



## HUMAN RESOURCES

### Recruitment of Ex-Offenders Policy.

AREA:	Human Resources
Policy prepared by: Director of Human Resources Director of Estates	Approved by:
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## **Recruitment of Ex-Offenders Policy.**

### **1. POLICY**

- 1.1 Bolton College is committed to ensuring that the recruitment and selection of employees is conducted in a manner that reflects best practice and promotes equality of opportunity.

### **2. INTRODUCTION**

- 2.1 The College recognises the importance of recruiting from as large a group of people as possible based on merit and ability without excluding unreasonably ex-offenders.
- 2.2 Social exclusion is an important issue for the College and one which the College works to eliminate.
- 2.3 The College also recognises its responsibility to ensure employees are suitable to work with children and vulnerable adults and that they do not compromise or damage the operation of the College. The Criminal Justice and Court Services Act 2000, The Education Reform Act 1988, The Education Act 1996 and Protection of Children Act 1999 provide the legislation. The Disclosure & Barring Service provides the means to enforce the legislation set up under the Police Act of 1997.

### **3. SCOPE**

- 3.1 All employees of Bolton College who are involved in any stage of the recruitment and selection process should be aware of, and adhere to, the contents of this policy. In addition, any external recruiting bodies who assist with the recruitment process must also act in accordance with this policy. It is the responsibility of the Human Resource Department to ensure that the external body is provided with a copy of this policy.
- 3.2 Professional advice and support is available at all stages of the recruitment process from the Human Resources Department.

### **4. AIMS**

- 4.1 This policy and procedure aims to achieve the following objectives:
- (a) To recruit the required number of staff drawn from all sectors of the population with the appropriate skills, both technical and behavioural, in order to meet the needs of the College;
  - (b) To work to a fair and effective recruitment procedure, which is consistent with employment legislation and the College's equal opportunities policy and practices; and
  - (c) To develop and enhance the public image of the College, both as an employer and as a quality provider of education.

## 5. PROCEDURE

- 5.1 Disclosure of “spent” or “unspent” convictions will not normally be the sole criterion in deciding a person’s fitness for work unless that person is disqualified by the Court or the DfES from working in a college.
- 5.2 The College will adhere to the DBS’s Code of Practice. This is designed to ensure the Disclosure Information is used fairly, sensibly and confidentially.
- 5.3 The College will:
- Fully consider the relevance of any conviction;
  - Ensure recruitment information for each post contains a statement that Disclosure will be requested of a successful applicant;
  - Encourage applicants to declare convictions and encourage confidence in our policy not to automatically exclude ex-offenders;
  - Ensure this policy is available on request and is automatically given to all applicants of whom a “Disclosure” is requested;
  - Train recruiters in the use of the policy and the DBS guidelines.
- 5.4 The College will only seek “Disclosure” at a level (Standard or Enhanced) appropriate for the post applied for and members of the H.R. team will advise on this.
- 5.5 The College will only request “Disclosure” information from the applicant who is offered the post once the level of “Disclosure” required has been determined.
- 5.6 The College will only seek “Disclosure” from an existing employee when he/she is transferred from a post which does not require a disclosure to a post which requires one, or where it is discovered that he/she has failed to disclose new convictions, or when information comes to the College’s attention which causes concern. A full appraisal of the risk involved will be undertaken and appropriate steps considered, e.g. redeployment to a non-risk area, or disciplinary action, considered. However, evidence of a previous conviction which has not been declared will not automatically justify dismissal. The individual’s service record and the nature of the undisclosed conviction will be taken into account.

### 5.6.i) Assessing the Relevance of Criminal Convictions

To assess an applicant’s criminal record it is necessary to look at the tasks he/she will do. To fully assess the risks involved the following must be considered:

- The level of contact with children (under 18) or vulnerable adults;
- The level of close supervision the person will receive;
- The responsibility for money or items of value;
- Will there be opportunities to re-offend at work;
- The seriousness of the offence;
- The length of time since the offence was committed;
- Whether the offence was a “one-off” and carried out when very young;
- Whether the applicant’s circumstances have changed;
- Whether the offence has been decriminalised by Parliament

## 5.6.ii) Confidentiality

Only the lead signatory and the relevant counter signatory will be informed. The senior manager involved in the recruitment process will be informed if a disclosure reveals an incident but will not be given details about the incident. The manager will be bound by the DBS's Code of Practice. No information will be disclosed to colleagues or students. To encourage confidence in this the successful applicant will be informed who in the College is aware of the conviction and why they have been told.

## **6. ADVERTISING THE VACANCY**

All adverts will state that the college welcomes applications from all sectors of the population.

## **7. ARCHIVING OF DISCLOSURE PAPERS**

- 7.1 "Disclosure" information will be kept at all times in lockable cabinets which can be accessed only by the lead signatory, the relevant counter signatory and those officers within the Human Resource team who are entitled to have access in line with their duties (The Director of HR is the Lead Counter signatory and the counter signatory is a member of the HR Team). The maximum time this will be kept is 6 months. After this time only a note of the reference number of the "Disclosure" will be kept on file. The original "Disclosure" information will be shredded.

## **8. EQUAL OPPORTUNITIES MONITORING**

- 8.1 Each recruitment campaign will be monitored by gender, nationality, disability, religion and sexual orientation and by applications from ex-offenders.
- 8.2 Reports and statistics will be available for audit purposes as and when necessary.
- 8.3 In order to monitor compliance with, and the effectiveness of, the College's Ex Offenders' Recruitment and Selection and Single Equality policy, a member of the Human Resources Department will be invited to, or elect to be present at, any stage of the recruitment and selection process.

## **9. OTHER RELEVANT PROCEDURES**

- 9.1 Managers should also refer to the Recruitment and Selection Policy and Procedure, The Single Equality Scheme and the DBS Guidelines and Storage Policies.
- 9.2 All appointments will be made in accordance with the College's Instrument and Articles of Governance.

## **10. REFERENCES**

- 10.1 For further information and leaflets about good management practices in relation to the recruitment and selection of candidates visit: [www.acas.org.uk](http://www.acas.org.uk) or: [www.cipd.co.uk](http://www.cipd.co.uk).

**Date of Commencement of this Agreement: November 2005**

**Date of Review of this Agreement: August 2017**