



Lewes District Council



Working in partnership with Eastbourne Homes

RECRUITMENT OF EX-OFFENDERS

- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Lewes District and Eastbourne Borough Councils (the councils) complies fully with the code of practice <https://www.gov.uk/government/publications/dbs-code-of-practice> and undertakes to treat all applicants for positions fairly.
- The councils undertake not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- The councils can only ask an individual to provide details of convictions and cautions that they are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- The councils can only ask an individual about convictions and cautions that are not protected.
- The councils are committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- The councils actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records.
- The councils select all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all documentation relating to recruitment will make reference to the fact that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- The councils ensure that staff who are involved in the recruitment process have been suitably trained to identify and assess the relevance and



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circumstances of offences and are familiar with the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

- At interview, or in a separate discussion, the councils ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- The councils make every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available upon request.
- The councils undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.