

## Appendix 13 - Guidance on the Rehabilitation of Offenders

1. As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of responsibility involving children, young persons and adults who may be at risk of harm, the University complies fully with the DBS Code of Practice which can be found at (<http://www.homeoffice.gov.uk/agencies-publicbodies/dbs/>). A hard copy of the Code can be obtained from the HR Department.

2. The University is committed to the fair treatment of applicants for employment, staff and users of its services regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or language preference (English or Welsh).

3. The University promotes job applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

4. The University's main concerns in respect of applicants with criminal convictions are to:

- Ensure the safety and well-being of our staff and students, visitors, volunteers and contractors
- Ensure the security of University property and finances
- Protect the University's reputation
- Carry out our legal responsibilities and duties

Any selection decision will be taken in the light of the above factors and relevance to the role.

5. A DBS check is only requested after a thorough assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, job adverts and recruitment documentation will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

6. Unless the nature of the position allows the University to ask questions about an individual's entire criminal record, we only ask questions in the application form about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

7. Posts in some areas of the University, are considered to be exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that ex-offenders have to disclose information about spent as well as unspent convictions. Again where this is required it will be made clear in the job advert. Further information is available in our *Guidance for Applicants required to use the DBS Disclosure service*.

8. DBS application forms are available from the HR Department.

9. For details of confidentiality in relation to DBS checks and data protection, please see our Job Applicant Privacy Notice which can be found at: <https://www.aber.ac.uk/en/media/departmental/humanresources/docs/Privacy-Notice---Recruitment-via-E-Recruiter.pdf>

9. The University will also ensure that all those involved in the recruitment and selection process have been suitably trained to identify and assess the relevance and circumstances of an offence relating to the employment of ex-offenders under the Rehabilitation of Offenders Act 1974.

10. At interview, or in a separate discussion, the University will ensure that an open and reasoned discussion takes place on the subject of any offences or other matter that might be relevant to the position.

11. Failure to reveal information that is directly relevant to the position sought could lead to the withdrawal of an offer of appointment.

12. The University makes every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

13. The university undertakes to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of appointment. The fact that an applicant has a criminal conviction will not necessarily bar that person from working with us. This will depend upon the nature of the position and the circumstances and the background of the offences.