


Title:	Recruitment of Ex-Offenders Policy	
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## **Recruitment of Ex-Offenders Policy**

Pentreath Ltd is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

### **Introduction**

Pentreath is committed to the provision of equality and diversity and fair treatment; subject to the over-riding consideration of protecting children and vulnerable people.

The Code of Practice published under Section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat Disclosure Barring Service (DBS) applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed.

The Code also obliges registered bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to DBS applicants at the outset of the recruitment process.

### **Policy Statement**

As an organisation using the DBS checking service to assess applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order, Pentreath complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. Pentreath undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

Pentreath can only ask an individual to provide details of convictions and cautions that Pentreath 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), Pentreath can only ask an individual about convictions and cautions that are not protected.

Pentreath is committed to the fair treatment of it's staff, potential staff or clients, regardless of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age, sexual orientation or offending background.

Pentreath have a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.

Pentreath actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applicants from a wide range of candidates, including those with criminal records. We select all candidates for interview 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 a DBS check will be submitted in the event of the individual being offered the position.

Where a criminal records check is to form part of the recruitment process, Pentreath encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. Pentreath requests that this information is sent to The Human Resources Manager and guarantees that this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows Pentreath to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

Pentreath ensures that all those in Pentreath who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. Pentreath 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, Pentreath 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.

Pentreath makes every subject of a criminal records check submitted to DBS aware of the existence of the Code of Practice and makes a copy available on request.

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

Having a criminal record will not necessarily bar you from working for Pentreath. This will depend on the nature of the position and the circumstances and background of the offences with due consideration given to our responsibilities to protect children and vulnerable adults.