

# Recruitment of Ex- Offenders Policy

*We will provide this policy on request at no cost, in large print, in Braille, on tape or in another non-written format.*

We can produce information on request in large print, Braille, tape and on disk. It is also available in other languages. If you need information in any of these formats please contact us on Freephone 0800 479 7979.

如果你向我們提出要求，我們可以為你提供本資訊的其他語言的版本，或者是盲文或磁帶。如果你需要本資訊的任何一種這些版式的版本，請聯繫我們，電話號碼是 0800 479 7979。

Si vous nous le demandez, nous pouvons vous remettre ces informations en d'autres langues, en braille ou sur cassette. Si vous souhaitez que ces informations vous soient fournies sous l'un de ces formats, contactez-nous en composant le 0800 479 7979.

چنانچه مایل باشید می‌توانید این مطالب را به فارسی یا زبان‌های دیگر و همچنین بریل و یا بر روی نوار کاست دریافت دارید. در صورت نیاز خواهشمندیم با شماره تلفن 0800 479 7979 با ما تماس بگیرید.

ਜੇ ਤੁਸੀਂ ਸਾਨੂੰ ਬੇਨਤੀ ਕਰੋ ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਇਹ ਜਾਣਕਾਰੀ ਹੋਰ ਭਾਸ਼ਾਵਾਂ, ਬ੍ਰੇਲ (ਨੋੜਹੀਣਾਂ ਲਈ ਭਾਸ਼ਾ) ਵਿੱਚ, ਜਾਂ ਟੇਪ ਉੱਪਰ ਦੇ ਸਕਦੇ ਹਾਂ। ਜੇ ਤੁਹਾਨੂੰ ਇਨ੍ਹਾਂ ਵਿੱਚੋਂ ਕਿਸੇ ਰੂਪ ਵਿੱਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ 0800 479 7979 ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ।

Na Pana/Pani życzenie możemy zapewnić te informacje w innych językach, alfabetem Braille'a lub na kasecie. Jeśli chciał(a)by Pan(i) uzyskać te informacje w którejś z tych form, prosimy skontaktować się z nami pod numerem telefonu 0800 479 7979.

Haddii aad na weydiisato waxaanu warbixintan kugu siin karaa iyadoo ku qoran luuqad kale, farta ay dadka indhaha la' akhriyaan ama cajalad ku duuban. Haddii aad jeclaan lahayd in warbixintan lagugu siiyo mid ka mid ah qaababkaas, fadlan nagala soo xidhiidh telefoonka 0800 479 7979.

По вашей просьбе данная информация может быть предоставлена на других языках, шрифтом Брайля или в аудиозаписи. Если вам требуется информация в одном из этих форматов, позвоните нам по номеру 0800 479 7979.

Approval body	<i>Executive Team</i>
Date of approval	<i>27 September 2022</i>
Review Year	<i>October 2025</i>
Customer engagement required	<i>No</i>
Trade union engagement required	<i>Yes - For Consultation</i>
Equality Impact Assessment	<i>No</i>

## **1. INTRODUCTION**

1.1 The aim of this policy is to state the organisation’s approach towards employing people who have criminal convictions.

## **2. SCOPE**

2.1 This policy applies to all employees, candidates and job seekers undertaking DGHP’s recruitment process.

2.2 This policy is made available to all Disclosure applicants at the outset of the recruitment process.

2.3 This policy is non-contractual and may be amended or withdrawn at any time at the discretion of DGHP

## **3. BASIC PRINCIPLES**

3.1 The Code of Practice (“the Code”), as updated in 2009, is published by Scottish Ministers under section 122 of Part V of The Police Act 1997 (“the 1997 Act). The Code identifies obligations which apply to registered bodies, counter signatories and other recipients of disclosure information issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007 (the 2007 Act).

3.2 DGHP complies fully with the Code of Practice in connection with the use of information provided to registered persons, their nominees, and other recipients of information by Disclosure Scotland under Part V of the Police Act 1997 and Protection of Vulnerable Groups (Scotland) Act 2007, for the purposes of assessing applicants' suitability for employment purposes, voluntary positions, licensing and other relevant purposes. We undertake to treat all applicants for positions fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed.

3.3 We are committed to equality of opportunity, to following practices, and to providing a service which is free from unfair and unlawful discrimination. We ensure in accordance with our legal obligations that no applicant or member of staff is subject to less favourable treatment on the grounds of gender, marital status, race colour, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependants, physical or mental disability, or offending background, or is disadvantaged by any condition which cannot be shown to be relevant to performance.

3.4 DGHP actively promotes equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on skills, qualifications and experience.

## 4. RESPONSIBILITIES

General responsibilities are outlined in this section for:

### 4.1 Responsibilities of EMT and / or Board

The Board and the Executive Management Teams responsibilities include, but are not to be limited to:

- Ensuring appropriate training and guidance is provided to staff
- Ensuring that all breaches of the policy are fully and fairly investigated in line with the relevant procedures
- Delegating to the Human Resources Department the reviewing of the policy in line with the policy review dates and ensure that it is reflective of DGHP values and practice

### 4.2 Responsibilities of the Line Managers

The line managers' responsibilities may include, but will not be limited to:

- Completing any training in relation to this Policy.
- Following this Policy.
- Bringing any behaviour in breach of this policy to the attention of the Human Resources department.

### 4.3 Responsibilities of the Employees

The employees' responsibilities may include, but will not be limited to:

- Completing any training in relation to this policy.
- Complying with the requirements of this Policy.
- Bringing any behaviour in breach of this Policy to the attention of the line manager or where appropriate to the Human Resources department.

## 5. POLICY

5.1 We will request a minimum of a Basic Disclosure for all posts. A thorough risk assessment of positions and taking the relevant legislation into account will determine whether or not a Basic, Standard, Enhanced Disclosure under the 1997 Act or a Protection of Vulnerable Groups (PVG) membership under the 2007 Act is appropriate to the position in question. All applicants will be made aware at the initial recruitment stage that the position will be subject to a Disclosure and that DGHP will request the individual being offered the position to undergo an appropriate Disclosure check.

5.2 DGHP will encourage all applicants selected for interview to provide details of their criminal record at an early stage in the application process. Applicants will be requested to complete a criminal records self-declaration form. We ask that this information be sent under separate, confidential cover, to a designated person within DGHP and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

5.3 In line with the Rehabilitation of Offenders Act 1974, DGHP will only ask about convictions which are defined as "unspent" in terms of that Act, unless the nature of the position is such that we are entitled to ask questions about an individual's entire criminal record.

- 5.4 At interview, or under separate discussion, we undertake to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the position concerned. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- 5.5 We undertake to discuss any matter revealed in a Disclosure Certificate or a PVG Scheme Record with the subject of that Disclosure before considering withdrawing a conditional offer of employment.
- 5.6 We ensure that all those in DGHP who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of Disclosure information. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders (e.g., the Rehabilitation of Offenders Act 1974).
- 5.7 We undertake to make every subject of a Disclosure aware of the existence of the Code of Practice, and to make a copy available on request.
- 5.8 Having a criminal record will not necessarily debar you from working with Dumfries and Galloway Housing Partnership. This will depend on the nature of the position, together with the circumstances and background of your offences or other information contained on a disclosure certificate or provided directly to us by a police force.

## **6. GOVERNANCE AND REGULATION**

- 6.1 This policy is the responsibility of the Human Resources Department. It will be kept under constant review.
- 6.2 The policy is due for formal review every three years and the next review will occur in January 2022.

## **7. SANCTIONS**

- 7.1 All employees are required to adhere to this policy. Employees should note that any breaches of this policy may lead to disciplinary action under DGHP's Disciplinary and Capability Policy.
- 7.2 Serious breaches of this policy, for example incidents of bullying of colleagues may constitute gross misconduct and lead to dismissal.

## **8. RELATED / REFERENCED POLICIES**

- DGHP Code of Conduct
- DGHP Complaints Policy
- DGHP Data Protection Policy
- DGHP Disclosure & PVG Policy
- DGHP Disciplinary Policy

- DGHP Grievance Policy
- DGHP Recruitment & Selection Policy