



Working Together

Recruitment of Ex-Offenders Policy

May 2010



**INVESTORS
IN PEOPLE**

Recruitment of Ex-Offenders Policy

1.0 Introduction

1.1 Borders College actively promotes equality of opportunity for all and welcomes applications both as an employer and as a provider of education from a wide range of candidates, including those with criminal records.

2.0 Scope

2.1 Borders College undertakes to treat all applicants fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed.

2.2 Having a criminal record will not necessarily debar an individual from working or studying at Borders College. This will depend on the nature of the position, together with the circumstances and background of the offences.

3.0 Key Principals

3.1 Where a Disclosure is deemed necessary for a post or student place, all application forms and any other appropriate literature will contain a statement that a Disclosure will be requested in the event of the individual being offered a post or student place. In line with the Rehabilitation of Offenders Act 1974 the College 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 request details of an individual’s entire criminal record.

3.2 Borders College requires all applicants selected for interview to provide details of their criminal record at an early stage in the application process. This information should be sent under separate cover marked “confidential” to the Head of HR and Development in the case of applicants for employment and to the Admissions Officer in the case of students. The College guarantees that this information will only be seen by those who need to see it as part of the recruitment process.

- 3.3 The College undertakes to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the post or student place concerned.
- 3.4 Failure to reveal information that is directly relevant to the post or student place could lead to withdrawal of a conditional offer of employment or student place. The College undertakes to discuss any matter revealed in a Disclosure with the subject of that Disclosure before withdrawing any conditional offer.
- 3.5 Borders College complies fully with the Code of Practice in connection with the use of information provided by Disclosure Scotland under part v. of the Police Act 1997. The College has a Policy on the Secure Handling, Use, Storage and Retention of Disclosure Information, a copy of which can be made available on request.

4.0 Responsibilities

- 4.1 The Board of Management is responsible for approving this policy and for overseeing compliance with its principals.
- 4.2 The Head of HR/Vice Principal Quality and Innovation are responsible for the implementation of this policy.
- 4.3 All staff and students are responsible for ensuring compliance with this policy.

5.0 Related documents

- 5.1 Employee Resourcing Policy
- 5.2 Staff Handbook
- 5.3 Discipline and Grievance Policy
- 5.4 Safeguarding Juveniles and Adults at Risk of Harm
- 5.5 Admissions Procedures

6.0 Review

- 6.1 This policy will be reviewed every 2 years or whenever statutory regulations change.

Rapid Equality Impact Assessment Tool

Definitions

“Proposal” means any policy, procedure, strategy, guide or publicity material created to support the business of Borders College.

“Groups” means a subset of our staff, students or other College stakeholders defined by:

- race,
- sexuality
- faith
- employment
- health
- gender
- religion
- age
- income

“Impacts” means an effect on:

- employment
- race relations
- lifestyle
- working conditions
- ability to access our services
- discrimination against any Group
- finances
- safety

Rapid Impact Assessment Tool

What positive and negative Impacts do you think there may be from this Proposal on Groups' ability to use the College services?

Policy: Recruitment of Ex-Offenders

Positive Impacts (Groups affected)	Negative Impacts (Groups affected)
This policy is implemented equally for all staff and students. The positive impact it may have is on the student groups as it ensures that no staff member is employed or student recruited who has a detrimental criminal record therefore affording the at risk student groups a level of protection.	None
Actions taken to alleviate any negative Impacts: No negative impacts	
Recommendations: Updated policy to be adopted	

From the outcome of the Rapid Impact Assessment have negative impacts been identified for race or other equality groups?

No

Has a full Equalities Impact Assessment been recommended?

Yes

No

Reason for recommendation:

No negative impacts

Manager's Signature: _____ Date: _____

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Status: Agreed by the JCC
Policy Dated: May 2010
Author: Head of HR and Development/Vice Principal Quality
and Innovation
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Equality Impact Assessed: May 2010