“Business in the Community member companies have shown how employing ex-offenders helps us all: vacancies are filled by people with the right skills, individuals are less likely to re-offend, we are all less likely to become the victims of crime and eventually, with hard work, the pressure will be reduced on our bursting prison system.”

Julia Cleverdon CVO CBE
Chief Executive, Business in the Community

“Getting Out To Work provides compelling first-hand evidence that employing people with convictions makes shrewd business sense for companies across a whole range of sectors. This is a real opportunity to help organisations plug expanding skills gaps with disciplined and motivated workers, who in turn will benefit from the structure and sense of purpose that makes them so much less likely to re-offend, potentially saving us all billions of pounds of imprisonment costs. The more employers take on the lessons from this guide, the more everyone will benefit.”

Sukhvinder Stubbs
Chief Executive, Barrow Cadbury Trust
Introduction

I am delighted to introduce this guide to good practice for employers. It focuses on facts and provides essential information. Uniquely, it has been developed with the active involvement and participation of a wide range of employers and offers useful insights. It is therefore a publication by employers, for employers.

A growing number of employers are appreciating the business benefits of providing work experience and employment for young adults with convictions. As the examples in these guidelines demonstrate, they are discovering that with the right support, such young adults can prove reliable, skilled and highly motivated employees. They can also be a great asset – particularly where there are labour shortages.

Employment is a key factor in reducing offending among young adults. It provides a legitimate income and stability. Yet young adults in general are twice as likely to be unemployed as those aged over 24. Additionally, those in the criminal justice system face further difficulties in getting work.

No-one would pretend that, as in the recruitment of any person, the employment of young adults with criminal convictions is not without challenges. The risks associated with this group can be heightened but, as you will read in the pages that follow, all the employers who have contributed to these guidelines report positive business benefits. Careful and thorough preparation before recruiting is the key to success.

These guidelines are testament to all those companies that are helping to rebuild the lives of young adult offenders through the provision of employment and training opportunities and I would like to thank those companies and individuals that have participated in the development of this publication.

Finally, I would like to pay tribute to the Barrow Cadbury Trust which has initiated and funded this publication and to Business in the Community which has campaigned over many years to provide employment and training opportunities to socially excluded groups.

Note of thanks - The Barrow Cadbury Trust and Business in the Community would like to thank the many organisations that helped in developing this guide, including:

Asda; Blue Sky; Charlton Athletic; Cisco Systems Inc; Compass Group; Co-operative Group; Fifteen; Gilds Associates; Green-Works; HMP & YOI Ashfield; Inside Job Productions; Leyland Trucks; Nacro; Serco Group plc; Wates Group; Whitbread; Wiltan.

Miles Templeman
Director General, Institute of Directors

Contents

3 Introduction

Why employ people with convictions?
4 - 8 Because it is good for business
9 - 11 Finding a job transforms lives and society

Inside Stories
12 Prison and Profit – Why Compass employs straight from jail
14 Business as usual – Some companies employ people with convictions as a matter of normal practice
16 The journey back to work for a person with convictions

The four keys to success
18 Check list
20 1. Communications
24 2. Partnerships
28 3. Job-ready recruits
30 4. Selection of candidates

Appendix
35 - 37 Useful publications & contacts
38 Important legislation

‘Getting out to work’ was produced on behalf of the Barrow Cadbury Trust and Business in the Community by Susie Maley, James Narey, Jack O’Sullivan and Ed Williams.

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Why employ people with convictions?

1. Because it is good for business

- **It can resolve skills shortages:**

The Government has identified construction, the utilities, catering and hospitality, transport, distribution, IT, communications and horticulture, amongst others, as sectors suffering from skills shortages. Relevant training is already being delivered in prisons in all these skills areas, so that people with convictions have skills that are tailored to business needs. ‘Prison Industries’, through which offenders produce goods for internal and external markets, have an annual turnover of more than £30m.

**Examples:**

- Cisco Systems has identified that there is a shortage of over 60,000 networking professionals in the UK. Cisco has introduced its Networking Academy into 26 prisons, providing entry-level and intermediate networking skills and the possibility of employment or further education on release.

- John Laing Training has workshops in several prisons in the South East following the successful introduction of construction workshops in HMP Wandsworth, where prisoners can learn bricklaying, plastering and dry lining skills to NVQ level.

- ‘Three or four years ago we couldn’t recruit drivers, even through the Job Centre. Then we heard about the Prison Service and learnt that other firms had taken on offenders. We thought that, if they’ve been cleared to work for those companies, why couldn’t we work with the local Prison Service?’
  
  Transport company

- National Grid Transco’s ‘Offender Training and Employment Programme’ has helped turn around the lives of young offenders while allowing the company to resolve skills shortages at only 60 per cent of the usual cost.

  ‘The rehabilitation programme provides a win, win situation for all parties. It helps the women to rebuild their lives by providing them with the opportunity to gain recognised qualifications, earn money and build their CV. In return Compass benefits from a committed workforce, particularly in areas where recruitment can be difficult, and underpins our commitment to investing in community schemes.’

  Compass Group UK & Ireland

- ‘The first thing employers ask us is the cost. We tell them: “nothing”.’
  
  Prison resettlement officer, HMP & YOI Ashfield

- ‘They are very good workers. It’s almost like an agency: they are on license and if they do something wrong, they go back to prison. They mostly want to work, want to have clothes, want to rent their accommodation. The majority are good – they turn up on time, are smart, polite. Not everyone’s perfect, but you’ve always got that even with the other people you employ who aren’t offenders.’

  Transport company

- **It can be a cheap and sustainable recruitment route**

  By ensuring that the employer is asked to consider only individuals with the right skills, who are committed and job ready, the company can have large parts of the standard recruitment process carried out at no cost and even claim a financial subsidy under the New Deal for each person employed. Such arrangements can also be the answer to high staff turnover, by establishing a secure and sustainable source of candidates who, as well as being appropriately skilled, can be meaningfully assessed for commitment and motivation by the people who know them best: prison and probation staff.

**Examples:**

- ‘The rehabilitation programme provides a win, win situation for all parties. It helps the women to rebuild their lives by providing them with the opportunity to gain recognised qualifications, earn money and build their CV. In return Compass benefits from a committed workforce, particularly in areas where recruitment can be difficult, and underpins our commitment to investing in community schemes.’

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  Transport company

- **Enhanced screening of candidates which supports risk management**

  Employing people with convictions via the prison or probation services allows employers to exercise greater risk control than is possible when recruiting ‘off the street’. Using these recruitment vehicles, an employer is able to discover what a candidate has done in the past, how they have behaved recently and what skills and abilities they really have to offer. There is also the potential for continued risk management support following hiring. Each offender finishing or still under sentence now has an offender manager responsible for their resettlement.

**Examples:**

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  Transport company

Continued >>
Why employ people with convictions?

- **Demonstrates a strong commitment to diversity** and improves an employer’s ability to represent its local community.

  **Examples:**
  
  “We are based in, and reliant on our local community and it is important that we are diverse and open in our recruitment.”
  
  Wiltan

- **Improves staff motivation** and provides opportunities for developing management and mentoring skills among the existing workforce.

  **Example:**
  
  “I've learnt tolerance – where we have appointed people with convictions, sites have spent more time and been more tolerant that they would have with the average person. We’ve had problems with one guy, but the site supported him and things really worked out.”
  
  Construction company

- **High levels of performance and retention**

  Only 6 per cent of employers surveyed in 2002 said that employing people with convictions had been a negative experience, compared with 66 per cent who said that it was positive. (Chartered Institute of Personnel and Development, 2002)

  **Example:**
  
  “I've found that people whose lives you can change have a degree of loyalty beyond all proportion – I've offered someone a job who has cried with gratitude. They are great employees if you put in the time.”
  
  Blue Sky Development and Regeneration

- **Clear commitment and leadership on this agenda can help build new business relationships**

  **Examples:**
  
  “We had interviewed four people with convictions in prison with a view to training them to serve food and drinks. They were released on license and they spent a week with us, a couple of days in different parts of the business, getting them into the habit of getting up at 8.30am in the morning.
  
  ‘We set these four a challenge to serve a meal in their prison, which had agreed to provide lunch for 15 companies who were keen to know more about employing people with convictions.”
  
  Zubair Aziz, Director, Gilds

- **Commitment to supporting disadvantaged groups can strengthen bids for public sector contracts**

  There is an increasing expectation that successful bids for public sector contracts will include the provision of a social or community benefit, e.g. through section 106 agreements. These are designed to mitigate any negative effects of a new development, e.g. a loss of open space, by providing a commensurate level of benefit to the community. Such agreements may, for example, include an undertaking that a new residential development will include a proportion of social housing but may also include a commitment by the developer to provide education and employment opportunities to disadvantaged groups.

- **Reputational benefits**

  Such programmes support a company’s licence to operate.

  **Example:**
  
  “It puts us in the right arena with the right companies, many of them our clients. Larger companies are involved in Corporate Social Responsibility and they see that we are doing more than some of them. Also employees love it. It makes everyone feel good.”
  
  Zubair Aziz, Director, Gilds

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Continued >>
Why employ people with convictions?

### Facts

- **85%** Percentage of employers who are experiencing recruitment difficulties due to skills shortages and a lack of experience*.
- **40%** Percentage by which one company cut its recruitment costs through employing people with convictions.
- **87%** Percentage of employers with experience of employing people with convictions who consider them at least as productive as other workers*.
- **53%** Percentage of organisations with experience of employing people with convictions*.
- **134** The number of organisations who reported to CIPD that they had positive experiences employing people with convictions, the chief reasons being that they settled into work well with colleagues (86%) and performed well (82%).
- **20%** Proportion of the working age population with a criminal conviction*.

* (Chartered Institute of Personnel and Development, 2002)

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### There are challenges...

- Managing media coverage
- Tackling uncertainty from existing employees
- Securing stakeholder buy-in
- Ensuring sufficient guidance and support for staff
- Giving individuals the best chance not to re-offend

...But this guide aims to maximise your business benefits and help you address these issues.

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### 2. Finding a job improves lives and society

- **Employing a person with convictions can transform that person’s life.**
  
  It draws that person back into the mainstream of society, provides income, status and relationships with a stable and supportive peer-group.

  **Example:**
  ‘We have had a young lad for three years who had committed a serious armed robbery and he has now turned his life around with a flat, a girlfriend etc.’
  
  **Manufacturing company**

- **It is a route out of dependency** offering structure in the individual’s life, and heightened self-esteem. It gives people with convictions who are parents a chance to make a real financial contribution to their children’s well-being.

  **Example:**
  ‘I meet prisoners regularly and I am so encouraged that they are so motivated as a result of this type of education and training. I have received many letters of thanks from prisoners and ex-offenders and there is one particular letter that sticks in my mind: “Even if I don’t get a job when I leave prison I can at least talk to my children about IT and computers and help them”.’
  
  **Cisco Systems**

Continued >>
Why employ people with convictions?

- **A stable job reduces re-offending**, it is estimated, by between a third and a half. Creating widespread employment opportunities for people with convictions leads to huge savings to the criminal justice system, strengthens families and can lead to a dramatic fall in crime.

Example:
‘Ex-offenders need a chance. They are able to engage with children and are given the opportunity to give something back by working in the community. We don’t see them as offenders but as young people. Of all the groups we run courses for, prisoners are the most receptive. They are the hardest working and take the course most seriously.’

Charlton Athletic FC, which runs football coaching courses for people with convictions

- **Training needs follow-up with jobs.** Increasing the number of training schemes for young adults with convictions is not enough. Without jobs to go to, training is insufficient. Unemployed young people with criminal convictions say that being rejected by an employer after being on a training scheme was worse as their hopes had been raised.

Example:
‘I took my executive to a prison. When they saw it, when the door closed and they talked to prisoners in our workshops, they really realised, “Wow, they’re human beings”.’

Manager responsible for a major UK company’s recruitment of people with convictions

Facts

- 57% Percentage of ex-prisoners seeking work who say that they have had difficulties because of their criminal record.*
- 100k The number of people typically released from prison every year.*
- 120k The number of people who are sentenced to community supervision.*
- 76% Percentage of prisoners that do not have a job to go to on release.***
- 75 Total cost per year of re-offending by ex-prisoners.**
- £60bn Number of people in England and Wales who have a criminal conviction.
- £65k Percentage of young adults in prison who are unemployed at the point of arrest.
- 63% Prisoners who lose their jobs while in jail.*
- 66% Amount it costs the criminal justice system to bring a re-offending ex-prisoner to the point of re-imprisonment.**

* Chartered Institute of Personnel and Development
** Social Exclusion Unit
*** Home Office
**** British Chamber of Commerce Survey 2001

Annual cost of a place in a juvenile Youth Offending Institution. It costs an average of £37,500 a year to keep an adult in prison. A Secure Training Centre place is £130,000.**

Percentage of prisoners who re-offend within two years.***
The number of young adults (18 - 25) in custody (July 2007)***

Weekly subsidy available to those employing a person with convictions under the New Deal. For more information visit www.jobcentreplus.gov.uk

Amount it costs the criminal justice system to bring a re-offending ex-prisoner to the point of re-imprisonment.**
Inside stories

Prison and Profit

By employing staff straight from prison, Compass Group has solved recruitment shortages, gained a highly motivated workforce, reduced recruitment costs, enhanced its reputation as a corporate citizen and won major national awards. The business benefits have far outweighed the risks, says Kenneth Stickings of Compass Group.

The ‘Rehabilitation’ project is a catering training scheme, run by ESS, part of Compass Group – the country’s leading food service organisation. It helps inmates at the female-only HM Prison Drake Hall in Staffordshire to make a fresh start on their release. Since 2004, 38 women, aged between 19 and 42, have taken part in the scheme. They work for ESS, contracted alongside Landmarc Support Services to provide catering and support services to the MOD’s Swynnerton Defence Training Camp.

This is the first time that the MOD has allowed serving offenders to work at an establishment.

Compass Group took risks with this programme. Security breaches would have damaged the company’s relationship with the camp, the MOD and Landmarc. The chance of retaining the contract and acquiring future business would have been slim.

But the business benefits made the risks worthwhile. Longstanding recruitment problems at this rural site have all but disappeared. There is now a reliable, committed group of women – paid on the same terms as permanent staff – eager to work with us. Knowing there is always a full complement of staff has improved morale and job satisfaction enormously. ESS has saved money too; recruitment costs, once a significant monthly item, are almost zero.

There is now a reliable, committed group of women – paid on the same terms as permanent staff – eager to work with us.

Client relations with Landmarc and Swynnerton camp commandant are excellent. Landmarc welcomed this creative solution, and, following its success, is developing further prisoner outreach projects for other trades such as building and grounds maintenance.

ESS staff have learnt new skills. They have a broader understanding of social issues, and greater job satisfaction. As the women have integrated, forming a stable workforce, we can staff new business ventures including functions and catering for private companies offering corporate team-building programmes. More income will come from the hairdressing salon, due to open soon, serving camp visitors and local people.

Compass has gained positive feedback in the press and won several national community investment awards. This helps underpin ESS and Compass’s reputation as a good corporate citizen and balances some of the negative press during a difficult time for the division worldwide.

None of the 38 women is known to have re-offended on release from prison. The majority are successfully employed in the catering and hospitality sector. As the programme expands, so will the numbers of skilled people with convictions going into the industry.

Kenneth Stickings is Contract Director for ESS Defence Training Estate (part of Compass Group).
Kenneth.Stickings@compass-group.co.uk

Compass won the Employability Award in BITC’s Awards for Excellence 2007.
Inside stories

Business as usual

Some of Britain’s most forward-looking companies are making their recruitment more accessible to disadvantaged groups, including people with convictions. These policies, increasingly a matter of normal business practice, help to deepen recruitment pools and represent their local communities. Here, one such company explains how, while it does not seek public attention for its policy, it gains business benefits from employing people with convictions.

We have hundreds of customer-facing outlets in the UK and employ more than 100,000 people. Our policy, for over 10 years, has been not to exclude people with convictions, but to look at each person on a case-by-case basis and conduct a proper risk assessment. We have a guide to help store managers with this task – so they understand, for example, what is a ‘spent’ conviction.

However, some ex-offenders are automatically ruled out. We would not, for example, take sex offenders because our business is family-orientated and deals with children. We would not employ them, even in the distribution system, because of the risk to other staff.

When employing people with convictions, we also give consideration to other vulnerable groups such as disabled and elderly people. And some positions are ruled out to people convicted of particular crimes – we would not employ someone convicted of theft in a cash office position but might employ them in a warehouse.

People apply to us for jobs – we don’t seek out ex-offenders. We take them because we want to be representative of local communities. In some areas there are prisons and those people are representative of that demographic. And a surprisingly high proportion of adults have a criminal conviction, so you can’t impose a blanket ban.

We would be excluding a lot of people who may have done something stupid and gone to prison for six months when they were 17. A lot of people offended because of their situation: no money, no home and felt it was the only way out for them. And we know that people are less likely to re-offend if they get the chance to work again.

We cannot afford to discount any group of people as recruitment is often hard and we have vacancies. We need to widen the labour pool, which offers cost and skill benefits. We could be missing out on able and productive employees.

Our policy has been to look at each person on a case-by-case basis and conduct a proper risk assessment.

Also, we want our customers to feel that they are served by people like them. Employing a person with convictions, once risk assessments have been done, can be an important statement to a customer. They see that such and such a family member went to prison, but we still gave them a job.

We don’t shout about it. Like most organisations, we don’t even know how many ex-offenders we employ. We just have a policy of being open to our communities. We would not want to put pressure on those staff who may not be enthusiastic about ex-offenders, by making a big deal of employing some people from this group.

The company does not seek public attention for its policy.
Inside stories

An offender’s journey back to work

Finding a job while still inside prepared Fiona Bryce for a better life after her release. She explains how it has allowed her to fulfil her role as a mother and to support herself financially.

I did thirteen and a half months. While I was at Downview in Sutton, Surrey, I took a three month B.Tech course in digital media, organised by Media for Development, a company that brings media to isolated communities. Afterwards, I got a production assistant position in their London office.

It was an exciting opportunity to lead an almost normal life. I left prison at 6.30am and had to be back by 7.30pm. I travelled on my own by public transport. On Saturdays, I could be out from 9 to 7.30pm. I felt like I was hardly in prison - I was only really there for one day a week.

I was paid the minimum wage which goes a long way when you aren’t worried about rent. And it set me on my feet when, four months into the job, I was released.

It didn’t feel like anything special. I had been leading almost a normal life for several months anyway. I kept the job, temporarily at least. It was just after Christmas, when I had spent three nights at home.

Then, the job came to an end. So I joined a job site for IT jobs. Within a week, I had an interview testing IT software, which I had done years before. Working had helped my confidence in the interview. I could be someone other than a prisoner. I already had the experience of being out there, holding down a job.

Otherwise, I would have been thinking all the time about having just got out of prison.

At the end of the interview, I explained the big gap in my CV. They were fine and understood. But I am glad I waited till the end. You have to allow yourself to be judged first for who you are, not for what you have done. I had not expected their positive reaction - Portsmouth University had already turned me down, without an interview, because of my record.

My two boys live with their dad and there is legal wrangling over contact. But thanks to the job, I know I can provide for them and do things with them when I have them at weekends. Working helps me to show everyone concerned that I am a responsible person, with a job and a normal relationship and that I want what is best for my children.

Fiona Bryce, 31, was released in 2007 after serving 13.5 months in prison.

She is currently employed full-time as a tester of IT software and is engaged to be married.

Being able to work while I was there and go into a job straight from prison also really helped me recover.
Four keys to success

Check list for employing a person with convictions

START
- Begin exploratory discussions with local/regional/national prison and probation services.
- Communicate with key stakeholders: existing staff, trades unions, customers.
- Work with partners to ensure flow of job-ready recruits who are properly supported.

Develop proposal and business case(s). Bring it into line with your diversity strategy.

Develop communications strategy.

Establish in-work supports, such as mentoring, for recruits.

Seek supportive partnerships with BITC/Corporate Alliance to Reduce Re-offending/voluntary sector organisations.

Select candidates using check list for risk assessment.

Interview candidates.

Find a senior champion.

Make the business case(s) to key internal stakeholders.

Build relationships with local/regional/national prison and probation services.

Evaluate recruitment.

Support successful candidates.

FINISH
- Gather evidence of successes and plan possible use of case studies for publicity/as resource in case of negative comment.
- Maintain communication with prison and probation services/voluntary sector to spread learning and improve programme.

- Support successful candidates.
1. Communications

Taking on people with convictions presents a particular communications challenge. The news may prompt understandable fears about young people with convictions being in your organisation. Managers may feel nervous of risk. Staff may not wish to work alongside people with convictions. Customers, trades unions and local communities may have concerns. A number of good schemes have been damaged after misrepresentation in the media. Successful programmes consult, inform and manage all these stakeholders carefully.

Disclosure

The most successful schemes for employing people with convictions adopt a policy of openness about the programme and discretion about the individual.

This means that you should be open and clear with all stakeholders that you intend not to discriminate against people with convictions but that you only provide details of an individual’s history to those who need to know (e.g. Head of HR, immediate line manager).

Most companies with a record of pro-actively employing people with convictions report that individuals are often happy to disclose such details to co-workers themselves. Leaving this to the individual provides a good opportunity for him or her to build trust with your existing staff.

It is also important to heed the provisions of the Data Protection Act which regulates the disclosure of personal information. For the purposes of the Act, a conviction history is classed as ‘sensitive’ personal data to which extra conditions apply.

More information can be found at www.informationcommissioner.gov.uk

2. Existing Staff

Initially, employees may have concerns about working alongside people with convictions, but typically most become enthusiasts. They should know about the scheme, but the identities of people with convictions should not be disclosed to them, except by people with convictions themselves.

The best way to allay any concerns is to prove that people with convictions can make good, valued employees. Start with a small number of recruits.

Be clear about your risk assessment and risk management processes so staff are confident that you take their safety and feelings seriously.

Continued >>
Four keys to success - Communications

Internal Stakeholders (continued)

Trades Unions
As with any change to recruitment practice, dialogue with your unions during the development phase is important. Most employers have reported a positive reaction from the unions – the chances are that you already employ people with convictions so your unions probably represent them.

Customers
Information about your programme should be available to customers, even if it is not pro-actively communicated. Care with language can make all the difference – referring to ‘people with convictions’ rather than as ‘ex-offenders’ humanises them.

The Media
Any work with people with convictions will be much less attractive to those wishing to criticize it if you are open from the start. So, when your programme is ready, consider telling a sympathetic journalist. Don’t allow room for an ‘exposé’. Have rebuttals ready, should negative coverage occur.

The business case is strong and so is the social case. Each time you employ a person with convictions you reduce the chances of people in the community becoming victims. Ensure you are on the front foot by fully briefing key personnel in your organisation on your rationale for employing people with convictions. Prepare press releases in advance which make the social case but emphasise that your work represents ‘business as usual’ and is part of a wider policy of non-discrimination.

Top Communication Tips

• Starting out, be open with your key stakeholders about what you are doing. If you aren’t, the issue can be misrepresented and damage a good programme in its infancy. Preparing the ground with a measured communications plan can protect your programme from potential distortions.
• Avoid labelling your scheme an ‘Offender Programme’. Such terms immediately give the wrong impression. Place the programme within your wider diversity strategy, if you have one, which may already provide for engagement with disadvantaged groups.
• Once you have developed your scheme, decide how you are going to inform your key stakeholders. Like many companies, you may not wish to attract much publicity to this area of your recruitment. However, even if your strategy is to keep the policy low-key and ‘business as usual’, it is still important to issue some information about your recruitment policy which will include your policy on the employment of people with convictions. Otherwise, the policy can look hidden, leading potentially to over-reaction by stakeholders and parts of the media, when they learn about the programme.
• The identities of people with convictions should be regarded as confidential. Only key managers should be aware of their position and the offence committed.
• Develop case studies of success stories for internal use, so staff can feel proud of making a difference in their local communities. However, the development and dissemination of such case studies requires sensitivity to the individuals concerned. These case studies may ultimately prove useful if you need to counter negative media comment.
• Achieve internal buy-in by involving staff in any scheme and allow them to share your successes.
• If, however, you are seeking external recognition for the programme, there are a number of options. You could choose a sympathetic journalist and begin the process of telling your story to the outside world in a low key way. Explain the business and social benefits of broadening recruitment, making clear that robust risk management mechanisms are in place.
• Alternatively, once your programme is up and running, you may want to check out award schemes for community development and for corporate social responsibility. Heralding early successes is key to changing perceptions. Briefing key local figures – your MP, local councillors and local community leaders – can help to develop allies who could be helpful if your programme attracts negative comment.

‘There are some people who are very pro- this kind of work and others that question it. We say to them that we could do one of two things. We could do nothing. Alternatively, we could do something, which is better than waiting for someone else to do something. We speak to those colleagues who are worried and explain that we are not putting them at risk by ensuring that there is good risk assessment and proper management in place. We explain that these ex-offenders are people too and we can help them. In any case we almost certainly already employ a number of people who have criminal records - we just don’t know about it.’

Co-operative Group
Four keys to success

2. Partnerships

Why are they important?

If you are employing people with convictions, then you are likely to need a good relationship with the prison and probation services. It also helps to build relationships with those voluntary organisations that support people with convictions across a range of needs, including employment but also, for example, housing and benefits.

The sort of relationship an employer needs with such organisations will depend on the situation of the person with convictions. Someone recently released from prison will have greater needs, such as housing, than a person released several years ago or who had a minor conviction and non-custodial sentence. In these cases, the only additional need arising from the individual’s offending history may be to check that the person does not pose a risk. In such a case, little if any contact will be needed with the prison or probation services.

However, the greatest business benefits from employing people with convictions usually come from employing individuals either during or shortly after their sentences (custodial or not). This staging post offers an employer a quick and easy way to meet skills shortages, a sustainable and cost-effective recruitment route, enhanced risk management capacity and increased loyalty and performance (see facts about employing people with convictions p8). So, for your business to gain the most from employing people with convictions, a strong relationship with the prison and probation services will be important.

Who should I talk to?

- **Local Prison and Probation services**
  
  When making contact with a prison for the first time, the most important contacts are:
  
  - The Governor. All prisons have a ‘No. 1’ governor or, in the case of privately run prisons, a Director. You can get the phone number for any prison in England and Wales, including private prisons, at http://www.hmprisonservice.gov.uk/prisoninfo/locateaprison/. The Governor’s secretary is a good starting point if you can’t reach the Governor.
  
  - The head of the most relevant work area within the prison. If you want to employ caterers, this will be the head of the kitchen. If you want to employ fitness instructors, then it’s the senior gym officer. In most other cases it will be the head of Training or the head of Education (sometimes, but not always, the same). This is also a useful contact if you want to find out more about what relevant skills are taught in your local prison.
  
  - The Head of Resettlement or Head of Community Integration is responsible for prisoners’ transition from custody to the community, including matters related to housing, finance, and employment. This role includes responsibility for achieving the prison’s employment target.

- **Regional officials**
  
  If your business has a large catchment area for recruitment, it may be appropriate to contact one or more probation areas. Alternatively, you can contact the Regional Offender Manager’s Office (there are 10 regions in England and Wales). Each ROM’s office has a person responsible for reducing re-offending, which includes working to ensure people with convictions gain employment, who should be the first point of contact. The contact details for each ROM’s office can be found at www.justice.gov.uk.

- **The Prison and Probation Services**
  
  Between them, the Prison and Probation services employ over 70,000 people. The enormous number of people who become engaged with these services, and their sometimes complex needs, mean that services are often stretched. You may have to be determined about making contact and building a relationship.

Continued >>
Four keys to success - Partnerships

Who should I talk to? (Continued)

Who are the key agencies?
The three key statutory agencies are:

- **The National Offender Management Service (NOMS):** Responsible for commissioning prison and probation services in England and Wales. It purchases prison places and probation services from public, private and voluntary organisations.

- **Her Majesty’s Prison Service** is the public sector provider of prison places and manages all but 11 of the prisons in England and Wales. There are also private sector providers of prisons, some of whose details are listed in the Resources section on p37 at the back of this guide.

- **The National Probation Service** is the largest supplier of probation services to NOMS. It comprises 42 local probation areas, each managed by a Board. The Probation Service supervises offenders who are given community sentences (e.g. supervision orders, unpaid work) and those released from prison on license.

- **The Corporate Alliance to Reduce Re-offending**
Those employing people with convictions should consider joining the ‘Corporate Alliance to Reduce Re-offending,’ a network of businesses which seek to reduce re-offending by providing employment or support to people with convictions. The Alliance provides guidance, peer support and practical assistance. In order to expand the Alliance and improve its effectiveness, employers already working with people with convictions are encouraged to join.


- **Voluntary Organisations**
There are many voluntary organisations that provide assistance to people with convictions and can be an important source of support as they enter employment. Examples include Nacro, Apex, St Giles and Pecan, whose details can be found in the index of useful contacts on p36 at the back of this guide.

Tips for building partnerships

- Be clear about your expectations and requirements. Seek advice from prison or probation staff if there is something you don’t know and be ready to establish ‘red lines’ from the outset, e.g. if there are certain offences which would rule out employment.

- Persevere if necessary. There is a strong appetite within the prison and probation services for partnerships with employers but the sheer scale of their operations can prove a hindrance.

- Remember that getting offenders into employment meets the aims and targets of the agencies, as well as providing business benefits. Ask the agencies to provide practical support, e.g. risk assessment or screening of candidates.

It is important to choose the right organisation. If you are interested in employing people with convictions at a single site, start with a nearby prison or your local probation area. Different prisons hold different categories of prisoner and provide different types of education and training, so you may need to contact more than one. If you are interested in employing people with convictions across a wider area or have difficulty making contact at the local level, contact the relevant Regional Offender Manager’s Office instead.
Four keys to success

3. How to ensure that your recruits are job-ready

It is important that all your staff are motivated and have skills that are essential in the workplace – punctuality, personal presentation, reliability and a positive attitude. When employing people with convictions, it’s important to take a holistic view of ‘job readiness.’ Are they well-housed, with enough resources to meet their basic needs? Do they have sufficient social support and help? Consider raising these issues at interview or seek advice from prison and probation staff.

Successful employers often send their own staff into a prison to train would-be recruits where specific technical skills are required, e.g. bricklaying or cooking. Or they work closely with trainers inside the prison to ensure that recruits receive the training needed for jobs on the outside. High-quality training and education is also provided as part of community sentences, so a good relationship with the Probation Service can pay dividends.

Prisons can ensure that offenders leave with useful skills and qualifications such as truck driving licenses and NVQs in catering or cleaning. There are workshops training mechanics, teaching welding, computer skills and publishing, among other things. Some companies now order products direct from such workshops and training centres which helps prisoners gain work-ready skills through meeting real-life demands for quality and timeliness. However, it may still take a person with convictions some time to get up to speed with the expectations of work in terms of general employment skills.

Who can supply job-ready people?

Create partnerships with voluntary sector organisations that specialise in supporting disadvantaged people and helping them back to work. For advice on where to start, contact Business in the Community www.bitc.org.uk or check out the index of useful organisations on p36.

A number of employers have built relationships with the Prison and Probation Services whereby potential recruits are pre-screened during their sentences, leaving the employer to carry out only the final interview.

It is worth remembering when recruiting from prison that, sometimes, upon release, an offender may move to another area, perhaps to be closer to family. It may be worth exploring a prisoner’s long-term plans – your company may have a branch near to where he/she might move.

Supporting job-ready recruits

Mentoring

A key part of supporting a person with convictions into work is to provide a colleague who will help absorb him/her into the work place. This trusted role can have great benefit to the mentor, providing greater work satisfaction, motivation and sense of responsibility. It is a key feature of almost all successful schemes to employ people with convictions.

Business in the Community can provide advice and material on effective mentoring and job coaching.

Explicit praise and evidence of achievement

With any employee whose background may entail a lack of self-confidence it is very important to highlight good work and progress. Regular certification of progression, even if an internally produced informal document, is an effective way of providing reassurance. Be explicit if you wish to report back to an individual if he/she is meeting the right standard and working hard.
Four keys to success

4. Selecting Candidates

Tips on assessing a person with convictions for a job

• Focus on the person’s abilities, skills and experience.
• Consider the nature, circumstances and date of the conviction and its relevance to the job in question.
• Identify the risks to the company – think about customers, staff, property and reputation.
• Remember that having a criminal record does not necessarily mean a lack of skills and experience or a lack of integrity.
• If you judge that an applicant fits your needs and he/she discloses an offence (s), discuss each offence with the applicant.

Check list for risk assessment

When assessing a person with convictions, consider their criminal record in relation to what they will be required to do:

The job

• Does the position involve one-to-one contact with children or other vulnerable groups – either employees or customers? In such cases there may be a legal bar to the employment of people with certain convictions. More information can be found at www.crb.gov.uk.
• What level of supervision will the person receive?
• If relevant to the conviction, does the position involve any unsupervised responsibility for money or items of value?
• Will the nature of the job present any temptation for the person to re-offend at work? (It is important to make sure the individual has the best opportunity to succeed, as well as to protect the business.)

The offence(s)

• How long is it since the conviction(s)? The time taken for a conviction to become spent is called the ‘Rehabilitation Period’ (See table on p34). If you refuse to employ someone on the grounds of their ‘spent’ convictions, you may be liable for prosecution.
• Take into account what the candidate has done since their conviction.
• How many times has the person offended? Was it a one-off offence or do they have a long history of offending? Do they get progressively more serious or are they all minor offences?
• Is there a pattern to the offences?
• Have they offended against an employer in the past? If so, does the candidate convince you that it was a one-off and will not be repeated?

Attitudes

• What is the background to the offence? Does the candidate offer any relevant information that helps explain/mitigate the offence?
• Consider whether factors such as bereavement, depression, home life, alcohol, drug dependency, loss of a parent might have been influential. Remember that different people react and behave differently in response to issues in their lives. Are any of these risk factors still applicable?
• Remember that offences committed as teenagers are not necessarily going to be repeated as adults.
• Consider the applicant’s attitude to the offence – the degree of remorse, their motivation and desire to change, any reasons/triggers for the offence.

The Rehabilitation of Offenders Act (1974)

The Act sets out the circumstances under which a conviction is ‘spent’. Once a conviction is ‘spent’, then a job applicant does not have to reveal its existence and can answer ‘No’ to the question, ‘Do you have a criminal record?’ This is provided there are no further convictions within the rehabilitation period.
Four keys to success - Selecting Candidates

Suggested Questions to ask at interview

Where possible, leave questions about convictions to the end of the interview – decide on the person’s suitability, based on skills and character, before tackling any offending history.

The following suggestions are based on good practice:

1. Ask about the background to any offence(s)
   - Why did the person commit the offence?
   - Follow up for clarification if necessary;
   - Try to understand the influences the person was subject to at the time, e.g. substance dependency, peer group, personal/financial crises;
   - Try to determine the extent to which those influences remain;
   - Try to avoid moral judgements, e.g. on levels of remorse, in favour of practical judgements, e.g. a willingness not to behave in a similar way again. These are easier to assess and less subjective.

2. Look for signs of self-reflection but remember that many people find such things hard to articulate.

3. If the conviction resulted in a custodial sentence ask how the person coped with their sentence. Look for a willingness to engage in learning, courses addressing offending behaviour or other purposeful activity but remember that availability varies from prison to prison and those serving short sentences are unlikely to have had the opportunity.

4. What do you think has changed in your life since committing the offence(s)? Gently probe if it appears nothing has changed. Remember to precede these questions with those you would ask any interviewee but bear in mind that the individual may well have had little in the way of career advice and support. Don’t expect well developed reasons for wanting to work in your sector; do expect a commitment to work hard and learn your business.

Guide to Court Sentences

<table>
<thead>
<tr>
<th>Absolute discharge</th>
<th>The court finds the offender guilty. However, no further action is necessary.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conditional discharge</td>
<td>This imposes no obligation on the offender. However, the offender remains liable for the punishment if they re-offend within three years.</td>
</tr>
<tr>
<td>Binding over</td>
<td>The court may require the offender to be bound by conditions. Failure to comply could lead to a financial penalty.</td>
</tr>
<tr>
<td>Compensation orders</td>
<td>The court orders the offender to pay compensation for loss, damage or personal injury to the victim.</td>
</tr>
<tr>
<td>Fine</td>
<td>A fine can be imposed for any crime other than murder or treason. This is used to demonstrate the court’s disapproval of the offence.</td>
</tr>
<tr>
<td>Probation orders</td>
<td>The offender is at liberty in the community, but is required to work with the probation service to improve behaviour. The minimum is six months. The maximum is three years.</td>
</tr>
<tr>
<td>Community service orders</td>
<td>The offender is required to take up unpaid work on behalf of the community, e.g. conservation projects, building adventure playgrounds etc. The minimum is 40 hours, the maximum is 240 hours.</td>
</tr>
<tr>
<td>Attendance centre orders</td>
<td>Offenders under the age of 21, found guilty of a crime for which an 'adult' may be imprisoned, may be ordered to attend an attendance centre for a number of hours. The aim is to impose a loss of leisure time for use in a constructive way. This is not suitable for those with a long record of offences, nor can it provide sustained supervision.</td>
</tr>
</tbody>
</table>
Four keys to success - Selecting Candidates

When does a conviction become ‘spent’?

<table>
<thead>
<tr>
<th>Sentence</th>
<th>Rehabilitation period for People aged 18 or over when convicted</th>
<th>Rehabilitation period for People aged 17 or under when convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prison sentences of 6 months or less</td>
<td>7 years</td>
<td>3 years</td>
</tr>
<tr>
<td>Prison sentences of more than 6 months but less than 2 years</td>
<td>10 years</td>
<td>5 years</td>
</tr>
<tr>
<td>Prison sentences of more than 2.5 years</td>
<td>Never spent</td>
<td>Never spent</td>
</tr>
<tr>
<td>Fines, compensation order, probation, community service, combination, action plan, drug treatment and testing and reparation orders</td>
<td>5 years</td>
<td>2 years</td>
</tr>
<tr>
<td>Absolute discharge</td>
<td>6 months</td>
<td>6 months</td>
</tr>
<tr>
<td>Borstal (abolished 1988)</td>
<td>7 years</td>
<td>7 years</td>
</tr>
<tr>
<td>Detention Centres (Abolished 1988)</td>
<td>3 years</td>
<td>3 years</td>
</tr>
</tbody>
</table>

* The Rehabilitation of Offenders Act 1974 says a person need not disclose to prospective employers convictions that are ‘spent’ by the length of time since the conviction. Employers cannot refuse to employ someone because of ‘spent’ convictions.

Appendix

Useful Publications

- A Brief Guide to Recruiting People With Criminal Records
  Nacro (2003)
  www.nacro.org.uk

- Breaking the Cycle of Offending
  The Prince’s Trust (2007)
  www.princes-trust.org.uk

- Code of practice for registered bodies
  Home Office, Criminal Records Bureau (2001)
  www.justice.gov.uk

- Employing Ex-Offenders To Capture Talent
  Chartered Institute of Personnel Development (2007)
  www.cipd.co.uk

- Employing Ex-Offenders
  Chartered Institute of Personnel Development (2004)
  www.cipd.co.uk

- Getting Disclosures Right
  Nacro (2006)
  www.nacro.org.uk

  Apex Trust (1991)
  www.apextrust.com

- Lost in Transition: Report of the Barrow Cadbury Commission on Young Adults and the Criminal Justice System
  Barrow Cadbury (2005)
  www.barrowcadbury.org.uk

- No More Losing Out
  Learning Alliance (2004)

- Recruiting and employing offenders.
  Joseph Rowntree Foundation (2001)
  www.jrf.org.uk

- Recruiting Safely
  Nacro (2001)
  www.nacro.org.uk
Appendix

Useful contacts

Advisory, Conciliation and Arbitration Service
Advice on employment issues.
020 7210 3613
www.acas.org.uk

Apex Trust
Support, information and advice for people with convictions seeking work and employers wishing to recruit and retain people with convictions.
020 7683 5931
www.apextrust.com

Barrow Cadbury Trust
Independent trust supporting the most disadvantaged and marginalized in society, with emphasis on young adults and the criminal justice system.
0207 391 9220
www.barrowcadbury.org.uk

Business in the Community
Works with 700 of UK’s top companies, encouraging employment of people with convictions.
0870 600 2482
www.bitc.org.uk

Chartered Institute of Personnel and Development
Excellent publications on employing people with convictions.
020 8971 9000
www.cipd.co.uk

Criminal Records Bureau
Publishes code of practice on use of criminal records checks.
0870 90 90 811
www.crb.gov.uk

Department of Health
Sets out guidance for organisations working with children.
020 7210 4850
www.dh.gov.uk

Employment Service
Helps match people with convictions to employers.
020 7211 3000
www.employmentservice.gov.uk

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020 7211 3000
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Ministry of Justice
Administers the penal system. Responsible for the National Offender Management Service.
020 7210 8500
www.justice.gov.uk

National Association for the Care and Resettlement of Offenders
Publishes advice to employers on employing people with convictions.
020 7582 6500
www.nacro.org.uk

Pecan
Charity that helps transform the lives of disadvantaged people through various training and motivational projects. One such project, WorkOut, enrolls and supports offenders with the aim of helping them to find satisfying long-term employment.
020 7940 8250
www.pecan.org.uk

National Association for the Care and Resettlement of Offenders
Publishes advice to employers on employing people with convictions.
020 7582 6500
www.nacro.org.uk

Serco Group plc
One of a number of private prison providers in the UK
01256 745900
www.serco.com

St Giles
Enables disadvantaged offenders to build independent and successful lives by providing fast and practical intervention, including health facilities, support in the community and accredited education and training.
020 7703 7000
www.stgilestrust.org.uk

Society of Voluntary Associates (Sova)
Charity running projects around Youth Justice and Offender Rehabilitation.
020 7793 0404
www.sova.org.uk

Trade Union Congress
Supports employment of people with convictions.
020 7636 4030
www.tuc.org.uk

Working Links
Working Links helps people in some of Britain’s most disadvantaged communities to get back to work.
0800 917 9262
www.workinglinks.co.uk

Clinks
Supports organisations working with people with convictions and their families.
01904 673970
www.clinks.org

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www.workinglinks.co.uk
Important Legislation

**Data Protection Act 1998**
Covers personal information, in manual or computerised form, that is readily accessible. The Information Commissioner has issued a number of codes on recruitment, managing absence, employee monitoring and medical testing.  
www.hmso.gov.uk

**Protection of Children Act 1999**

**Criminal Justice and Court Services Act 2000**
S
ets out rules for the law restricting the employment of people with convictions in jobs that involve regular contact with young people under the age of 18.  
www.hmso.gov.uk

**Human Rights Act 1998**
Enables challenges in UK courts for alleged violations of the European Convention on Human Rights by a public authority. People with convictions could challenge under the article guaranteeing freedom from discrimination. Other employees, who may have been victims of individuals with a known criminal record, could challenge on the grounds that the organisation failed to protect them sufficiently.  
www.hmso.gov.uk

**Rehabilitation of Offenders Act 1974**
Sets out terms under which a sentence may be ‘spent’.  
www.justice.gov.uk

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**The Barrow Cadbury Trust**
Barrow Cadbury inspires and funds projects promoting social justice. It was established as a grant-making foundation in 1920. It strives to seek new questions and new solutions to close the gaps in current practice and policy. It is a catalyst for practical work in local communities by service-providers, as well as acting as a bridge to national policy-thinkers and decision-takers.

In 2005, *Lost in Transition*, a report of the Barrow Cadbury Commission on Young Adults and the Criminal Justice System, highlighted concerns about how vulnerable young people are often failed when they encounter the criminal justice system. The Barrow Cadbury Trust commissioned the *Getting Out To Work* guide to develop practical ways in which employers could recruit young people with convictions into work and so reduce their likelihood of re-offending.

www.barrowcadbury.org.uk | 020 7391 9220

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**Business in the Community**
Business in the Community is a membership of companies committed to measuring and reporting on their actions to improve the impact of their operations, products and services on society and the environment.

Including more than 700 of the UK’s top companies, Business in the Community inspires, engages, supports and challenges them to improve continually the impact they have on society and the environment. It has brought its unique access to progressive employers and policies to bear on this guide to demonstrate the business case for, and the best practical approaches to, employing people with convictions in order to reduce re-offending and improve opportunities for business.

www.bitc.org.uk | 0870 600 2482