POLICY FOR RECRUITMENT OF EX OFFENDERS

Policy last updated: August 2023
Review date: August 2024

INTRODUCTION

The aim of this policy is to state the company's approach towards employing people who have criminal convictions.

NLTG 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. NLTG will therefore consider ex-offenders for employment on their individual merits.

In order to comply with current legislation, the Rehabilitation of Offenders Act 1974, the Safeguarding Vulnerable Groups Act 2005, the Children Act 2004, Education Act 2002 (section 175), the Children Act 1989, the Human Rights Act 1998 and the Sexual Offences Act 2003, North Lancs Training Group Ltd will not discriminate due to spent convictions on any employee, applicant etc. As a company, we use the Disclosure Barring Service (DBS) as a disclosure service to prevent unsuitable people from working with children and vulnerable adults under the vetting and barring scheme to assess applicants' suitability or positions of trust.

NLTG complies fully with the DBS code and practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure (but will be bound by a Statutory Enactment in force) on the basis of a conviction or other information revealed.

North Lancs Training Group Ltd 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. This written policy on the recruitment of ex-offenders is made available to all disclosure applicants at the outset of the recruitment process.

Disclosures

A disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned or is an exception under the Rehabilitation of Offenders Act 1974. For those positions where a disclosure is required all application forms contain a statement that a self-disclosure form is to be provided, if interviewed, and will only be reviewed in the event that the individual is to be offered a position within a regulated activity.

We request that this information is provided if to be interviewed in a sealed separate marked private and confidential FAO NLTG's Managing Director. We guarantee that this information will only be seen by those who need to see it as part of the recruitment process. Unless the nature of the position allows North Lancs Training Group Ltd to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that at least one person in the interview panel have been suitably trained to identify and assess the relevance and circumstances of offences through safer Recruitment training conducted at least every three years. We also ensure 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 and the Safeguarding Vulnerable Groups Act 2006.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position disclosed either at interview or pre-offer. Failure to reveal information that is directly relevant to the position in a regulated activity is a criminal offence and North Lancs Training Group will be under a statutory obligation to withdraw the offer of employment.

We make every subject of a DBS disclosure aware of the existence of the DBS code of practice and make a copy available on request.

We undertake to discuss any matter revealed in a disclosure with the person seeking the position before an offer of employment or post offer if the information is only later disclosed at a later state which can lead to the withdrawing of an employment offer.

DBS Service

Where we select a job applicant as the person we would like to offer employment to, we will seek documentary evidence to establish whether they have any criminal convictions. We will seek their agreement to make an application to the Disclosure and Barring Service (DBS) for an enhanced or enhanced with DBS barred lists check (as appropriate). NLTG will pay all costs associated with the applicable ..

If a job applicant is a member of the DBS update service, we will, with their permission, carry out a status check on any current certificate.

Should the DBS Check reveal information that has not been disclosed pre offer of employment, the Managing Director / Designated Safeguarding Lead will review the contents of the certificate and will take the appropriate action.

Data protection

North Lancs Training Group processes information about an individual's criminal convictions in accordance with its data protection policy / policy on processing special categories of personal data. In particular, data collected during recruitment is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the recruitment process.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the companies' data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under this disciplinary procedure.

We are committed to going through the proper DBS channels to establish whether or not an individual has a criminal record. We will not require job applicants or existing employees to use their subject access rights under data protection provisions to provide criminal record details.

The formulation of this policy has not been promoted by any allegations of unfairness or inequality being practiced by North Lancs Training Group Ltd.

Associated Policies:

- DBS Checks Policy
- Safeguarding Policy

Signed: _____
GARETH LINDSAY
NLTG Managing Director