



## RECRUITMENT OF EX OFFENDERS POLICY

Co-ordinator:

Reviewer:

Approver:

Signature

Signature

Signature

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**NOTE:**

As NHS Grampian includes Grampian NHS Board, Grampian University Hospitals NHS Trust and Grampian Primary Care NHS Trust, all references to NHS Grampian within this policy apply equally to each of these organisations.

**NHS GRAMPIAN  
RECRUITMENT OF EX OFFENDERS POLICY**

**This policy is also available in large print and on computer disk. Other formats can be supplied on request.**

**Please call our <Contact – Name/Position> on <Contact – Telephone number> for a copy.**

# **NHS GRAMPIAN RECRUITMENT OF EX OFFENDERS POLICY**

## **1. INTRODUCTION**

Part V of the Police Act 1997 is aimed at helping employers and other organisations assess the suitability of applicants for particular posts and to make safer recruitment decisions in relation to positions of trust by widening access to criminal record information. The Act provides for the issue of criminal record certificates, and enhanced criminal record certificates. In Scotland, these certificates will be issued by Disclosure Scotland. In practice, the certificates will be known as Standard and Enhanced Disclosures.

The Act also provides for a Code of Practice to be published by Ministers governing the use of all information issued in respect of Standard and Enhanced Disclosures. The Code requires all recipients of such Disclosure information to comply with the Code and to use that information properly and fairly. Where conviction or other information is revealed as part of the Disclosure process, that information must not be used to unfairly discriminate against individuals when considering them for positions.

Employers and others who make use of the Disclosure scheme are expected to have a written policy on the recruitment of such individuals. The NHS Grampian Policy is available on request.

## **2. PRINCIPLES**

- NHS Grampian comply with the Code of Practice, issued by Scottish Ministers, in connection with the use of information provided to registered persons and other recipients of information by Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for positions of trust. We undertake to treat all applicants for positions fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed.
- This written policy on the recruitment of ex-offenders, will be made available on request to all Disclosure applicants as early as possible in the recruitment process.

- NHS Grampian are committed to equality of opportunity, to following practices, and to providing a service which is free from unfair and unlawful discrimination. We ensure that no applicant or member of staff is subject to less favourable treatment on the grounds of gender, marital status, race colour, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependants, physical or mental disability, or offending background, or is disadvantaged by any condition which cannot be shown to be relevant to performance.
  
- NHS Grampian 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 selection of candidates for interview will be based on skills, qualifications and experience.
  
- NHS Grampian will request a Standard or Enhanced Disclosure only where this is considered proportionate and relevant to the particular position. This will be based on a thorough risk assessment of that position. Where a Disclosure is deemed necessary for a post it will be requested only in the event of the individual being offered the position. This will be done by asking the individual to provide a Standard or Enhanced Disclosure. Only the individual being offered a position can make an application which will then be countersigned by a named individual within NHS Grampian. This is the only way in which we may apply for a disclosure i.e. the individual's express consent is required. Where a Disclosure is deemed necessary all offers of employment are conditional and dependent on outcome.
  
- NHS Grampian encourage all applicants selected for interview to provide details of their criminal record at an early stage in the application process. We ask that this information be sent under separate, confidential cover, (quoting the post reference number on the envelope) together with the Application for Employment:
  - The Recruitment Manager for all positions other than Medical and Dental
  - Personnel Manager Medical and Dental Staffing (For Medical and Dentist Posts in GPCT)
  - Medical Recruitment Supervisor (For Medical and Dentists posts in GUHT)

NHS Grampian guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

- At interview, or under separate discussion, we undertake to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the position concerned. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or dismissal.
- NHS Grampian undertake to discuss any matter revealed in a Disclosure with the subject of that Disclosure before withdrawing a conditional offer of employment.
- NHS Grampian will ensure that all those in NHS Grampian who are involved in the recruitment decision process have all the relevant information to assess the relevance and circumstances of offences. We also ensure that they have access to relevant professional support and guidance relating on the relevant legislation relating to employment of ex-offenders e.g. the Rehabilitation of Offenders Act 1974.
- NHS Grampian undertake to make every subject of a Disclosure aware of this policy and to make a copy of the Code of Practice available on request.
- Having a criminal record will not necessarily debar an individual from working with NHS Grampian. This will depend on the nature of the position, together with the circumstances and background of the offences.