



## RECRUITMENT OF EX-OFFENDERS POLICY

**Fresh Start Management Services Limited**

Castle House | Castle Hill Avenue | Folkestone | Kent | CT20 2TQ

Telephone 0203 409 3139

**INVESTORS IN PEOPLE**  
We invest in people Silver



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## DEFINITIONS

The following definitions will be used throughout the policy:

- Fresh Start Management Services Ltd will be referred to as 'the Company'
- The term 'staff' will be used to cover all employees
- The term 'work-seeker' refers to any person receiving a work finding service from the Company
- The term 'Client' refers to any company, school, organisation or body that commissions the services of the Company to provide a work-seeker
- The term 'Registration' refers to any written submission of personal information by a work-seeker for the Company's consideration in providing a work finding service.

## 1. INTRODUCTION

As an organisation using the Disclosure and Barring Service (DBS) to assess work-seekers' and staff suitability for positions of trust, the Company fully complies with the DBS Code of Practice and undertakes to treat staff and work-seekers applying for positions, fairly. The Company does not discriminate against any subject of a Disclosure on the basis of a conviction or other information revealed.

This policy is made available to all applicants during the recruitment process and forms part of the Company's **Safer Recruitment Policy**.

The Company actively promotes equality of opportunity for all and welcomes applications from a wide range of backgrounds. The Company selects applicants for interview based on their skills, qualifications and experience.

The Registration process states that a Disclosure will be requested in the event of staff and work-seekers being considered for a position of trust, and therefore the Company asks applicants to provide details of any criminal record at an early stage in the registration process.

Having a criminal record will not necessarily prevent a work-seeker from working with the Company, however, it will depend on the nature, circumstances and background of the work-seekers offences and the nature of the position applied for.

Where a Disclosure or information given by a work-seeker or a member of staff reveals an offence, this will be subject to a separate Disclosure Barring Service (DBS) Risk Assessment.

This policy is to be read in conjunction with the **Equality & Diversity Policy** and the **Safer Recruitment Policy**.

## 2. RECRUITMENT of EX-OFFENDERS

As an organisation assessing work-seekers' suitability for positions which are included in 'The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975' (as amended in 2013) (The Act), using criminal record checks processed through the Disclosure and Barring Service (DBS), the Company complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.

The Company undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

The Company can only ask an individual about convictions and cautions that are not protected under The Act. However, if the position “demands the upmost integrity in order to maintain public trust and confidence”, full disclosure of all convictions and cautions, including protected cautions and convictions, must be made.

The Company is committed to the fair treatment of its staff, work-seekers or Clients, regardless of race, gender, religion, sexual orientation, responsibilities for dependent’s, age, physical and or mental disability or offending background.

The Company actively promotes equality of opportunity for all, with the right mix of talent, skills and potential and welcomes applications from a wide range of work-seekers including those with criminal records.

The Company selects all work-seekers for interview based on their skills, qualifications and experience.

An application for a Criminal Record Check is only submitted to the DBS after a thorough risk assessment has indicated that submitting one 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 work-seeker being offered the position.

The Company ensures that all staff involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

The Company also ensures that staff have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, for example, the Rehabilitation of Offenders Act 1974 at interview, or in a separate discussion, the Company 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, or the Company withdrawing its work finding service from the work-seeker.

The Company ensures that it makes every work-seeker or member of staff who is the subject of a Criminal Record Check submitted to DBS, aware of the existence of the DBS Code of Practice and makes a copy available on request.

The Company undertakes to discuss any matter revealed on a DBS certificate with staff and work-seekers, before considering withdrawing a conditional offer of employment or withdrawing its work finding service from a work-seeker.

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