

FamilyCare

Healing pasts • Building futures

An abstract graphic consisting of several overlapping, rounded, organic shapes in various colors: orange, red, pink, brown, green, olive, and blue. The shapes are layered, creating a sense of depth and movement. The colors are vibrant and saturated.

Recruitment of Ex Offenders

www.family-care.co.uk

Recruitment of Ex Offenders Policy

Implemented/Reviewed: September 2026

Date of Next Review: September 2027



- **Family Care Group** places considerable trust and confidence in its employees and where legally entitled to do so, will ask applicants to disclose relevant criminal record information as part of the safer recruitment process. The information requested will be limited to what Family care Group must legally consider for the role;
- Those involved in recruitment receive direction in assessing the relevance and circumstances of offences, as well as appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 and as Family Care Group uses the Disclosure and Barring Service to assess applicants' suitability for positions of trust, Family Care Group complies fully with the relevant Code of Practice and undertakes to treat all applicants for positions fairly; It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.
- The Group's employment policy regarding equal opportunities in accordance with the Equality Act 2010 commits to the fair and non-discriminatory treatment of all employees and applicants.
- All candidates are selected on the basis of their skills, qualifications and experience in relation to the needs of our employment vacancies.

This policy on the recruitment of ex-offenders is available to all disclosure applicants at the outset of the recruitment process.

Procedure

All application forms and job adverts will contain a statement that a Disclosure Certificate will be requested in the event of the individual being offered a position. Family Care Group will only ask an applicant to disclose criminal record information where we are legally entitled to request. We request that this information is sent under separate, confidential cover, and will be seen only by those who need to see it as part of the recruitment process.

Before advertising a vacancy, the Group will assess whether a criminal-record check is necessary, proportionate and legally available for the duties of the role. The job advertisement and recruitment information will identify the level of DBS check required, where applicable. A person's employment within a children's services organisation does not, by itself, establish eligibility for a Standard or Enhanced DBS check.

Family Care Group will only ask an applicant to disclose criminal-record information that it is legally entitled to request for the particular role. Applicants must not disclose protected convictions or protected cautions, and the Group will not take such information into account if it is otherwise received. Applicants will be provided with appropriate guidance about the information they are required to disclose.

Where relevant criminal-record information is disclosed or appears on a DBS certificate, the Group will hold an open and measured discussion with the applicant. The applicant will be given an opportunity to explain the circumstances, provide relevant information and identify any information they believe is inaccurate.



Typically, the assessment of the relevance of a criminal record will consider: -

- the nature and seriousness of the conduct;
 - its relevance to the actual duties, responsibilities and opportunities presented by the role;
 - the age and circumstances of the individual at the time;
 - the time elapsed;
 - whether the matter was isolated or formed part of a pattern;
 - the applicant's explanation and any evidence of rehabilitation or changed circumstances;
 - the extent of contact with children, access to confidential information, finances, medication, vehicles or premises;
 - the level of supervision and whether proportionate safeguards could manage any identified risk;
 - any statutory bar, prohibition or sector-specific restriction; and
- the potential impact on children, colleagues, the public and the Group.

Decision-making and review

Before an appointment is refused or a conditional offer is withdrawn because of criminal-record information, the applicant will be given a reasonable opportunity to explain the information, provide relevant context and raise any concern about its accuracy.

Decisions will be made jointly by HR and the appropriate recruiting manager, with advice from the relevant safeguarding lead or senior manager where necessary. The decision and reasons will be documented.

An offer will only be withdrawn where the information is legally capable of being considered and the documented assessment concludes that it presents an unacceptable risk in relation to the particular role.

Failure to disclose information will only be taken into account where the applicant was legally required to disclose it and had been asked a clear and legally compliant question. The applicant may request a review of the decision by a senior manager who was not the original decision-maker.

Confidentiality, storage and retention

Criminal-record and DBS information will be processed confidentially in accordance with the UK GDPR and the Data Protection Act 2018.

Access will be restricted to authorised individuals who require the information to perform their duties. Criminal-record information will not be shared more widely unless there is a lawful and necessary reason to do so.

The Group may retain a limited record showing the date and level of the check, the certificate number, the person who checked it and the recruitment decision, in accordance with applicable

regulatory requirements and the Group's retention schedule. DBS certificates and related information will be securely destroyed when no longer required.

We make every subject of a DBS disclosure aware of the existence of the Code of Practice and it can be accessed at <https://www.gov.uk/government/publications/dbs-code-of-practice>.

Having a criminal record will not necessarily prevent an applicant from working for Family Care Group. Each case will be considered individually, fairly and proportionately, having regard to the requirements of the role, the relevance and circumstances of the information disclosed, any applicable statutory restrictions and the outcome of the documented risk assessment.

