



## Policy on the Recruitment of Ex-offenders

1. St Mary's University College complies fully with the Code of Practice, issued by AccessNI, in connection with the use of information provided to registered persons, their nominees and other recipients of information by AccessNI under Part V of the Police Act 1997, for the purposes of assessing an applicant's suitability for employment purposes, voluntary positions, licensing and other relevant purposes. We undertake to treat all applicants for positions fairly and not to discriminate unfairly or unlawfully against the subject of a Disclosure on the basis of conviction or other information revealed.
2. This policy is made available to all applicants at the outset of the recruitment process.
3. St Mary's University College is committed to equality of opportunity, (see separate Equal Opportunities Policy), 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, religion, marital status, race, colour, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependants, physical or mental disability, political opinion, or is disadvantaged by any condition which cannot be shown to be relevant to performance.
4. St Mary's University College 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 those who meet the required standard of skills, qualifications and experience, as outlined in the essential and desirable criteria.
5. Having a criminal record will not necessarily prohibit you from working in St Mary's. This will depend on the nature of the position, together with the circumstances and background of your offences or other information contained on a disclosure certificate or provided directly to us by the Police.
6. The College will request an AccessNI disclosure for all appointed candidates to 'regulated' positions as defined by the Safeguarding Vulnerable Groups (NI) Order 1997. This will be based on a risk assessment of that position and having considered the appropriate legislation which determines whether an Enhanced Disclosure is required for the position in question. All applicants will be made aware at the initial recruitment stage if the position applied for is 'regulated' and if it is to be subject to an Enhanced Disclosure. If so, the College will request that the appointed candidate complete the necessary forms so that he/she can undergo an appropriate Access NI Enhanced Disclosure check.
7. All applicants to non-regulated positions within the College will, following the short-listing stage, be required to complete and return a self-disclosure form noting any unspent criminal convictions.
8. In line with the Rehabilitation of Offenders (Northern Ireland) Order 1978, the College will only ask about convictions which are defined as "unspent" within the terms of that Order, unless the nature of the position is such that we are entitled to ask questions about an individual's entire criminal record. Unspent convictions including conflict related offences

will not necessarily prevent an application from being considered. However, failure to disclose a previous criminal conviction, which is not spent, will result in disqualification of an applicant.

9. We undertake to ensure an open and measured and recorded discussion about any offences or other matters that might be considered relevant for the position concerned eg the individual is applying for a driving job but has a criminal history of driving offences. Failure to reveal information that is directly relevant to the position sought is considered very serious misconduct and could lead to withdrawal of the conditional offer of employment or disciplinary action which could lead to dismissal.
10. The College will discuss any matter revealed in a Disclosure Certificate with the subject of that Disclosure before considering withdrawing a conditional offer of employment.
11. We ensure that those who are involved in the decision-making process regarding criminal convictions will receive training to identify and assess the relevance and circumstances of offences and that they receive appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders. In situations where a criminal conviction is declared, which in the opinion of the Human Resources Manager may be materially relevant, the detail will be forwarded to and considered by the Strategic Management Team who will decide on the application.
12. We undertake to make every subject of an AccessNI Disclosure aware of the existence of the Code of Practice, and to make a copy available on request.