

Recruitment of ex-offenders policy

Introduction

1. This policy outlines the University's approach to the employment of individuals who have a previous criminal conviction.
2. Northumbria University is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, where appropriate, qualifications and training.
3. The University will, therefore, consider applications for employment from ex-offenders, based on their individual merits in relation to the particular role for which they have applied, and employment will not be automatically refused.

General Principles

4. The provisions of the Rehabilitation of Offenders Act 1974 (ROA) inform the University's approach to employing ex-offenders which will differ depending on whether the post applied for is, or is not, exempt under the Act.
5. The University has established a list of roles that are clearly exempt from the ROA. The University will also undertake a risk assessment of all other roles not included in this list to determine whether, or not, they should be covered by, or be exempted from, the ROA.
6. When applying for a role, all applicants must complete Part 2 of the Application Form, which asks if they have any convictions. No further details will be required at this stage.
7. A statement summarising the University's policy on the recruitment of ex-offenders will be included in the information sent to all applicants, as part of the standard application pack.
8. In the case of roles covered by the ROA, an information sheet on spent and unspent convictions will also be enclosed.
9. In the case of roles that are exempted from the ROA, a copy of the Disclosure and Barring Service's Code of Practice and a list of University roles exempt from the ROA will also be enclosed.

Roles Covered by the Rehabilitation of Offenders Act 1974 (ROA)

10. Individuals who are invited to attend an interview will not be required to reveal any convictions that are considered as "spent" under the ROA, nor will any "spent" convictions, which are voluntarily revealed by a candidate, be taken into account in the decision-making process.
11. Individuals invited to attend for interview will be required to complete a declaration of unspent convictions pro forma and return it to Human Resources (HR), no later than 2 days before the scheduled interviews.

12. All returned declarations will be reviewed by an HR Manager, in the first instance, and if considered necessary, they may discuss any declared unspent convictions with the Chair of the Interview Panel within the context of the vacant role.
13. The Interview panel may ask questions at interview regarding any unspent convictions to assess the relevance of any conviction to the position for which the candidate has applied.
14. If an individual has a conviction that is not spent and, if on considering the individual circumstances of the case, the nature of the offence represents an unacceptable level of risk to the University the interview panel may decline to select the individual for appointment.
15. If the University becomes aware of any undeclared unspent convictions following an offer of employment, in the absence of an explanation to the satisfaction of the interview panel the offer will be withdrawn. Where employment has commenced, the matter will be investigated under the University's Staff Management Procedures, the most serious outcome of which could be dismissal.

Roles Exempt From the Rehabilitation of Offenders Act 1974 (ROA)

16. If the role to which the University is seeking to recruit is exempted from the ROA, applicants will be required to disclose all convictions, whether spent or unspent. A statement to this effect will be included in the role description and advert for the role.
17. Individuals invited to attend an interview for such a role must complete a pro forma and return it to HR no later than 2 days before the interviews. The returned declarations will be reviewed by an HR Manager who may discuss any concerns with the Chair of the Interview Panel.
18. Where convictions are disclosed, the applicant will be required to offer more detailed information during the interview regarding the nature of any conviction to allow the interview panel to assess the relevance of this to the role for which the individual has applied.
19. The interview panel may decline to select the individual for appointment where the nature of the conviction represents an unacceptable level of risk to the University.

Criminal Record Disclosures

20. For appointment to roles which are exempt from the ROA the University will seek the individual's permission to make a request to the DBS for a criminal record Disclosure. If the individual declines permission the offer of appointment will be withdrawn.
21. Where an agreed Disclosure reveals no convictions, or no convictions of concern, the offer of appointment will be confirmed.
22. However if the Disclosure received from the DBS reveals either Convictions that were not previously disclosed by the individual during the selection event or the nature of the confirmed convictions is such that, there is an unacceptable risk to the University, then in the absence of an explanation to the satisfaction of the interview panel satisfactory explanation the offer of employment will be withdrawn.
23. Where the individual has already commenced employment (on the basis of their Declaration of Convictions Form), the matter will be considered under the University's Staff Management Procedures, the most serious outcome of which could be dismissal.

