

There are benefits to employing people with convictions and it's important that businesses keep an open mind and play a role in reducing the stigma associated with past convictions. Employing people with convictions can address skills gaps and help support your social responsibility as well as creating a diverse workforce.

What is the goal for employing people with convictions? Are you looking to address a skills gap? Are you looking to gain different lived experiences in your workforce? Are you trying to help reduce re-offending by providing opportunities? Whatever the business goals, it's useful to identify them and communicate to existing employees.

The Rehabilitation of Offenders Act 1974 is the law that relates to the recruitment of people with convictions and the Act sets out 'rehabilitation periods' after which a conviction is considered 'spent' which means that an employer should treat the job applicant as if the conviction has never happened.

There are some jobs such as regulated roles or activities where it is lawful to ask job applicants about 'spent' convictions. And there are some convictions such as serious violent, sexual and terrorist offences which will never be considered 'spent'. It is always sensible to get advice if you are going to refuse to employ someone on the basis of a conviction.

GDPR. Data protection laws protect individuals from the misuse of information about them. Data should only be processed when there is a legitimate reason for doing so. Details on criminal data are considered 'sensitive data' and as such a higher standard of care must be taken in relation to it.

DBS checks provide information on an individual's conviction at the time of the check however it is unlawful to request a check if it is not necessary or required. A DBS check is a criminal record check, and the nature of the job determines the check that can be undertaken. This should be done on a role-by-role basis.

When recruiting people with convictions ensure your recruitment process is fair and transparent. In job adverts you could state your business welcomes applications from people with convictions or lived experience of the criminal justice system. It's important not to discriminate against people with convictions and be clear if checks apply.

Look at a policy for recruiting people with previous convictions. This will help support managers in the recruitment and selection process and aid potential job applicants. Once the offer has been made look at the process of onboarding and retaining people with convictions. Is there practical or technical training required? Or support with softer skills? But remember most should be onboarded the same as any other employee.

If you're unsure about how to implement any of these strategies or need HR advice and support reach out to natalie@hr2goconsultancy.co.uk 07779 508972 01279 771098