

HR & OD POLICIES

human resources and organisational development



Recruitment of Ex- Offenders Policy

1. POLICY STATEMENT

The [Code of Practice](#) (“the Code”) is published by Scottish Ministers under section 122 of Part V of The Police Act 1997 (“the 1997 Act”). The Code identifies obligations for registered bodies, counter signatories and other recipients of disclosure information issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007 (“the 2007 Act”).

Aberdeenshire Council complies with the Code, the 1997 and 2007 Acts regarding the treatment of individuals who are subject to [Disclosure Scotland](#) checks. We undertake not to discriminate unfairly against the subject of a disclosure on the basis of conviction or other information revealed.

Aberdeenshire Council will provide a copy of this policy and the Code to anyone who asks to see it.

2. PRINCIPLES

Aberdeenshire Council is committed to equality of opportunity, to following recommended practices, and to providing a service which is free from unfair and unlawful discrimination. We seek to ensure that no applicant or member of staff is subject to less favourable treatment on the grounds of their offending background unless it is strictly necessary due to the nature of the post sought. We actively promote the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on skills, qualifications and experience.

Aberdeenshire Council will use a Disclosure Scotland check only where this is considered proportionate and relevant to the particular position or type of regulated [Code of Practice](#) work. This will be based on a thorough risk assessment of the position or work and having considered the relevant legislation which determines whether or not a Standard or Enhanced Disclosure under the 1997 Act or a PVG Scheme Record under the 2007 Act is applicable.

Where a disclosure application or request is deemed necessary, individuals will be made aware that the position or work will be subject to a Disclosure Scotland check and that the nature of the position or work entitles us to ask about spent and unspent convictions.

Aberdeenshire Council will undertake to discuss any matter revealed in a certificate issued under the 1997 Act or a Scheme Record issued under the 2007 Act with the subject of that disclosure before a decision is made.

Aberdeenshire Council will ensure that all those who are involved in the decision making 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 about providing work for ex-offenders.

HAVING A CRIMINAL RECORD WILL NOT NECESSARILY DEBAR YOU FROM WORKING WITH ABERDEENSHIRE COUNCIL.

For further advice and guidance on any of the above please [contact a member of HR&OD](#).

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Policy

Revision Date	Previous Revision Date	Summary of Changes
26-09-2002	-	Creation of all Documents
01-06-2012	26-09-2002	PVG legislation update
20-04-2015	01-06-2012	Removed reference to the required completion of a Criminal Record Declaration Form

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