

POLICY NAME: Recruitment of Ex-Offenders

DATE OF POLICY: July 2015

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Version No:	1
Approval Date:	July 2015
Review Date:	July 2017

Document Control			
Document Title	Recruitment of Ex-Offenders		
Version	1		
Last Review	June 2015	Next Review	July 2017
Originated By	HR	Date	March 2012
Approved By	HR	Date	July 2015
Document Owner	Human Resources		
Circulation	All Companies	Date	July 2015
Consultation	HR		
Dissemination date	July 2015		
Method of Dissemination	RUFUS & Email		
Implementation date	July 2015		

Revision Chronology		
Version Number	Date Of Revision	COMMENTS / REASON FOR REVISION
V0.1	30.06.15	Replacement of "CRB" to "DBS"

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1. Introduction

- 1.1 Longhurst Group Limited (The Group) is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, where appropriate, qualifications and training.

2. Statement

- 2.1 The Group will consider ex-offenders for employment on their individual merits. Our approach towards employing ex-offenders differs, however, depending on whether the job is or is not exempt from the provisions of the Rehabilitation of Offenders Act 1974.

3. Purpose

- 3.1 The purpose of this policy is to state The Group's approach towards employing people who have criminal convictions.

4. Scope

- 4.1 This policy applies to all employees, including substantive and fixed term employees and bank workers, who have a contract of employment with The Group or one of its member companies.
- 4.2 The policy also applies to all prospective employees.
- 4.3 This policy does not apply to Board Members. The recruitment of Board members will be subject to the relevant local Governance Policy.

5. Policy Details

5.1 Jobs covered by the Rehabilitation of Offenders Act 1974

- 5.1.1 The Group will not automatically refuse to employ a particular individual just because he/she has a previous criminal conviction.
- 5.1.2 During job interviews, The Group will ask job applicants to disclose any unspent convictions, but will not ask job applicants questions about spent convictions, nor expect them to disclose any spent convictions.

5.1.3 If an applicant has a conviction that is not spent and if the nature of the offence is relevant to the job for which he/she has applied, The Group will review the individual circumstances of the case and may, at its discretion, decline to select the individual for employment.

5.2 Jobs exempt from the Rehabilitation of Offenders Act 1974

5.2.1 If the job into which The Group is seeking to recruit is one of the excluded jobs listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 or the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003, The Group will require the applicant to disclose all convictions, whether spent or unspent (other than where protected cautions and protected convictions do not need to be disclosed, depending on the job concerned). Even in these circumstances, however, The Group will not refuse to employ a particular individual unless the nature of the conviction has some relevance to the job for which the individual has applied.

5.2.2 Furthermore, if the job is exempt, The Group will, once it has selected the person to whom it wishes to offer employment, seek documentary evidence about that person's criminal convictions. The Group will seek the applicant's agreement to make a joint application to the Disclosure and Barring Service (DBS) for a standard, enhanced or enhanced with DBS barred lists check (as appropriate). The Group will reimburse the individual the fee for obtaining the appropriate criminal records certificate. Where the individual is member of the DBS update service, The Group will, with his or her permission, carry out a status check on any current certificate.

5.2.3 The Group is committed to ensuring that all information provided about an individual's criminal convictions, including any information released in disclosures, is used fairly and stored and handled appropriately and in accordance with the provisions of the Data Protection Act 1998. Data held on file about an individual's criminal convictions will be held only as long as it is required for employment purposes and will not be disclosed to any unauthorised person.

6. Roles and Responsibilities

- Human Resources – initial review and legislation referencing
- Senior Management Groups & Employee Working Groups – consultation groups
- Executive Management Team – overall approval and authorisation

7. Monitoring, Evaluation and Review

7.1 This policy will be reviewed in line with legislation changes and will be monitored via HR processes and management review.

8. Definitions and Abbreviations

8.1 Definitions used:-

DBS - Disclosure & Barring Service

9. Associated Documents

9.1 Associated documents are listed below:-

- Recruitment Policy

10. References

10.1 Any reference(s) is/are noted below:-

- XpertHR
- Rehabilitation of Offenders Act 1974
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023)
- Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003 (SI 2003/231)
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 (SI 2013/1198)
- Data Protection Act 1998