

Policy Statement on the 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), Sheffield Teaching Hospitals NHS Foundation Trust (the Trust) complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly.
- The Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- The Trust can only ask an individual to provide details of convictions and cautions that it is legally entitled to know about . 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. As part of the DBS application process, applicants will also be required to complete a self-declaration to include both unspent and spent convictions that would not otherwise be protected by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) 2013.
- The Trust can only ask an individual about convictions and cautions that are not protected.
- The Trust is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion/belief, sexual orientation, responsibilities for dependants, age, disability or offending background.
- The Trust 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 Trust selects all candidates for interview/assessment based on their skills, qualifications and experience.

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- An application for a criminal record check is only submitted to DBS 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 application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- Where the position is not eligible for a criminal record check, the Trust is entitled to ask the successful applicant to complete a self-declaration to include any unspent convictions that would not be protected by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) 2013. Any offences that are declared will be assessed in line with the arrangements for positions that require a criminal record check
- The Trust ensures that all those employed involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- The Trust also ensures 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.

The Trust will 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 Trust makes every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request.

Guidance for applicants in relation to offences that will be protected (i.e. will no longer appear on a DBS certificate) and rules in relation to when an offence becomes spent can be obtained on the [DBS](#) website. Alternatively, [NACRO](#), a social justice charity can provide advice and guidance

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