

# Recruitment of Ex-Offenders Policy

Last reviewed:	December 2019
Next reviewed:	December 2022

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, Age UK Somerset (AUKS) complies fully with the Code of Practice<sup>1</sup> and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

AUKS is committed to the fair treatment of its staff and volunteers, potential staff and volunteers or users of its services, regardless of age, race, colour, nationality or ethnicity, physical appearance, gender, faith or religious belief, political opinions, background, sexual orientation, relationship or marital status, pregnancy or maternity situation, HIV status, disability or offending background.

We actively promote 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. We select all candidates for interview based on their skills, qualifications and experience.

This policy on the recruitment of ex-offenders is made available to all potential DBS applicants at the outset of the recruitment process.

A DBS check is only requested when, as a result of internal examination by trained staff, one has been indicated as being both proportionate and relevant to the position concerned. For those positions where a DBS check is required job adverts and person specifications will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

If you have lived outside the UK for a period of 6 consecutive months or more within the last 5 years, you may be responsible for obtaining a criminal records check from that country to cover that period. This can also be known as a 'Certificate of Good Conduct'. Further information about this is available via the DBS website<sup>2</sup>.

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<sup>1</sup> The Code of Practice - see <https://www.gov.uk/government/publications/dbs-code-of-practice>

<sup>2</sup> <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

Where a DBS check is to form part of the recruitment process, we encourage all applicants to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, addressed to the Chief Executive at AUKS and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

AUKS will only ask for information about offences that we are entitled to know about. After May 2013, the DBS removed certain specified old and minor offences from criminal record certificates issued from that date. This process is known as filtering. A 'protected' caution or 'protected' conviction that is eligible for filtering will automatically be removed from DBS checks. It is important that applicants know whether an offence is protected to ensure information is not disclosed whilst making a self-declaration if, legally, it is not required<sup>3</sup>.

Whenever the need arises, we will ensure that those in AUKS who are involved in the recruitment process receive appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure 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.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

The information declared or disclosed by the DBS or an individual will be treated in compliance with data protection regulations<sup>4</sup>.

This policy applies to staff and volunteers of Age UK Somerset and Age UK Somerset Trading Limited.

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<sup>3</sup> <https://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates> and <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

<sup>4</sup> Refer to the Confidentiality & Data Protection Policy for the secure storage, handling, use, retention and disposal of DBS certificates