

Recruitment of Ex-Offenders Policy



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Document summary

Ensuring that applicants who have a criminal record are treated fairly and are not discriminated against because of a conviction or other information revealed through the Disclosure and Barring Service (DBS) or that is declared by an applicant.

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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 their skills, qualifications and experience.
- DBS Disclosures are only requested where it is sufficiently relevant to the position concerned.
- All information is kept private and confidential, in accordance with data protection law.
- Where convictions are declared, careful consideration of the relevance and circumstances of offences is taken.

1. Introduction

- 1.1. As an organisation using the DBS Disclosure service to assess applicants' suitability for positions of trust, East Sussex County Council complies fully with the DBS Code of Practice and undertakes to treat all applications for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on 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 race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- 2.2. This policy is available to all applicants upon request.
- 2.3. 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. The Council selects all candidates for interview based on their skills, qualifications and experience.

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.
- 3.2. Applicants who have been shortlisted for posts involving regular contact with children or vulnerable adults will be required to apply for one of the following types of check from the Disclosure and Barring Service below:
 - Enhanced DBS Disclosure
 - Enhanced Check for Regulated Activity Children, Adults or both (depending on the nature of the role)

For some roles (i.e. professions, offices) within the County Council, we require a Standard disclosure.

- 3.3. East Sussex County Council ensures that all those in the Council who are involved in the recruitment process are suitably advised to identify and assess the relevance and circumstances of offences.
- 3.4. 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 other matter that might be relevant to the position.
- 3.5. 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. A DBS Disclosure is only requested after an assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS Disclosure is required, all application forms and recruitment briefs will contain a statement that a DBS Disclosure will be requested in the event of the individual being offered the position.
- 4.2. Where a DBS Disclosure is to form part of the recruitment process, the Council encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. This information can either be stated in the relevant section of the application form, or can be sent with the application in a sealed envelope marked 'strictly confidential', where it will be processed with appropriate discretion by the Recruitment Support Team.

5. Withdrawal of an Offer of Employment

- 5.1. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- 5.2. 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.