

# Policy statement on the recruitment and employment of ex-offenders

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## **1. General Principles**

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), Teesside University complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly.

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

The University also complies fully with its obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has policy on these matters is available on request.

## **2. Disclosure**

Teesside University can only ask an individual to provide details of convictions and cautions that Teesside University 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)

Teesside University can only ask an individual about convictions and cautions that are not protected.

## **3. Communication**

This written policy statement on the recruitment of ex-offenders, is made available to all DBS applicants at the start of the recruitment process via our website.

## **4. Equality & Diversity**

Teesside University 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.

Teesside University 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

## 5. Procedure

- Teesside University select all candidates for interview or assessment based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to DBS 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, 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 individual being offered the position
- Where a DBS check is to form part of the recruitment materials, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process, as indicated on our Application Form. We guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- We ensure that all those at Teesside University who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- Teesside University 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
- At interview, or in a separate discussion, the University 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
- Every subject of a criminal record check submitted to DBS will be made aware of the existence of the [code of practice](#) and this policy statement with copies available on request and accessible online.
- The University undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

## 6. Retention of Information

Further information on the handling and retention of DBS information is available in the policy statement on the secure handling, use, retention and disposal of DBS certificates and certificate information. This is available on our website or upon request.

## **7. Existing Employees**

Once in employment, staff should inform their line managers, and/or Human Resources, in confidence, of any changes to their circumstances which affect their criminal record status, in order that the impact upon their suitability to undertake their role may be reviewed.