

## Covenant Direct Ltd

### Recruitment of Ex-Offenders Policy

#### 1. Introduction

The Company actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records.

The Rehabilitation of Offenders Act 1974 provides that ex-offenders are not required to disclose to prospective employers convictions defined as 'spent' under the Act. The Act enables ex-offenders to 'wipe the slate clean' insofar that, unless the job they are applying for is exempted, they are no longer required to disclose to organisations convictions that are spent. In other words, it is unlawful for an organisation to discriminate against an ex-offender on the basis of a spent conviction, unless they are applying for an exempted job.

#### 2. Disclosure and Barring Service (DBS) checks

Dependant upon the role, the Company may require a Basic DBS check to be undertaken.

For regulated posts that involve working with children and vulnerable adults, law enforcement, legal profession, finance work, licensing work (e.g. security), applicants will be asked to reveal details of both 'spent' and 'unspent' convictions. Successful candidates for such posts will be required to provide the necessary documentation in order to complete a Standard or Enhanced DBS check. Posts that require such a disclosure will be clearly indicated to candidates.

Where a DBS check is required, any offer of employment will be conditional upon such a check being carried out and the information revealed in the check being satisfactory to the Company.

In circumstances where the DBS check reveals information which the Company deems to be directly relevant to the role or otherwise of an unsatisfactory nature, candidates will be given the opportunity to comment before the Company makes any final decisions on employing them.

#### 3. Policy & Procedure

3.1 The Company will comply fully with the DBS [code of practice](#) in assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the DBS and undertakes to treat all applicants for positions fairly.

3.2 The Company is committed to the fair treatment of its employees and potential employees in accordance with its Equality & Diversity Policy and furthermore undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

3.3 The Company will only ask an individual about convictions and cautions that are not protected.

3.4 The Company selects candidates for interview based entirely on merit and suitability for the post, taking account of the Company's responsibilities in relation to equality legislation.

3.5 An application for a DBS 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, candidates will be informed of this requirement as part of the application process and made aware of the DBS code of practice (copy available upon request).

3.6 The Company ensures that all those who are involved in the recruitment process have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.

3.7 The Company will ensure, as far as possible, that an open and measured discussion takes place on the subject of any offence(s) or other matter(s) that might be relevant to the position. By the same token, and in the spirit of a potential future employment relationship, candidates must be forthcoming in disclosing convictions and cautions which the Company has a right to be aware of, as well as any other pertinent information.

*Important note: Failure to reveal information that is not protected by law and relevant to the position sought and/or would have a bearing on a candidates' suitability for employment, could lead to the Company declining to select the individual for employment, withdrawing any conditional offer of employment which may have been made and/or terminating employment where the employee has started work.*

3.8 The Company undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

3.9 DBS certificates will be processed in accordance with the Company's GDPR Privacy Notice (copy available upon request).

#### **4. Contractual Status**

This policy and procedure is non-contractual and may be varied, suspended or terminated at the Company's discretion.