawal of an Offer of Employment

- 5.1. Having a criminal record will not necessarily bar somebody from being employed by the organisation. This will depend on the nature of the position and the circumstances and background of their offences. However, failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.