

Policy

Name: Recruitment of Ex-Offenders Policy

Version: 1.0

Last Reviewed: Jan/2018

Next Reviewed: Jan/2020

Recruitment of Ex-Offenders Policy

1.0 Statement

This policy derives from our Equal Opportunities Policy. It is a source of information about how Bryson Charitable Group will consider applications from ex-offenders. It also describes the procedures that we have established to check the background of prospective new employees.

2.0 Scope

This policy applies to all prospective employees of Bryson Charitable Group.

3.0 Objectives

The purpose of this policy is to provide a framework and procedures for the equitable selection of new employees which complies with all relevant statutory legislation, demonstrating that Bryson recognises its legal responsibilities to applicants and highlighting its commitment to fulfilling those responsibilities. The policy also provides the procedures which are in place to check the background of prospective new employees in specified roles.

4.0 Guiding Principles

Bryson is committed to providing equality of opportunity for all applicants, including ex-offenders. We are committed to preventing unlawful discrimination against ex-offenders, fulfilling our legal obligations and complying with our Equal Opportunities Policy. We are also committed to ensuring that the relevant checks are carried out before a person is made a confirmed job offer. This includes checks specific to the post as well as to the individual.

5.0 Legal Framework

This policy and procedure complies with the legal framework as identified in the Bryson Charitable Group Legal Register. It does not form part of an employee's contract of employment and may be amended from time to time. The group will not depart from this policy without good reason. The policy reflects an individual's statutory rights.

6.0 Responsibilities

Roles and responsibilities within the process are of an equal responsibility to all staff but not limited to;

Directors, Assistant Directors, Senior Managers, Staff:

- Fully supporting the implementation of the policy and procedure consistently throughout the organisation

Line managers:

- Ensuring that the policy is communicated and understood; and
- Implementing the policy and procedure equitably and in line with current legislation and best practice.

Human Resources Development (HRD):

- Communicating the policy and the procedure;
- Advising managers and disclosure panel members on all aspects of the policy and procedure to ensure they operate it in a fair and effective manner;
- Ensure Access NI checks for all prospective new employees within in specified roles; are completed prior to start of employment
- Advising employees and applicants on all aspects of the policy and procedure.

7.0 Process

7.1 Equal Opportunities

The organisation aims to ensure that no employee, worker, or job applicant receives detrimental treatment on any of the following grounds:

- religious belief and/or political opinion;
- gender including gender re-assignment;
- sexual orientation;
- marital status including civil partnership status;
- having or not having dependants;
- colour, race or nationality, ethnic or national origin;
- disability;
- offending background;
- age (unless justified).

Bryson Charitable Group actively promotes equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of people, including those with criminal records. The selection of candidates for interview and for posts will be based on those who meet the required standard of skills, qualifications and experience as outlined in the essential and desirable criteria.

7.2 Access NI Checks

We will request an Access NI Disclosure only where this is considered proportionate and relevant to the particular position. This will be based on a risk assessment of that position and having considered the relevant legislation which determines whether or not a Standard or Enhanced Disclosure is *required* for the position in question. Where an Access NI Disclosure is deemed necessary for a position, all applicants will be made aware at the initial recruitment stage that the position will be subject to a Disclosure. All applicants will be made aware that Bryson Charitable Group will request the individual being offered the position, to undergo an appropriate Access NI Disclosure check.

In line with the Rehabilitation of Offenders (Northern Ireland) Order 1978 Bryson Charitable Group will only ask about convictions which are defined as 'unspent' within the terms of that Order, unless the nature of the position is such that we are entitled to ask questions about an individual's entire criminal record.

7.3 Disclosure Panel

If an applicant who is to be made a job offer has disclosed a criminal conviction this will be taken into consideration by the disclosure panel. The disclosure panel will undertake an open, measured and recorded discussion on the subject of any offences or any other matters that might be considered relevant for the position. We will ensure that the disclosure panel will have been given appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.

7.4 Failure to Disclose Information

Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of a job offer

7.5 Withdrawal of a Job Offer

If a job offer is withdrawn due to an applicant failing to reveal information that is directly relevant to the position sought or the disclosure panel deciding that an offer should be withdrawn the applicant will be informed in writing by HR. A job offer will also be withdrawn if the applicant fails to meet the appropriate standard of background checks which include satisfactory references, Access NI Disclosure Certification and NISCC registration where required.

7.6 Confidentiality

Any information relating to criminal convictions will only be seen by those who need to consider it as part of the selection process and in accordance with all Information Management and Data Protection policy and procedures.

8. Performance Measure & Review

To ensure the effectiveness of this policy, HRD will monitor compliance in line with the statutory requirements as set out in the Legal Register, and in line with current employment law. Any breaches of this policy, or apparent bad practice, will be reported as they occur and, where determined necessary, appropriate remedial action will be taken.

This policy will be reviewed by HRD after the first year of publication and thereafter every two years, or sooner where new developments in employment legislation or organisational needs necessitate such a review. Reviews will be carried out in consultation with our managers and staff.