



Recruitment of Ex-offenders Policy

1. Policy Statement

[Company Name] is committed to fair, transparent and non-discriminatory recruitment practices. We actively support equality of opportunity and welcome applications from all individuals, including those with criminal records.

Having a criminal record will not automatically bar an individual from working with us. Recruitment decisions will always be based on:

- Skills, qualifications and relevant experience
- The requirements and duties of the role
- A fair assessment of any criminal record disclosed
- Compliance with the Rehabilitation of Offenders Act 1974 (ROA) and UK law

We comply with the Disclosure and Barring Service (DBS) Code of Practice and treat all applicants fairly.

2. Purpose of This Policy

This policy ensures:

- Applicants with criminal records are treated fairly and consistently
- Compliance with UK legislation
- No unlawful discrimination occurs during recruitment
- Decisions are made based on relevance, risk, and safeguarding obligations

3. Scope

This policy applies to:

- All job applicants
- All employees
- All volunteers, self-employed subcontractors, and agency workers engaged by [Company Name]

4. Legal Framework

This policy is based on:

- Rehabilitation of Offenders Act (ROA) 1974
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- Police Act 1997 (DBS checks)
- Disclosure and Barring Service Code of Practice
- Equality Act 2010
- Data Protection Act 2018 & UK GDPR

5. Principles and Commitments

Recruitment of Ex-offenders Policy

5.1 Equality and Fairness

We will not discriminate unfairly against any applicant based on:

- A criminal record
- A failure to disclose information that the law allows to remain protected
- Spent convictions (unless the role is exempt from the ROA)

Selection is based solely on merit, suitability, and ability to perform the role.

5.2 Individual Assessment

Where an applicant discloses a criminal record (or this is revealed via a DBS check), we will:

- Consider the relevance of each conviction to the role applied for
- Consider the age at which the offence occurred
- Consider the time elapsed since the offence
- Consider whether the offence has any connection to the responsibilities of the role
- Consider patterns of offending, if any
- Consider safeguarding implications
- Allow the applicant the opportunity to explain the circumstances

Convictions will be assessed individually and fairly, including any mitigating factors.

6. Disclosure of Criminal Records

6.1 Applicants for Non-Exempt Roles (Covered by ROA)

Applicants must disclose unspent convictions only.

Spent convictions must not be requested or considered for roles covered by the ROA.

6.2 Applicants for Exempt Roles (Not Covered by ROA)

Where a role is exempt under the ROA Exceptions Order 1975 (e.g., safeguarding roles, regulated activity), applicants may be asked to disclose:

- Unspent convictions
- Certain spent convictions
- Relevant cautions

A DBS check may be required depending on the role type (Basic, Standard, Enhanced, or Enhanced with Barred List).

We will only request disclosures that are lawfully permitted.

6.3 Confidentiality

All criminal record information will be:

Recruitment of Ex-offenders Policy

- Treated in strict confidence
- Viewed only by authorised personnel
- Used solely for recruitment and safeguarding purposes
- Stored securely and retained only as long as necessary
- Processed in accordance with UK GDPR and Data Protection Act 2018

7. Recruitment Process

7.1 Declaration Stage

Applicants invited for interview will be encouraged to disclose relevant criminal history confidentially at an early stage. Only those involved in assessing suitability will have access to this information.

7.2 Interview Stage

If a criminal record is declared:

- A fair, open discussion will be conducted
- The applicant will have the opportunity to explain the circumstances
- No assumptions will be made without clarification

Failure to disclose unspent convictions may lead to withdrawal of an offer.

7.3 DBS Checks

Where a DBS check is required:

- The applicant will be informed in advance
- Only legally permissible checks will be undertaken
- The applicant will be provided with the DBS Code of Practice
- No check will be undertaken without consent

A conditional offer of employment may be made pending satisfactory clearance.

8. Decision-Making Process

When assessing disclosed information or DBS findings, decisions will consider:

- The seriousness and nature of the offence
- The relevance to job duties
- The potential risks to colleagues, customers, or service users
- Any safeguarding implications
- CAPITAL SHIELD SECURITY LTD's legal obligations
- Rehabilitation evidence and positive conduct since the offence

A conviction will only risk employment if it is incompatible with role responsibilities.

9. Withdrawing Offers

We undertake to:



Recruitment of Ex-offenders Policy

- Discuss any concern revealed in a DBS certificate with the applicant first
- Not withdraw a conditional offer without offering the applicant the chance to respond
- Document and fairly justify decisions made

10. Data Protection

All criminal record information is “special category data” under UK GDPR and will be:

- Processed lawfully, fairly, and transparently
- Stored securely with restricted access
- Retained only for the legally required time
- Deleted in accordance with company data retention policies

11. Training

All staff involved in recruitment will be trained in:

- Fair recruitment practices
- Equality Act compliance
- DBS Code of Practice
- Handling criminal-record data
- Avoiding unconscious bias

Approved

Managing Director

A handwritten signature in black ink, appearing to be "J. Smith", is written over a horizontal line.

CAPITAL SHIELD SECURITY LTD

This policy is reviewed on 01/01/2026