



Recruiting with convictions policy

The purpose of this policy is to provide guidance to candidates, staff and those making recruitment decisions about:

- how our organisation processes conviction information provided to us either through self-disclosure or a disclosure certificate, and
- how we consider the impact previous convictions may have on a person's suitability to carry out the role they have applied for.

Social Security Scotland complies fully with the Code of Practice, issued by the Scottish Ministers, in connection with the use of disclosure information provided to registered persons, their nominees, and other recipients of disclosure information issued by Disclosure Scotland under Part V of the Police Act 1997; and with the Police Act 1997, the Rehabilitation of Offenders Act 1974, and the Management of Offenders (Scotland) Act 2019, for the purposes of assessing applicants' suitability for employment, licensing and other relevant purposes.

Treating people with dignity, fairness and respect at the heart of everything we do. Social Security Scotland is a place where everyone is valued and treated equally. We want our workforce to be representative of the communities we serve.

Our organisation is committed to the fair treatment of all staff, potential staff and clients, regardless of race, sex, gender reassignment, religion or belief, sexual orientation, age, marriage and civil partnership, pregnancy and maternity, disability, responsibilities for dependants or offending background.

Social Security Scotland welcomes applications from those with previous convictions and having a criminal conviction will not automatically make a candidate ineligible to work with us. Eligibility will depend on the nature of the role, together with the circumstances and background of the offence(s) or other information contained on a disclosure certificate or within a self-declaration.

We check the background of people who want to work with us due to the sensitive nature of our work and because we work with vulnerable groups. This provides protection and reassurance to our clients, staff and organisation. However we must balance this with the rights of individuals to have their private lives respected.

Social Security Scotland will ensure that our disclosure policy is applied fairly and consistently. Any information revealed which is not deemed relevant will be disregarded and will have no bearing on the outcome of recruitment selection. The selection for interview and



the outcome of the interview will solely be based on skills, qualifications, knowledge and experience.

As part of our pre-employment checks, we request either a Basic, Standard or Enhanced disclosure from Disclosure Scotland for all of our staff. The [type of disclosure certificate](#) needed will depend on the role and will be stated on the job advert.

Disclosure means sharing sensitive personal information. Disclosure Scotland checks and shares information about people's criminal records. This helps organisations to decide who is suitable for employment for certain types of work.

Our process

Prior to a conditional offer

Candidates do not have to disclose details of their criminal convictions prior to a conditional offer of employment being made. We understand, however, that some applicants may wish to discuss their previous convictions with us earlier in the recruitment process.

We operate a fair recruitment process and will ensure anyone applying for or holding a role in our organisation is given the opportunity to discuss, on a strictly confidential basis, any convictions which they are required to tell us about.

When a candidate is successful at interview stage and is made a conditional offer of employment, they will receive an offer subject to pre-employment checks, including a disclosure check.

When a candidate wishes to self-disclose and/or discuss their convictions, they can do so by either telephone discussion with or written statement to an HR manager. This can be arranged at any point in the recruitment process, including prior to applying for one of our roles. You may wish to have a key/case worker or an employability provider, contact us on your behalf.

To arrange either of these options, please request contact from an HR manager by emailing the [Social Security Scotland Resourcing Team](#) with details of how we can contact you. Information about convictions should not be included in the email. An HR manager will be in touch to arrange either a telephone conversation or to advise how to submit your written statement confidentially.

At this stage, the HR manager can offer advice, but an unconditional offer cannot be guaranteed until a disclosure certificate is received and full pre-employment checks have been completed

When a conditional offer is made

Any information disclosed, either through self-disclosure or in a disclosure certificate, will be treated in the strictest confidence and only people required to see any relevant information to help us assess it will have access to it.

Any information that comes to our attention, either through self-disclosure by the candidate or on the disclosure certificate, will be disregarded if it is not relevant. An exception to this policy may be made if the candidate has recently been charged with a criminal offence and is awaiting the outcome of court proceedings.

All staff who are part of the decision-making process will be trained to identify and assess the relevance and circumstances of offences and they will have received appropriate guidance and training in the relevant legislation, for example the Police Act 1997.

In order to ensure we carry out a fair and consistent practice when assessing any conviction or vetting information, we will take into account the following criteria:

- the seriousness of the offence and its potential impact on clients, other employees and the organisation;
- the length of time since the offence occurred;
- whether the offence was a one-off or if there was a pattern of offending behaviour;
- whether the applicant's personal circumstances have since changed; and
- rehabilitation and taking responsibility for offending behaviour.

Depending on the outcome of the discussion between the HR manager and candidate, we may either:

(1) make an unconditional offer of employment;

OR

(2) withdraw the job offer;

OR

(3) offer another role which may be more suitable.

If the candidate fails to reveal information that is directly relevant, an offer of employment may be withdrawn. Before the offer is withdrawn, a discussion between an HR Manager and the candidate should take place.

Additional information and guidance about Disclosure checks can be found [here](#).