



## Policy Statement on the Recruitment of Ex-Offenders

**REVIEWED:** September 2024

**NEXT REVIEW DATE:** September 2025

**REVIEWED BY:** Olivia Bakewell

As an organisation using the Disclosure and Barring Service to assess applicant's suitability for positions of trust, Smile complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. We undertake not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.

Smile is 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.

Our policy on the recruitment of ex-offenders is made available to all disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for everyone with the right mix of talent, skills and potential and welcome 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.

Our clients are Specified Places; Schools, Pupil Referral Units and childcare premises. Therefore, the positions we recruit for are exempt from the Rehabilitation of Offenders Act 1974 and we have the right to ask applicants to reveal both spent and unspent convictions because of the nature of work you will be undertaking.

As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected and should not be disclosed to potential employers, and employers cannot take these offences into account.

[Please read the information here, before answering the following questions.](#)

NACRO and Unlock provide impartial advice. There is more information on filtering and protected offences on the Ministry of Justice website.

A DBS Disclosure is part of the recruitment process; therefore we encourage all applicants called for an interview to provide details of their criminal record (which is not protected) at an early stage in the application process. We request that this information is sent under separate, confidential cover, to the recruiting consultant within Smile and we guarantee that this information is only seen by those who need to see it as part of the recruitment process.

We ensure that all of those in Smile who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they



have received appropriate guidance and training in 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, we ensure that an open and measured discussion takes place on the subject of any offences or other matters 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.

We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and circumstances and background of your offences.