

**THIS POLICY APPLIES TO GROUNDWORK WEST MIDLANDS
AND ITS TRADING SUBSIDIARIES**



RECRUITMENT OF EX-OFFENDERS POLICY

HR Policy No. 15

1. POLICY STATEMENT

- 1.1 Groundwork West Midlands (GWWM) is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their individual skills, abilities, experience, knowledge and where appropriate qualifications and training.
- 1.2 GWWM will therefore consider ex-offenders for employment on their individual merits. GWWM's approach towards employing ex-offenders differs, however, regardless of whether the job is exempt from the provisions of the Rehabilitation of Offenders Act 1974.
- 1.3 Having a spent or unspent conviction, caution, reprimands or final warnings on a criminal record:
 - Will not necessarily prevent successful candidates from taking up employment with GWWM; and/or
 - Whilst in post, will not necessarily prevent existing employees from continuing their employment with GWWM.
- 1.4 In determining whether disclosure of a criminal record will lead to withdrawal of an offer of employment, or may lead to termination of employment, consideration will be given to the nature, circumstances and background to the offences committed.
- 1.5 Failure to reveal information on the subject of any offences or other matter that may be directly relevant to the position sought could lead to withdrawal of an offer of employment, or termination of employment if the employee has already commenced employment.
- 1.6 GWWM will obtain criminal records disclosures from the Data Barring Services (DBS) or Disclosure Scotland through an umbrella body, or where the individual is a member of the update service through this service. All new employees will require a criminal records check and existing workers will require a new check every three years, or at a point during employment as appropriate e.g. when there is reason to believe the previous details may have changed or a change to job role. Further details on the DBS can be found in the Data Barring Services Policy and Procedure.
- 1.7 GWWM 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 dependents, age, physical/mental disability or offending background.
- 1.8 This policy statement on the recruitment of ex-offenders, is made available to all DBS applicants at the outset of the recruitment process.
- 1.9 GWWM actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. GWWM select all candidates based on their skills, qualifications and experience.

2. **SCOPE**

This policy and procedure applies to all GWWM's employees and potential employees.

3. **RESPONSIBILITY**

The Human Resources Department is responsible for ensuring job adverts and recruitment briefs contain a statement that the post is subject to a DBS check and this policy is available to all DBS applicants at the beginning of the recruitment process. They are responsible for implementing and monitoring this policy on behalf of GWWM.

Employees and potential employees have a responsibility to ensure they provide full details of their criminal record at an early stage in the application process.

4. **PROCEDURE**

4.1 Due to the nature of the organisation, all employees are required to undergo a DBS check. All application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

4.2 Existing workers will require a new check every three years, or at a point during employment as appropriate e.g. when there is reason to believe the previous details may have changed or a change to job role.

4.2 In the event of a discrepancy on the Disclosure and Barring Service certificate, a meeting will then be arranged with the individual and the HR Manager. A discussion will follow between the HR Manager and the Executive Director and a decision of employment reached. All meetings will be confidential and a record of the content along with the decision will be kept on the individuals personnel file.

5. **MONITORING AND REVIEW**

This policy will be monitored on a regular basis and will be reviewed in accordance with legislative requirements.

RELATED POLICIES AND PROCEDURES

Recruitment and Selection Policy
DBS Policy and Procedure
Data Protection Policy
HR Security Policy
Disciplinary Policy

LEGISLATION

General Data Protection Regulation 2018
Rehabilitation of Offenders Act 1974
Rehabilitation of Offenders Act 1974 (exceptions) Order 1975 (SI 1975/2003/231)
Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003 (SI 2003/231)

Approved by: Executive Director, June 2018.

Updated by: HR Manager, GWWM, June 2018.

Review date: In line with current legislation or every 3 years (January 2021).