



# **POLICY ON THE RECRUITMENT OF EX-OFFENDERS**

## **Introduction**

The Northern Ireland Medical and Dental Training Agency (hereafter referred to as NIMDTA) complies fully with the Code of Practice, issued by the Northern Ireland Office, 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 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.

This policy is made available to all Disclosure applicants at the outset of the recruitment process.

## **Policy Influences**

This Policy is influenced by:

- The Rehabilitation of Offenders (NI) Order 1978
- The Rehabilitation of Offenders (Exceptions) Order (NI) 1979 (amended by 1987, 2001 & 2003 Orders)
- Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003
- The Police Act 1997
- Data Protection Act 1998
- AccessNI's Code of Practice

## **Policies Impacted**

Changes to this policy may have an impact on the following:

- Policy on Disclosure Information
- Policy on the Recruitment of Ex-offenders
- Recruitment and Selection Policy
- Locum Appointment for Training Policy
- General Practice Recruitment Policy

## **Policy Statement**

1. NIMDTA 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. NIMDTA ensures that no applicant or member of staff is subject to less favourable treatment on the grounds of gender, marital status, race, nationality, ethnic or national origins, age, sexual orientation, responsibilities for dependants, physical or mental disability, political opinion or offending background, or is disadvantaged by any condition which cannot be shown to be relevant to performance.
2. NIMDTA 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.
3. NIMDTA will request an AccessNI Disclosure only where this is considered proportionate and **relevant** to the particular position. This will be based on a thorough risk assessment of that position and having considered the relevant legislation which determines whether or not a Standard or Enhanced Disclosure is available to the position in question. Where an AccessNI Disclosure is deemed necessary for a post or position, all applicants will be made aware at the initial recruitment stage that the position will be subject to a Disclosure and that NIMDTA will request the individual being offered the position to undergo an appropriate AccessNI Disclosure check.
4. In line with the Rehabilitation of Offenders (Northern Ireland) Order 1978, NIMDTA 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.

5. We undertake to ensure an open and measured and recorded discussion on the subject of any offences or other matters that might be considered relevant for the position concerned e.g. 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 could lead to withdrawal of the conditional offer of employment.
6. NIMDTA will endeavor to discuss any matter revealed in a Disclosure Certificate<sup>1</sup> with the subject of that Disclosure before considering withdrawing a conditional offer of employment.
7. We ensure that all personnel in NIMDTA who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of Disclosure information. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders (e.g. the Rehabilitation of Offenders (Northern Ireland) Order 1978).
8. 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.
9. Having a criminal record will not necessary debar applicants from working with NIMDTA. This will depend upon the nature of the position, together with the circumstances and background of the offences or other information contained on a Disclosure Certificate or provided directly to NIMDTA by the Police.

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<sup>1</sup> We are only able to discuss what is contained on a Disclosure Certificate and not what may have been sent under separate cover by the Police.

## Policy Proforma

Subject of Document: Policy on Recruitment of Ex-offenders

Producer: Gillian Dennison

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Copy Obtainable: HR Department & NIMDTA Website

# Amendment Form

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