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# Recruitment of ex-offenders

POLICY STATEMENT



Council of the  
ISLES OF SCILLY

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January 2017

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**REVISIONS TO SOURCE DOCUMENT**

Version	1.1	Approving Committee	Not applicable
Date		Ratified by Council	
Responsible Officer	Theo Leijser Chief Executive Officer	Review Date	31/01/20

**VERSION HISTORY**

Date	Version	Author/Editor	Comments
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**EQUALITIES IMPACT ASSESSMENT RECORD**

Date	Type of Assessment Conducted	Stage/Level completed (where applicable)	Summary of Actions Taken Decisions Made	Completed by.	Impact Assessment Review date

**DOCUMENT RETENTION**

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## INTRODUCTION

- 1.1 The Council of the Isles of Scilly assesses 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). As such, the Council of the Isles of Scilly complies fully with the code of practice and undertakes to treat all applicants for positions fairly.
- 1.2 The Council of the Isles of Scilly 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.
- 1.3 The Council of the Isles of Scilly 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.
- 1.4 The Council of the Isles of Scilly selects all candidates for interview based on their skills, qualifications and experience.

## RECRUITMENT AND POSITION WITH RESPECT TO EX-OFFENDERS.

- 1.5 The Council of the Isles of Scilly undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- 1.6 The Council of the Isles of Scilly 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.
- 1.7 The Council of the Isles of Scilly can only ask an individual about convictions and cautions that are not protected.
- 1.8 The Council of the Isles of Scilly can only ask an individual to provide details of convictions and cautions that the Council of the Isles of Scilly is 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).
- 1.9 An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that a check 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.
- 1.10 The Council of the Isles of Scilly ensures that all those in the Council of the Isles of Scilly who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

- 1.11 The Council of the Isles of Scilly 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.
- 1.12 At interview, or in a separate discussion, the Council of the Isles of Scilly 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.
- 1.13 The Council of the Isles of Scilly makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.
- 1.14 The Council of the Isles of Scilly undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

## REFERENCES

Sample policy on the recruitment of ex-offenders. DBS. 8 January 2014

Revised Code of Practice for Disclosure and Barring Service Registered Persons. Home Office. November 2015