

## **Disclosure and Barring Service Disclosure / Policy on recruitment of Ex-Offenders**

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## 1. Policy

- 1.1 The purpose of undertaking a criminal records check is to identify candidates who may be unsuitable to work with children or other vulnerable members of society.
- 1.2 In accordance with the requirements of the Disclosure and Barring Service (DBS), employees who work with children or vulnerable adults will be required to undertake a criminal records disclosure.

## 2. Requirement for Disclosure

All employees in a position of trust that involves regular work with children or vulnerable adults, are required to undertake either a Standard or an Enhanced Disclosure Check with the Disclosure and Barring Service. This is to ensure that they have not been barred from or have criminal records that would make them unsuitable for working with children or vulnerable adults.

This check is called a Disclosure and there are three levels of disclosure; Basic, Standard or Enhanced.

- Standard Disclosures- Are primarily for positions that involve working with children or vulnerable adults.
- Enhanced Disclosures- Are primarily for positions that involve regular caring for, training, supervising or being solely in charge of children or vulnerable adults.

The job description/person specification will normally indicate whether a Disclosure will be requested in the event of an applicant being offered a position.

If successful at interview, the DBS process will be commenced with the offer of employment. All offers of employment are subject to the receipt of satisfactory references. If for any reason a DBS Certificate is not obtained before commencement of employment a risk assessment will be conducted to cover the interim period.

Please note that on guidance from the Disclosure and Barring Service, St Mary's cannot accept checks undertaken from another organisation / institute. However, if you are a member of staff who works with multiple organisations, the University wishes to highlight the benefits of the DBS Update Service. The scheme enables all the employers you engage with to access an online portal providing up to date DBS certificates. There is an annual fee for the service, paid by the staff member.

## 3. Use of Disclosure Information

The information received by the University from any Disclosure will be confidential. The University abides by the Disclosure and Barring Service Code of Practice which is available at <https://www.gov.uk/government/publications/dbs-code-of-practice> or on request from the Human Resources Department.

#### 4. The offer of Employment to Ex-offenders

St Mary's uses the Disclosure and Barring Service to assess applicants' suitability for positions which involve regular work with young people or vulnerable adults. St Mary's complies fully with the DBS Code of Practice and undertakes steps to treat all applicants fairly and not to discriminate against an applicant on the basis of a conviction or other information revealed. St Mary's is committed to the fair treatment of its staff regardless of race, gender, religion, sexual orientation, age, physical/mental disability or offending background. St Mary's selects candidates for interview based on skills, qualifications and experience.

St Mary's encourages all applicants applying for positions eligible for Disclosure to provide details of any criminal record at an early stage in the application process. This information should be declared on the application form. If a relevant conviction is declared St Mary's requests that information concerning the conviction is sent under separate, confidential cover, to the HR Department. This information will only be seen by those who need to see it as part of the recruitment exercise.

HR will provide panel members with advice to suitably identify and assess the relevance and circumstances of offences and the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

Having a criminal record will not necessarily bar an applicant from working at St Mary's University.

If a successful candidate declares a criminal conviction, this will be explored by the Hiring Manager with HR support outside of the interview process. Consideration will be given as to whether the conviction, or other matter, revealed is relevant to dealing with children or vulnerable adults; the seriousness of any offence or other matter revealed; the length of time since the offence or other matter occurred; whether the applicant has a pattern of offending behaviour or other relevant matters; whether their circumstances have changed since the offending behaviour and the explanation(s) offered. This will be done through a risk assessment.

Failure to reveal information about the previous convictions could lead to the withdrawal of an offer of employment.

#### Relevant Policy Headings

- **Date Written:** December 2022
- **Author:** Human Resources
- **Version number:** 1
- **Person responsible:** HR Director
- **Effective from:** January 2023
- **Review date:** January 2026
- **Impact Assessment date:** Not applicable