

Applicants with a criminal record

This policy sets out our approach to considering candidates in cases where previous convictions and cautions are self disclosed or come to light as part of our pre-appointment checks which include a Disclosure and Barring Service (DBS) check.

SA Law 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.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances of your offences. We undertake not to discriminate unfairly against applicants because of convictions, cautions, reprimands or outstanding criminal proceedings.

1. How we do this

In line with our Equal Opportunities Policy (available in our staff handbook) we will treat all job applicants with dignity and respect.

All new employees, secondees and where appropriate consultants and agency workers at SA Law will be required to undertake a DBS check before joining the firm, and this policy will be made available on our website. We will only ask an individual about convictions and cautions that are not protected.

2. Roles and responsibilities

The Human Resources (HR) team are responsible for developing and maintaining the recruitment of ex-offenders policy, ensuring compliance and producing any supporting guidance needed. They will provide advice and support to recruiting Heads of Department throughout the pre-employment check process.

The HR team will ensure all recruitment decisions are based on a proper assessment of the risk should any DBS check reveal any details of convictions and/or cautions. They are responsible for ensuring that an open and measured discussion takes place with the individual on the subject of any offences or other matter that might be relevant to the position before considering whether to proceed with the offer of employment or withdrawing a conditional offer of employment.

Candidates are responsible for following the pre-employment checks process, including the requirement for a DBS check. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment

3. Procedure

Following interview the HR team will let you know if you have been identified as the preferred candidate and that this is subject to satisfactory pre-employment checks.

As well as a DBS check the pre-employment check process includes checking key documents and references, your right to work in the UK, work history and qualifications.

No employees will be able to begin employment until all these checks are completed.

SA Law uses a recognised umbrella organisation (called UCheck) to carry out the administration of the DBS checks.

Should self disclosure or the DBS check reveal previous convictions or cautions the HR team we will have an open and measured discussion with you on the subject of any convictions, cautions, reprimands or outstanding criminal proceedings that might be relevant to the position. Failure to reveal information that is directly relevant to the position could lead to withdrawal of an offer of employment (or dismissal, if your employment has commenced).

4 Data

Any personal data that is processed when applying this policy will be managed in accordance with the General Data Protection Regulation (GDPR), UK data protection legislation and SA Law's Data Protection policy.

DBS Certificate information will be kept securely, and only accessible by HR staff and the relevant Head of Department at the point of recruitment.

DBS Certificate information will only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Once a recruitment (or other relevant) decision has been made, we will only keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken for the life of the employment contract.