

# REHABILITATION OF OFFENDERS POLICY

December 2025

## Introduction

The aim of this policy is to set out our approach to employing people who have a criminal record.

- We are committed to equality of opportunity for all job applicants and aim to select people for employment based on their skills, abilities, experience, knowledge and, where needed, qualifications and training.
- We undertake to treat all applicants for positions fairly
- INTO undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed
- We are committed to the fair treatment of our employees, potential employees or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We actively promote 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.

Therefore, we will consider applicants who have a criminal record on their individual merits. However, our approach depends on the job, and whether it is covered by, or exempt from, the Rehabilitation of Offenders Act 1974. This policy does not form part of an individual's contract of employment, and we reserve the right to amend or withdraw it at any time.

This policy should be read alongside our EDIB global principle and data protection policy.

## Scope

This policy applies to all applicants and employees involved in the recruitment process, including hiring managers, HR colleagues and external recruitment partners.

## Definitions

- **Spent conviction:** A criminal conviction becomes "spent" after a defined "rehabilitation" period, depending on the sentence. Different rehabilitation periods apply in England and Wales to those in Northern Ireland and those in Scotland (where they are referred to as "disclosure periods"). Once a conviction is spent, the individual must (unless the position is excluded) be treated for all purposes as if their conviction had never occurred. Job applicants are entitled to conceal details relating to spent convictions from a prospective employer. A refusal to employ an individual on the grounds of a spent conviction is unlawful.
- **Protected cautions and convictions:** Older and less serious offences which are filtered out from standard and enhanced DBS checks. Applicants do not need to disclose these even if the role is exempt.

## Roles Covered by the Rehabilitation of Offenders Act

Some roles within our organisation are covered by the Rehabilitation of Offenders Act 1974, which means that job applicants for these roles cannot be treated unfavourably because they have a spent conviction. We will not automatically refuse to employ someone just because they have a previous criminal conviction.

We will only ask an individual to provide details of convictions and cautions that we are legally entitled to know about.

At some stage during the recruitment process, but not the initial application stage, we will ask applicants to disclose unspent convictions. We will not at any stage ask applicants for these roles questions about spent convictions or expect anyone to disclose spent convictions.

If an applicant has a conviction that is unspent and the nature of the offence is relevant to the role they are applying for, we will review the individual circumstances and may, at our discretion, not select the individual for employment.

- We will consider the relevance, seriousness and circumstances of any disclosed conviction before making a recruitment decision. We will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position.
- Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment
- We undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

## Roles that are Exempt from the Rehabilitation of Offenders Act

Many roles within our organisation are exempt from the Rehabilitation of Offenders Act 1974, which means that applicants for these roles can be refused employment in the position where they have a spent conviction.

If the role an individual is applying for is one of the roles exempt under the Rehabilitation of Offenders Act Exceptions Order, we will require them to disclose all convictions, whether they are spent or unspent (other than protected cautions and protected convictions, which do not need to be disclosed depending on the role concerned). Even in these circumstances, we will not necessarily refuse to employ the applicant unless the nature of the conviction has some relevance to the role.

If the role is exempt, we will, if we select an applicant as the person we would like to offer employment, seek documentary evidence to establish whether they have any criminal convictions. We will seek their agreement to make a joint application to the Disclosure and Barring Service (DBS) for a standard, enhanced or enhanced with DBS barred lists check (as appropriate).

If the applicant is a member of the DBS update service, we will, with their permission, carry out a status check on any current certificate.