



HR16 Recruitment of Ex-Offenders Policy

Version 2.5

Next Review Due Date: March 2027

Version Control Log (to be updated following release of new/amended policy)

Version Number	Issue Date	Details regarding changes and revised document
2.5	April 2025	Reviewed – no change to policy or procedure required
	March 2023	Reviewed – no change to policy or procedure
	March 2021	Reviewed – Content remains fit for purpose
2.4	March 2019	• Section numbers added • Updated reference to Data Protection Act • Inclusion of reference to UCheck online system
2.3	January 2017	• Removal of reference to all employees requiring an enhanced level DBS check. • Inclusion of Update service information
2.2	May 2015	Version control Update
2.1	January 2015	Reviewed – Content fit for purpose
2.0	December 2012	Reviewed – change of CRB to DBS
1.1	November 2009	Reviewed – Content fit for purpose
1.0	December 2006	Policy created

The guidance within this policy is not exhaustive and does not override the responsibility of the professionals employed by NECA to make decisions appropriate to the circumstances and in accordance with current best practice. For version control purposes, the copy of this policy that is stored on NECA's intranet is deemed to be the definitive and latest version of this policy (also to the extent that the intranet copy takes precedence over any paper copies of this policy stored by services) that is to be applied by staff throughout services.

Accessible Information Standards If you require this document in an alternative format, such as easy read, large text, braille or an alternative language please contact HR:

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Equality Analysis Initial Assessment

<i>Brief description of purpose:</i>	To ensure that policy amendments are fit for purpose, that the policy is legally compliant and takes account of best practice.		
<i>Who will policy changes impact?</i>	Employees ☒	Service Users ☒	Public ☒
	Volunteers ☒		
<i>Is there a major change that will affect how a service or policy is delivered or accessed?</i>	Yes ☐	No ☒	
<i>Could there be an existing or potential detrimental impact on any of the protected characteristic groups?</i>	Age	Yes ☐	No ☒
	Disability	Yes ☐	No ☒
	Gender Reassignment	Yes ☐	No ☒
	Marriage and Civil Partnership	Yes ☐	No ☒
	Pregnancy and maternity	Yes ☐	No ☒
	Race	Yes ☐	No ☒
	Religion or Belief	Yes ☐	No ☒
	Sex	Yes ☐	No ☒
	Sexual Orientation	Yes ☐	No ☒
<i>Details of potential impact:</i>	N/a		
<i>Actions taken to address any potential detrimental impact :</i>	N/a		



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1.0 Introduction

As an organisation using the Disclosure and Barring (DBS) Disclosure service to assess applicants' suitability for positions of trust, we aim to comply fully with the DBS Code of Practice and undertake to treat all applicants for positions fairly. We undertake not to discriminate unfairly against anyone who is the subject of a Disclosure on the basis of conviction or other information revealed.

NECA is committed to a policy of equality of opportunity in its employment practices. The aim of NECA's Equality and Diversity Policy is to ensure that of our staff, volunteers, potential staff or users of our services are treated fairly, with dignity and respect regardless of their age, marital status, disability, race (including colour, nationality, or ethnic or national origins), religion, gender, sexual orientation, gender reassignment, (intended or actual), social / economical background, or offending background (that does not create risk to young persons and vulnerable adults or any other inappropriate distinction).

2.0 Recruitment

This policy on the recruitment of ex-offenders is made available to all applicants at the outset of the recruitment process. We actively promote equality of opportunity and base our recruitment decisions on talent, skill and potential. We welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

Due to the nature of our business, NECA deem it appropriate that a DBS check is both proportionate and relevant to all employees. Recruitment information for all vacancies will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

NECA is an organisation, which is exempt from the spent convictions clause of the Rehabilitation of Offenders Act 1974. Consequently, it would not be contrary to the Act to reveal any information you may have regarding convictions, which would otherwise be considered as 'spent'. We require all applicants to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to the Human Resources Manager. 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 in NECA who are involved in the recruitment process have received appropriate guidance to identify and assess the relevance and circumstances of offences.



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At interview, or in a separate discussion, we ensure 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.

We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

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

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

All NECA DBS checks are completed online through the UCheck online screening and vetting system. Details of how to apply will be provided by Human Resources.

3.0 Handling, Storage and Retention of Disclosures

NECA complies fully with the DBS Code of Practice regarding the correct handling, storage, retention and disposal of Disclosures and Disclosure information. We also comply fully with our obligations under the Data protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

Disclosure information is never kept on an applicants personnel file and is always kept separately and securely. Access is strictly controlled and limited to those who are entitled to see it as part of their duties.

In accordance with Sections 123 and 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.



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Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. shredding. We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, we will keep a record of the date of issue of Disclosure, the name of the individual, the position for which the Disclosure was requested, the unique reference of the Disclosure and the recruitment decision taken.

4.0 Ongoing Checks

NECA employees have a personal responsibility to inform the organisation of any conviction, which could adversely effect their employment.

All employees in post will be subject to a DBS renewal. The frequency of the DBS Disclosure renewal may be dependent on funding body requirements and could be renewed annually or bi-annually. It is NECA's aim that all employees in post will have a valid disclosure issued at least every three years.

5.0 DBS Online Update Service

The DBS update service lets employers check the status of an existing DBS certificate, if it is for the same workforce where the same type and level of criminal record check is required.

Subjects of a DBS check can subscribe to the DBS Update Service either during the application process or within 19 days of a new certificate being issued. Staff members that have signed up to the service will then need to complete a consent form to allow NECA to view the DBS status (available from Human Resources).

Once you have signed up to the Update Service you will be able to take your certificate with you from role to role within the same workforce and where the same type and level of certificate is required.