



Witherslack Group policy on the recruitment of ex-offenders

Introduction

The safety of children and young people is paramount, and Witherslack Group is committed to this through its robust Disclosure and Barring (DBS) procedures and arrangements. As part of our DBS policy, we comply with the code of practice published under section 122 of the Police Act 1997, which advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly, and not discriminate automatically because of a conviction or other information revealed. This code also requires registered bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to DBS applicants at the outset of the recruitment process via Networkx.

This policy is designed to supplement Witherslack Group's Safer Recruitment Policy and Procedure and provide details on Witherslack Group's practice and requirements in relation to the recruitment of ex-offenders. It also details the responsibilities of all involved.

General Principles

The principles Witherslack Group apply are as follows:

- Witherslack Group will assess 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 Group complies fully with the above code of practice and undertakes to treat all applicants for positions fairly.
- Witherslack Group undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- Witherslack Group will only ask an individual to provide details of convictions and cautions that we are legally entitled to know about in line with the Gov.UK DBS filtering guide: <https://www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide>. We will only request the appropriate type of DBS in line with the job role and regulated activities.
- Witherslack Group will only ask an individual about convictions and cautions that are not protected, and interview candidates receive a list of Specific Offences to read through prior to interview.
- Witherslack 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.
- Witherslack Group has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process via Networkx.
- Witherslack 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.
- Witherslack Group selects all candidates for interview based on their skills, qualifications and experience.

- Witherslack Group ensures that at least 1 person on the interview panel has been Safer Recruitment trained to identify and assess the relevance and circumstances of offences, as part of the Safer Recruitment policy.
- Witherslack Group ensures that hiring managers 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.
- Witherslack 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 at interview, or in a separate discussion. Failure to declare information that is directly relevant to the vacancy could lead to withdrawal of an offer of employment.
- Witherslack Group will inform all candidates that a criminal record check will be carried out for the successful applicant.
- Witherslack Group undertakes to discuss any matter revealed on a DBS certificate with the individual seeking employment before withdrawing a conditional offer of employment.

Further information about conviction information

On the 29 May 2013, legislation came into force that allows certain historic and minor cautions and convictions to no longer be subject to disclosure.

- In addition, employers will no longer be able to take an individual's historic and minor cautions and convictions into account when making decisions.
- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding our children and young people, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as well all convictions where an individual has more than one conviction recorded.
- For further information regarding roles and responsibilities during the recruitment process in relation to the recruitment of ex-offenders, please see the Witherslack Group DBS Policy statement.
- For further support and guidance, please contact the Resourcing Team.