

Recruitment of Ex-offenders

1. Introduction

- 1.1 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), Shropshire Community Health NHS Trust (the Trust) complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. The Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

2. Policy Statement

- 2.1 The Trust will only ask an individual to provide details of convictions and cautions that they 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), the Trust can only ask an individual about convictions and cautions that are not protected.
- 2.2 The Trust 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.
- 2.3 The Trust has this policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.
- 2.4 The Trust 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. The Trust selects all candidates for interview based on their skills, qualifications and experience.
- 2.5 A Disclosure is only requested 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, this will be advised to the applicant in the event of being offered the position.
- 2.6 The Trust ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The Trust 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.

- 2.7 At interview, or in a separate discussion, the Trust 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.
- 2.8 The Trust 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.
- 2.9 Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.
- 2.10 The Trust undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
- 2.11 Where posts are exempt for from the Rehabilitation of Offenders Act 1974 the Trust will have access to entire police record of convictions, cautions, reprimands and final warnings, both juvenile and adult, including those considered 'spent' as defined by the Act.