
Recruitment of Ex-Offenders Policy

Policy Owner	Director of Operations
Approved By	Board of Directors
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Applies To	All applicants for positions where LTS Group requests a Disclosure and Barring Service (DBS) check, and all staff involved in recruitment, vetting or DBS decisions

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1. Purpose

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, LTS Group complies fully with the DBS Code of Practice and is committed to treating all applicants for positions fairly.

This policy sets out how LTS Group approaches the recruitment of applicants and candidates with criminal records, to ensure that no one is discriminated against unfairly on the basis of a conviction or other information disclosed through a DBS check.

Having a criminal record will not automatically bar an applicant or candidate from working with or through LTS Group. This will depend on the nature of the role and the nature, circumstances and background of the offence(s) disclosed.

2. Scope

This policy applies to all applicants and candidates for roles where LTS Group requests a Basic, Standard or Enhanced DBS check (including, where relevant, a check of the Children's Barred List), and to all LTS Group staff involved in recruitment, vetting or DBS-related decisions.

This policy should be read alongside LTS Group's Safer Recruitment Policy and Safeguarding and Child Protection Policy, which set out the wider vetting checks required for roles involving work with children and young people.

3. Policy Statement

- LTS Group undertakes not to discriminate unfairly against any applicant or candidate on the basis of a conviction or other information revealed by a DBS check.
- LTS Group can only ask an individual to provide details of convictions and cautions that it is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can lawfully be requested (that is, where the role is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended), LTS Group will not ask about, or take into account, convictions or cautions that are 'protected' under the filtering rules.
- LTS Group is committed to the fair treatment of all applicants, candidates and staff, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, disability or offending background.
- LTS Group actively promotes equality of opportunity and welcomes applications from a wide range of candidates, including those with criminal records.
- This policy statement will be made available to all applicants and candidates at the outset of the recruitment process, in accordance with the DBS Code of Practice.
- Where a DBS check will form part of the recruitment process, all application materials, job adverts and recruitment briefs will make clear that a DBS check will be requested if the individual is offered the role.

4. Legislative Framework

This policy is informed by, and should be read in conjunction with:

- the DBS Code of Practice;
- the Rehabilitation of Offenders Act 1974, and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, as amended;
- Part V of the Police Act 1997 and the filtering rules for protected cautions and convictions;
- Keeping Children Safe in Education (KCSIE); and

- UK GDPR and the Data Protection Act 2018.

5. The Recruitment Process

A DBS check will only be requested after a thorough risk assessment has confirmed that a check is both proportionate and relevant to the position concerned.

Applicants and candidates are encouraged to provide details of any relevant convictions or cautions at an early stage in the process. Any disclosure made will only be seen by those who need to see it as part of the recruitment or vetting decision.

Where a criminal record is disclosed, or revealed by a DBS check, LTS Group will discuss the matter with the applicant or candidate before making any final decision. Applicants and candidates will not be automatically excluded from consideration on the basis of a disclosure alone.

6. Assessing a Disclosure

Where a conviction, caution or other relevant information is disclosed, LTS Group will consider the following factors before making a decision on suitability:

- whether the offence is relevant to the position sought, particularly where the role involves working with children or young people;
- the seriousness of the offence and any pattern of offending behaviour;
- the length of time since the offence occurred;
- whether the applicant's or candidate's circumstances have changed since the offence took place; and
- the accuracy of the information disclosed, and any explanation offered by the applicant or candidate.

Any decision not to proceed with an applicant or candidate on the basis of information disclosed will be reasonable, proportionate, and clearly recorded, and the individual will be given the opportunity to discuss the information with LTS Group before a final decision is made.

7. Training

LTS Group ensures that staff involved in the recruitment process, or in assessing DBS disclosures, are suitably trained to identify and assess the relevance and circumstances of offences, and receive appropriate guidance on the relevant legislation relating to the employment of ex-offenders, including the Rehabilitation of Offenders Act 1974.

8. Confidentiality and Data Protection

All information provided by applicants and candidates in connection with a DBS check will be handled in strict confidence, in accordance with LTS Group's Information Security and Data Protection Policy and Data Retention Policy, and will only be shared with those who need to see it for recruitment or vetting purposes.

9. Review

This policy will be reviewed annually, or sooner where there are significant legislative, regulatory or operational changes affecting the recruitment of ex-offenders.

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