

1.0 Introduction

The Board of Directors of Guardian (Guardian) has determined by risk assessment that due to the nature of its activities and the environments in which their operations are carried out, that all staff who undertake site based activity on client's premises will be subject to a DBS (previously CRB) Check.

The Code of Practice published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate because of a conviction or other information revealed.

As required by the Code of Practice, Guardian have established this written policy on the recruitment of ex-offenders; a copy of which will be issued to DBS applicants at the outset of their application.

This policy statement should be read in conjunction with Guardian Company's Equal Opportunities Policy, which is provided as a separate document.

2.0 Applicable legislation

Legislation applicable to this policy includes:

- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended)
- Police Act Regulations (as amended) where appropriate

3.0 Statement of Policy

- As an organisation assessing applicants' suitability for positions which are included in the applicable legislation listed above, using criminal record checks processed through the Disclosure and Barring Service (DBS), Guardian complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly.
- Guardian undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- Guardian can only ask an individual to provide details of convictions and cautions that they are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested where the position is one that is included in the applicable legislation, Guardian may only ask an individual about convictions and cautions that are not protected.
- Guardian is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- Guardian has established this written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.
- Guardian 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. Guardian select all candidates for interview based on their skills, qualifications and experience.

- An application for a criminal record check is only submitted to DBS after a risk assessment has indicated that one is both proportionate and relevant to the position concerned, or where a particular Client stipulates that DBS checks need to be carried out on staff allocated to their contracts. For those positions where a criminal record check is identified as necessary, employees will be informed that an application for a DBS certificate will be submitted during induction training, or prior to their commencing a project which has DBS checking as a requirement.
- Guardian ensures that all those who are involved in the recruitment process have been instructed in how to identify and assess the relevance and circumstances of offences. Guardian also ensures that they have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At induction, or in a separate discussion, Guardian ensures 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.
- Guardian makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and a copy is available on request.
- Guardian undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
- As per the change to legislation of 29th May 2013, Guardian will not take into account an individual's old and minor cautions and convictions when making employment decisions.
- Guardian undertakes to carry out necessary checks in accordance with Disclosure Barring Service Guidelines dated 24th October 2017

3. Other Guardian Policy References

- Guardian Equality and Diversity Policy 2025
- Guardian Equality of Disabled Persons Policy 2025
- Guardian Staff Rules

4. Review

This Policy will be reviewed annually by the Board of Directors

Reviewed and Signed 07/01/2026