In2Ed Recruitment of Ex-Offenders Policy

Policy on the recruitment and fair treatment of applicants with criminal records

STATUS	Current policy
REVIEW DATE	Annually, or sooner if legislation, DBS guidance or recruitment arrangements change
ISSUING AUTHORITY	In2Ed management
DOCUMENT OWNER	In2Ed manager responsible for recruitment

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1.0 Purpose and scope

This policy sets out In2Ed's requirements for the recruitment and fair treatment of people with criminal records. It applies to applicants for employment and voluntary roles and to all In2Ed personnel involved in recruitment, vetting and appointment decisions. This policy applies to recruitment under the Disclosure and Barring Service (DBS) framework in England and Wales. Recruitment in other jurisdictions requires review against the applicable disclosure arrangements.

In2Ed will comply with the DBS Code of Practice issued under section 122 of the Police Act 1997 and applicable requirements of the Rehabilitation of Offenders Act 1974 and its Exceptions Order. In2Ed will treat applicants fairly and will not discriminate automatically because of a conviction, caution or other information revealed. This policy complements In2Ed's equal opportunities and safer recruitment arrangements.

2.0 Fair treatment and equality

In2Ed welcomes applications from people with the appropriate talent, skills and potential, including those with criminal records. Candidates will be selected for interview on their skills, qualifications and experience. A conviction, caution or other information revealed will not automatically exclude an applicant, except where a legal restriction prevents appointment to the particular role.

In2Ed is committed to fair treatment of staff, applicants and service users regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical or mental disability, or offending background. It will not discriminate unfairly on the basis of criminal record information.

This policy will be made available to all DBS applicants at the start of recruitment and on request. Applicants will be informed of the DBS Code of Practice, with a copy available on request. In2Ed will comply with the Code of Practice and, where applicable, the Basic check processing standards.

3.0 Lawful checks and disclosure

A DBS check will be requested only after a documented assessment establishes that it is relevant and proportionate to the position. Before requesting a Standard or Enhanced check, In2Ed must confirm that the role is legally eligible under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended, and applicable Police Act regulations. It will not request a higher level of check than the law permits. Any barred-list check must also be legally authorised for the role.

Where a check is necessary, application forms, job adverts and recruitment briefs will explain the level of check and state that a DBS certificate will be requested if a conditional offer is made.

In2Ed will ask only about convictions and cautions it is legally entitled to know about. For roles not exempt from the Rehabilitation of Offenders Act 1974, applicants will not be required to disclose spent convictions or cautions. For eligible Standard or Enhanced checks, questions will exclude protected convictions and cautions.

Protected convictions and cautions need not be disclosed in response to recruitment questions and must not be taken into account if voluntarily disclosed. Recruitment forms and guidance will reflect the current filtering rules. Each conviction is assessed against the filtering rules individually: having more than one conviction does not, by itself, mean that all convictions must be disclosed.

Applicants will be directed to the current DBS filtering guidance if they are unsure what they must disclose. Advice will be sought before using any exceptional disclosure arrangement where filtering does not apply.

4.0 Individual assessment

Where lawfully obtained criminal record information may be relevant, a suitably trained recruitment decision-maker will undertake and record a proportionate, individual assessment. The assessment will consider:

- The nature and seriousness of the offence or information, and its relevance to the duties of the role.
- The time elapsed, the applicant's age and the circumstances at the time.
- Any relevant pattern of behaviour, without treating multiple convictions as an automatic ground for rejection.
- The applicant's explanation, evidence of rehabilitation and subsequent conduct.
- The role's responsibilities, access to people, money, property or sensitive information, and any safeguarding risks.
- Whether reasonable safeguards, supervision or adjustments to duties could manage identified risks.
- Any applicable legal prohibition or mandatory sector requirement.

A DBS certificate is one part of recruitment assessment, not a substitute for considering the applicant's suitability as a whole. Decisions must be based on evidence relevant to the role, not assumptions about people with criminal records.

5.0 Discussions and recruitment decisions

At interview or in a separate confidential discussion, In2Ed will provide an opportunity for an open and measured discussion about offences or other information that may be relevant to the role. Applicants will be given a reasonable opportunity to explain the circumstances and identify inaccurate information.

Before withdrawing a conditional offer because of information on a DBS certificate, In2Ed will discuss the relevant information with the applicant. The decision-maker will document the reasons for the decision, the relationship to the role and any safeguards considered.

Failure to disclose information may lead to withdrawal of an offer only where disclosure was lawfully required and the information is relevant to the position. The applicant's explanation must be considered first. No adverse decision will be made because an applicant did not disclose protected information or other information In2Ed was not entitled to request.

An applicant who wishes to challenge In2Ed's assessment may request a review by a manager not involved in the original decision, where practicable. Where the accuracy of DBS information is disputed, the applicant will be directed to the DBS disputes process and In2Ed will consider pausing its final decision while the issue is resolved.

6.0 Confidentiality and information handling

Criminal record and DBS certificate information will be handled confidentially, used only for the purpose for which it was obtained and accessed only by authorised people who need it for their duties. Information will be stored securely and handled in accordance with applicable data protection law and the DBS Code of Practice.

Certificate information will be retained only for as long as necessary to complete the recruitment decision and resolve relevant disputes or complaints, normally no longer than six months. Any longer retention must have a documented, lawful and necessary justification. Information will be securely destroyed when the retention period ends; copies or representations of certificate contents will not be retained beyond that period.

A limited administrative record may be retained, including the applicant's name, certificate issue date, check type, role, certificate reference number and recruitment decision. Access and retention must remain proportionate. In2Ed must maintain a separate written policy on the secure handling and safekeeping of DBS certificate information; this section does not replace that policy.

7.0 Responsibilities and training

Role	*Responsibility*
Management	Maintain and implement the policy, assign ownership and ensure appropriate resources and oversight.
Manager responsible for recruitment	Confirm check eligibility, maintain lawful recruitment questions, make this policy available and ensure assessments and decisions are recorded.
Recruiters and decision-makers	Complete suitable training on the relevance and circumstances of offences, the Rehabilitation of Offenders Act 1974, filtering and fair assessment. Apply this policy consistently and maintain confidentiality.
Person responsible for data protection	Oversee secure handling, access, retention and disposal of criminal record information.
Applicants	Provide accurate information where lawfully requested and raise any disclosure uncertainties or inaccuracies.

8.0 Review and supporting guidance

The policy owner will review this policy annually and sooner following changes to legislation, DBS guidance or In2Ed's recruitment arrangements. Review will include checking role eligibility, application wording, staff training and the consistency of assessment decisions.

The following official guidance supports this policy and must be checked at each review. Guidance accessed: 9 November 2026.

- DBS recruitment of ex-offenders guidance
- DBS filtering guide
- DBS checks guidance for employers
- Handling of DBS certificate information

In2Ed management is responsible for implementing this policy and ensuring that recruitment and vetting arrangements reflect its requirements, relevant sector requirements and any exceptional disclosure obligations.