

## RECRUITMENT POLICY: PART 2 (EX-OFFENDERS)

### Policy statement

UCEM is an equal opportunity employer and is fully committed to a policy of treating all of its job applicants fairly and equally. UCEM aims to select people for employment on the basis of their skills, experience, abilities and where relevant, academic qualifications. UCEM will therefore consider ex-offenders for employment on their individual merits. Having a criminal record will not necessarily bar a person from being employed by UCEM; this will depend on the nature of the job role and the circumstances and background of the criminal offence(s).

### Job roles: regulated activity

UCEM is an online education provider and we have a student population with a diverse age-range from 16 upwards. Our programmes typically provide for higher education however we do have provision at Level 3. As a result, job roles within UCEM involve individuals being engaged in regulated activity relating to children and the opportunity for contact is very much in existence. Job roles include but are not limited to:

- Tutors and individuals involved in supporting teaching on modules, including those administering the Virtual Learning Environment (VLE);
- Student Experience information, advice and guidance team roles (enquiries, admissions, coursework, examinations, disability and wellbeing support, careers, and student advice);
- Marketing and business development team roles (offering information, advice and guidance to potential students);
- Finance team roles (financial support and options for students);
- Other roles which involve individuals having full access to UCEM systems including

student systems, and supporting/guiding students.

Currently in these job roles there is unsupervised activity relating to children and/or the opportunity for contact with children. In other UCEM job roles there is also the opportunity for contact with children due to the internal systems we use on a daily basis, to store and process student information, and we also run student events onsite. It is for this reason that UCEM currently has a policy of undertaking criminal record checks for employment purposes for all job roles. UCEM will continue to monitor this policy and will remove any job roles from this requirement where it considers they no longer involve such regulated activity; as job vacancies arise a risk assessment will be undertaken by the HR team.

UCEM does not currently consider that any job roles within the organisation involve regulated activity relating to adults.

### DBS checks

Therefore, 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), UCEM complies fully with the Code of Practice\* and undertakes to treat all applicants for positions fairly. UCEM undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of conviction or other information revealed.

UCEM will only ask an individual to provide details of convictions and cautions that it is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the job role 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), UCEM will only ask an individual about convictions and cautions that are not protected.

During its recruitment process UCEM will ensure that:

- Recruitment adverts, job specifications and the Recruitment Check Form contain a statement that an application for a DBS certificate will be submitted in the event of an individual being offered a job role;
- Employees in the HR team involved in the recruitment process have been suitably trained/informed to identify and assess the relevance and circumstances of offences, to advise line managers accordingly;
- An open and measured discussion takes place with an individual being considered for a job role, on the subject of any offences or other matter that might be relevant to the position;
- Job applicants are aware of the existence of the Code of Practice\* published under section 122 of the Police Act 1997 and that UCEM will make a copy available upon request;
- Any matter revealed on a DBS certificate will be discussed with the individual seeking the job role before withdrawing a conditional offer of employment.

During employment UCEM will ensure that:

- Employees are aware of the existence of the Code of Practice\* published under section 122 of the Police Act 1997 and that UCEM will make a copy available upon request;
- As a result of any rechecking process, any matter revealed on a DBS certificate for an existing employee will be thoroughly discussed with the individual prior to any action being taken.

\*The Code of Practice can be accessed online at: <https://www.gov.uk/government/publications/dbs-code-of-practice>

## Data protection requirements

UCEM is committed to ensuring that all information about an individual's criminal convictions or cautions, including any information released in disclosures, is used and processed fairly and stored confidentially and in accordance with the provisions of the Data Protection Act 1998. In particular, personal data about a person's criminal convictions will only be held for as long as it is required for employment purposes, it will only be seen by those who need to see it as part of the recruitment and employment process and it will not be shared with or disclosed to any other employer, prospective employer or other unauthorised third party.

*For internal purposes this policy is non-contractual.*