



Employment of Ex-Offenders Policy

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1. Introduction

The Disclosure and Barring Service (DBS) Code of Practice requires that employers:

- notify all job applicants that a copy of its policy on the recruitment of ex-offenders is available on request
- ensure that all applicants for relevant positions or employment are notified in advance of the requirement for a DBS disclosure
- inform all potential applicants of the potential effect of a criminal record history on the recruitment and selection process and any recruitment decision
- discuss the content of the DBS disclosure with the applicant before withdrawing any offer of employment
- provide a copy of the DBS Code of Practice to the applicant upon request.

The DBS Code of Practice is available at www.gov.uk/government/publications/dbs-code-of-practice

2. The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act (ROA) 1974 enables some criminal convictions to become 'spent', or ignored, after a 'rehabilitation period'. A rehabilitation period is a set length of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention the conviction when applying for a job, obtaining insurance or when involved in criminal or civil proceedings.

3. Policy statement

In accordance with the Disclosure and Barring Service Code of Practice all applicants will be made aware of the existence of this policy through our recruitment literature and it will be made available to any job applicant who wishes to read it at the outset of the recruitment process.

- 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 the Disclosure and Barring Service (DBS), St John Bosco MAC (SJBCA) complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly
- SJBCA undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed
- SJBCA can only ask an individual to provide details of convictions and cautions that SJBCA are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)
- SJBCA can only ask an individual about convictions and cautions that are not protected
- SJBCA 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

- SJBCA 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
- SJBCA actively promotes 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
- SJBCA select all candidates for interview based on their skills, qualifications and experience
- 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
- SJBCA ensures that all those in SJBCA who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences
- SJBCA 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
- at interview, or in a separate discussion, SJBCA 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. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment
- SJBCA makes every subject of a criminal record check submitted to Enhanced DBS aware of the existence of the [code of practice](#) and makes a copy available on request
- SJBCA undertakes to discuss any matter revealed on a Enhanced DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.