

Recruitment of Ex-offenders Policy

Integrity



Our Mission

To inspire learners to recognise and achieve their full potential

Our Values

Excellence, Passion, Team Work, Integrity, Innovation,
Sustainability, Valuing Others and Supportiveness

Sparsholt College Hampshire, incorporating Andover College Hampshire

The **Recruitment of Ex-offenders Policy** was reviewed and reconfirmed by the Strategic Leadership Team in October 2012 and replaces earlier versions.

Equality Impact Assessment	Conducted: June 2011
Originator: HR Manager	Located:
	College Intranet
	College Website
	Managers Tool Kit
Date of next review: October 2015	

Recruitment of Ex-Offenders Policy

Sparsholt College Hampshire has an obligation to take all necessary and available steps to ensure that staff employed or retained by the College do not possess a criminal record which renders them unsuitable for employment within the College. Sparsholt College Hampshire is a registered body with the Disclosure and Barring Service (DBS) and uses the Disclosure Service as part of its recruitment procedures to assess an applicant's suitability for employment in positions of trust.

The purpose of this policy is to ensure that, subject to the overriding consideration of protecting all people who access our premises, sites and services, the College will make every effort to prevent unfair discrimination against those with criminal records in line with its equality policies and employment practices.

Background

The Rehabilitation of Offenders Act 1974 was introduced to ensure ex-offenders who have not re-offended for a period of time following the date of their conviction are not discriminated against when applying for employment. Under the provisions of this Act, job applicants do not have to declare a previous conviction after a 'rehabilitation' period has passed. Most convictions become spent after five years. However, where a prison sentence of more than 2.5 years is imposed, the conviction is never considered as 'spent'.

In order to protect certain vulnerable groups within society, there are a large number of posts and professions that are exempted from the Act. These include, but are not limited to, posts involving access to children, young people, the elderly and disabled. In such cases, organisations are legally entitled to ask applicants for details of all convictions, irrespective of whether they are 'spent' or 'unspent'.

Policy Statement

- 1 Sparsholt College Hampshire will not discriminate unfairly against applicants who have a criminal record. Only relevant convictions will be taken into account when assessing an applicant's suitability for a post.
- 2 Possession of a criminal record or an unspent conviction will not necessarily bar an applicant from employment; the nature and timeframe of the conviction and its relevance to the post will be considered.
However, unspent convictions of violence, assault or damage to property, or an offence against a minor, are likely to be incompatible with working at Sparsholt.
- 3 The 'Disclosure' system, provided by the DBS, will only be sought after a candidate has been provided with a provisional offer of employment.
- 4 Those staff dealing with and handling 'Disclosure' information have been trained and abide by the DBS's Code of Conduct and the requirements of the Data Protection Act.
- 5 Applicants for posts at the College will be made aware of the requirement for 'Disclosure' and advised how to access the College's policy on the recruitment of ex-offenders.
- 6 Where 'Disclosure' indicates that a prospective employee has a criminal record the following will be taken into account when reaching a decision on the suitability for the post:-
 - Whether the conviction or other matter revealed is relevant to the position to which they will be appointed
 - The seriousness of any offence or any other matter revealed
 - The length of time since the offence or other matter occurred
 - Whether the applicant has a pattern of offending behaviour or other relevant matters
 - Whether the applicant's circumstances have changed since the offending behaviour or other matters
 - The circumstances surrounding the offence and the explanation(s) offered by the convicted person
 - Whether or not the individual has declared the conviction on their application