

**Supporting Ex-Offenders on their Path to Employment**

A government call for evidence

**Response Deadline: 31 August 2018**

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About this Call for Evidence

What do we want to know?

Our goal is to answer 15 research questions through this Call for Evidence, which we have summarised under three themes:

1. **Inclusive Recruitment Practices:** What are employers doing, if anything, to create fair opportunities for ex-offenders to compete for jobs within their organisations in the UK? What information or support would help employers to make the decision to remove the criminal conviction declaration tick-box from their job application forms?
2. **Employability Initiatives:** Aside from inclusive recruitment practices, what types of initiatives and support are being offered by employers, organisations and charities to help improve the employability of ex-offenders and/or reduce the stigma associated with recruiting ex-offenders?
3. **Evidence and Impact:** What impact have these recruitment practices and employability initiatives had on businesses and ex-offenders, and what level of research exists to substantiate these findings?

Who do we want to hear from?

Anyone can respond to this Call for Evidence, however we are particularly interested in receiving responses from public, private and voluntary sector employers, organisations and professionals who:

* proactively hire people with a criminal conviction and/or offer fair opportunities for people with a criminal conviction to apply for vacancies
* impose restrictions and/or bans on the hiring of ex-offenders for some or all jobs depending on the offence(s) committed
* work directly with ex-offenders to improve their employability for example, through the provision of skills training, outreach, mentoring, work placements, etc.
* work with or advise other organisations on creating fair recruitment practices and supporting ex-offenders in the labour market
* campaign to reduce the stigma associated with having, or hiring someone with, a criminal conviction

For the purpose of this Call for Evidence, we are defining a person with a criminal conviction as:

*‘A person admitting or being found guilty of a criminal offence, who has been given some form of disposal under the criminal justice system.*

*Disposals include, but are not limited to: a discharge, fine, community sentence, custodial sentence (including mandatory and discretionary sentences, suspended sentences, and extended sentences, whether served in prison or detention), an ancillary order (e.g. compensation order), cautions, reprimands and warnings.**’*

How should you respond?

If you would like to respond to this Call for Evidence, **please complete the Response Form provided at Annex A of this document** and save it as a Microsoft Word document or PDF.

You should **email** your completed Response Form to [aandi-socialresearch@cabinetoffice.gov.uk](mailto:aandi-socialresearch@cabinetoffice.gov.uk) by 5pm on **Friday 31st August 2018**.

If, for exceptional reasons, you need to submit a hard copy, then please post your Response Form to: The Analysis and Insight Team (Call for Evidence), 4th Floor Red Zone, 1 Horse Guards Road, London, SW1A 2HQ.

Please note that, unless specifically requested, contributions to this consultation will not be acknowledged as having been received.

How will we use your response?

Responses will be reviewed on a rolling basis, and we may use the contact information you provide to get in touch with you about your response. We may need share the responses received to this Call for Evidence with colleagues across Cabinet Office, within other government departments and with Business in the Community.

Non-personal information may be used in full or in a summary of published responses to this Call for Evidence. We want to use the information you provide to create case studies of best practice - but will ensure that no specific individual is identified.

If you want your response to remain confidential, you should explain why confidentiality is necessary and your request will be acceded to only if it is appropriate in the circumstances. As a public authority, the Cabinet Office is subject to the Freedom of Information Act 2000. This means that non-personal information collected for the purpose of this Call for Evidence may be disclosed in accordance with that Act.

Please refer to the Privacy Notice at Annex B of this document, for further information on how we will be processing your data and your rights.

Background

Reoffending and Employment Statistics

Over 11 million people in the UK have a criminal record[[1]](#footnote-1), and an estimated 48% of prison leavers will reoffend within 12 months of leaving custody[[2]](#footnote-2). Research shows that employment can significantly reduce someone’s chances of reoffending[[3]](#footnote-3), but the proportion of offenders in P45 employment one year after release stands at just 17%[[4]](#footnote-4).

Barriers to Employment

Whilst we do not know the exact numbers, it is common practice for employers to include a tick box at the start of their recruitment process, to ask applicants to declare whether or not they have a criminal conviction. This is used as a filtering mechanism by some employers, and acts as a barrier to fair and equal employment opportunities.

Even without a criminal record, ex-offenders often have complex life histories which place them at a disadvantage to other applicants in the labour market. For example: 47% of prisoners are estimated to have no school qualifications, including GCSEs[[5]](#footnote-5); 42% of adult prisoners reported having been permanently excluded from school[[6]](#footnote-6); and nearly one third of prisoners self-identified on initial assessment as having a learning difficulty and/or disability[[7]](#footnote-7).

Ban the Box Campaign

In October 2013, Business in the Community launched the national Ban the Box campaign to encourage employers to create fair opportunities for ex-offenders to compete for jobs by:

* removing any tick box from job application forms that asks about criminal convictions;
* considering applicants’ skills, experience and ability to do the job *before* asking about criminal convictions;
* reviewing their employment processes to ensure that when a candidate discloses a criminal conviction they are given a full opportunity to explain the situation; and
* ensuring that the circumstances of any conviction are fairly assessed against their relevance to and risk within the role before a decision is made.

Over 90 employers across the public and private sectors, covering more than 720,000 roles, have committed to creating fair employment opportunities for ex-offenders.

The Government recognises the importance of leading by example in this area. The Ban the Box campaign was formally launched across the Civil Service in October 2016, with 380,000 roles (97%) identified as suitable for the removal of the 'box' that asks about criminal convictions at the initial stages of the recruitment process.

The Civil Service Jobs system, which is used for approximately 70% of recruitment in the Civil Service, has been designed to remove the box asking about criminal convictions from application forms as standard. The Civil Service is now implementing this initiative to ensure its roles attract the widest possible range of applicants.

Going Forward Into Employment Pilot

Last year, we reaffirmed our ambition to become the most inclusive employer in the UK by 2020 through the publication of our Diversity and Inclusion Strategy[[8]](#footnote-8). More recently, the Ministry of Justice published their Education and Employment Strategy to create a system where each prisoner is set on a path to employment from the outset.[[9]](#footnote-9)

The Civil Service has also launched a pilot scheme called ‘Going Forward Into Employment’. Various government departments or agencies have agreed to support the pilot initiative. Under this pilot scheme ex-offenders will be matched to fixed-term jobs in the participating government departments, depending on their skills and experiences and the roles available.

Experienced prison and probation staff will be responsible for selecting offenders who are ready and willing to rehabilitate. A thorough risk assessment will be carried out for each candidate against specific posts, and summaries of these will be shared with departments once the candidate is matched to a role. Full training, development and support will be provided to all candidates and their managers to ensure that responsibilities and services to the public are effectively delivered.

The pilot started on a small scale in the North West of England earlier this year, and is undergoing a formal evaluation. If it is successful and the decision is taken to proceed, the model will be rolled out gradually across other regions – starting relatively small and building up in the same manner as the government apprenticeship scheme.

This Call for Evidence is part of our wider evaluation plan to understand the inclusive recruitment practices and employability initiatives for ex-offenders that exist outside of the Civil Service, and the extent to which they have been evaluated.

Annex A – Call for Evidence Questions and Response Form

Instructions

Please use the response form provided below to submit your response to this Call for Evidence.

The response form contains:

* **A cover sheet**
* **Theme 1: Inclusive Recruitment Practices (9 questions)**
* **Theme 2: Employability Initiatives (4 questions)**
* **Theme 3: Evidence and Impact (2 questions)**

**You MUST complete and submit the cover sheet.** All other questions are optional – please complete as much as you can, and leave blank any questions that are not applicable to your organisation, or that you do not wish to answer.

Please complete your form electronically, by **typing your answers in the white boxes** under each question for which you are responding. You should use at least font size 11. There are no word limits, but we would recommend limiting your response to a maximum of 12 sides of A4 paper.

**Please ensure you read the Privacy Notice in Annex B** – which sets out how we will be processing your personal data and your rights.

**Please email your completed form as a Microsoft Word or PDF document to** [**aandi-socialresearch@cabinetoffice.gov.uk**](mailto:aandi-socialresearch@cabinetoffice.gov.uk) **by Friday 31st August 2018.**

Cover Sheet: About You

|  |  |
| --- | --- |
| **Your Organisation** | |
| Organisation’s name |  |
| Sector | (delete as appropriate) Public / Private / Voluntary |
| Estimated number of employees in the UK |  |
| Regions of UK in which your organisation has staff presence | (delete as appropriate) London / North West / North East / Yorkshire and the Humber / West Midlands / East Midlands / East of England / South West / South East / Wales / Scotland / Northern Ireland |
| Brief description of organisation |  |

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|  |  |
| --- | --- |
| **Your Contact Information** | |
| Your name and job title |  |
| Your email address |  |
| Your telephone number |  |

### 

Theme 1 - Inclusive Recruitment Practices

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| --- |
| 1. **Have you heard of the Ban the Box campaign?** |
| Yes / No (delete as appropriate) |
| **2. Do you, or any of the companies, suppliers, or contractors you use, hire people with a criminal record?** Please give details. |
|  |
| **If you do hire people with a criminal record:** |
| **3. To what extent would you say the hiring of ex-offenders is an intentional or inadvertent recruitment practice at your organisation?**  For example:   * Do you actively engage with ex-offenders to help them secure a job with your organisation? * Do you assess candidates blindly - offering jobs based on merit, irrespective of their criminal history? * Does your company provide specific HR policy/guidance to support your employees to recruit in line with Ban the Box principles or other inclusive recruitment practices? Please give details. |
|  |
| **4. At what stage in the recruitment process, if at all, do you ask about criminal convictions? Please list each stage.**  We’re also interested in:   * What level of security clearance, if any, do employees of your organisation require? What does that vetting process look like? * If you still ask for information about criminal convictions on any of your online or paper job application forms, would you consider moving this to a later stage in your recruitment process? What would help you in making this decision? |
|  |
| **5. Are there any types of convictions that would prevent someone taking up specific roles in your organisation? Please list the roles and related offences.** |
|  |
| **6. What are the types of roles people with a criminal conviction can apply for in your organisation?** Please give details.   * What are the minimum entry requirements for these roles, if any, in terms of educational qualifications or work experience? * What type of work and level of supervision do these roles entail? Are any aspects of these roles substantially different to that carried out by employees who do not have a criminal record? If so, please explain. * Do these roles involve interacting with your organisation’s customers / clients or the general public? |
|  |
| **7. What attitudinal or practical barriers, if any, has your organisation faced in recruiting people with criminal convictions?**   * Have you been able to overcome these barriers and if so, how? * Are your employees and/or customers/clients aware that you hire people with criminal convictions? |
|  |
| **8. What has been your overall experience of hiring people with criminal convictions?**   * How would you describe the impact on your business and workforce? * How would you describe their performance at work? |
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| **If you do not hire people with a criminal record:** |
| **9. If your organisation does not hire people with a criminal record to what extent is this an active policy?**   * What are the main business, legal, and/or social reasons for not doing so? * Have done so in the past? How have experiences shaped current policies? * Would you consider hiring people with a criminal record in the future**?** What information or support would you need to make this decision? |
|  |

Theme 2 - Employability Initiatives

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| --- |
| **10. Does your organisation act to help ex-offenders on their path to employment and if so, how? Please be as specific as possible.**  For example:   * Do you: work directly with ex-offenders; work with and advise organisations who want to work with ex-offenders; run workshops or campaigns to support the employment of ex-offenders? * If working directly with ex-offenders, do you offer: mentoring or coaching opportunities; paid or unpaid work placements / internships / apprenticeships; CV feedback or mock interviews; skills training; job search support; anything else? * Do you consult or work closely with: prisons or probation officers; health and social care professionals; charities; other organisations? How important are these partnerships to the support you offer? * What resources – time, staff, volunteers, money – are involved? |
|  |
| **11. Are they any specific ‘types’ of ex-offenders you support and any you would not work with? Please provide details.**  For example, do you work with ex-offenders generally; ex-offenders with certain demographic characteristics (men / women; juveniles / adults; recent prison leavers; addicts; poor socio-economic background; etc.); ex-offenders who have committed certain types of crimes (low level; non-custodial; substance misuse related; etc.)?   * If you do target certain ‘types’ of ex-offenders, what is your rationale for doing so? * If there are ex-offenders you do not work with, would you consider working with them in the future. Why/why not? |
|  |
| **12. How do you identify or target the ex-offenders you support? Please provide details.**  For example, do you actively reach out to ex-offenders leaving prison or in the community, or do you work with partners or a third party to refer ex-offenders to your organisation? |
|  |
| **13. Why did your organisation decide to offer this support to ex-offenders (whether working directly with them / supporting other organisations to do so / or running campaigns)?**   * What are the benefits to your business of working with ex-offenders? * What level of support or stakeholder buy-in did you require to make this a reality? |
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Theme 3 - Evidence and Impact

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| --- |
| **14. What impacts do you think your recruitment practices and/or employability initiatives have had? Do you have any research or evidence to support these findings?**  For example, this could include, but is not limited to:   * Impacts on: your business; your wider workforce; the ex-offenders you have worked with; ex-offenders in general; etc. * Positive, neutral and negative outcomes relating to areas such as: employment rates; springboard for other opportunities; reoffending rates; attainment or completion of educational or vocational qualifications and training; personal development, soft skills and confidence; substance abuse, health and well-being; social networks; family; accommodation; attitudes; etc. * Evidence from sources such as: administrative data or HR records; surveys; exit interviews; in-depth interviews; case studies and testimonials; anecdotal feedback and opinion; etc. |
|  |
| **15. Does your organisation keep a record of the number of employees it has recruited with a criminal record? If so, how do you record this?**  Please provide an estimate of:   * the number of employees you have hired with a criminal record to date; or * the number of people with a criminal conviction currently employed by your organisation.   If you have fewer than 10 employees with these characteristics, please state ‘number too small to disclose’ to prevent the inadvertent identification of specific individuals. |
|  |

Annex B - Privacy Notice

This notice sets out how we will use your personal data, and your rights.

**YOUR DATA**

*Purpose*

The purpose(s) for which we are processing your personal data is:

* To identify the person(s) submitting a response to this Call for Evidence
* To contact the person(s) submitting a response to this Call for Evidence, for the purpose of clarifying or obtaining further information about the response submitted

*The data*

We will process the following personal data:

* Your name
* Your job title and employer
* Your email address
* Your telephone number
* Your opinions as provided in your Response Form.

*Legal basis of processing*

The legal basis for processing your personal data is:

* Processing is necessary for the performance of a task carried out in the public interest – namely a Call for Evidence on ‘Supporting Ex-Offenders on their Path to Employment’ as published by Cabinet Office. The Civil Service is committed to becoming the most inclusive employer in the UK by 2020 and this supports that aim by improving our understanding of the range and reach of initiatives that exist, and the evidence base behind them.

*Recipients*

Your personal data will be shared by us with:

* Civil Servants within Cabinet Office and the Ministry of Justice who are part of the project team responsible for this Call for Evidence or policy areas relating to the employment of ex-offenders.

As your personal data will be stored on our IT infrastructure it will also be shared with our data processors who provide email, and document management and storage services.

Your non-personal data (organisation name, recruitment practices, initiatives and evidence as described in your Response Form) will be shared by us with:

* Civil Servants within Cabinet Office and the Ministry of Justice who are part of the project team responsible for this Call for Evidence or policy areas relating to the employment of ex-offenders.
* Business in the Community, who have agreed to help us promote this Call for Evidence, and as the organisation who launched the Ban the Box campaign in the UK, have a vested interest in understanding what organisations are doing to help ex-offenders on their path to employment.

*Publication*

Non-personal information may be used in full or in a summary of published responses to this Call for Evidence. We want to use the information you provide to create case studies of best practice - but will ensure that no specific individual is identified.

If you want your response to remain confidential, you should explain why confidentiality is necessary and your request will be acceded to only if it is appropriate in the circumstances. As a public authority, the Cabinet Office is subject to the Freedom of Information Act 2000. This means that non-personal information collected for the purpose of this Call for Evidence may be disclosed in accordance with that Act.

*Retention*

Your personal data will be kept by us for a period of 6 months after the publication of our findings, or until we no longer require your contact information for the purpose of clarifying or asking follow-up questions about the information provided in your Response Form.

**YOUR RIGHTS**

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.

You have the right to object to the processing of your personal data.

**INTERNATIONAL TRANSFERS**

*As your personal data is stored on our IT infrastructure, and shared with our data processors, it may be transferred and stored securely outside the European Union. Where that is the case it will be subject to equivalent legal protection through the use of Model Contract Clauses.*

**COMPLAINTS**

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, or 0303 123 1113, or [casework@ico.org.uk](mailto:casework@ico.org.uk). Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

**CONTACT DETAILS**

The data controller for your personal data is the Cabinet Office. The contact details for the data controller are: Cabinet Office, 70 Whitehall, London, SW1A 2AS, or 0207 276 1234, or [publiccorrespondence@cabinetoffice.gov.uk](mailto:publiccorrespondence@cabinetoffice.gov.uk).

The contact details for the data controller’s Data Protection Officer are: Stephen Jones, Data Protection Officer, Cabinet Office, 70 Whitehall, London, SW1A 2AS, or [dpo@cabinetoffice.gov.uk](mailto:dpo@cabinetoffice.gov.uk).

The Data Protection Officer provides independent advice and monitoring of Cabinet Office’s use of personal information.

1. <https://www.whatdotheyknow.com/request/423289/response/1060100/attach/3/44921%20Stacey%20Internal%20Review.pdf> [↑](#footnote-ref-1)
2. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702789/proven_reoffending_bulletin_April_to_June_16.pdf> [↑](#footnote-ref-2)
3. <https://publications.parliament.uk/pa/cm201617/cmselect/cmworpen/58/58.pdf> [↑](#footnote-ref-3)
4. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/368078/P45-employment-levels-offenders.pdf> [↑](#footnote-ref-4)
5. <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278832/newly-sentenced-prisoners.pdf> [↑](#footnote-ref-5)
6. <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278837/prisoners-childhood-family-backgrounds.pdf> [↑](#footnote-ref-6)
7. <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/665784/201617_OLASS_English_maths_assessments_participation_demographic_tool.xlsx> [↑](#footnote-ref-7)
8. https://www.gov.uk/government/publications/a-brilliant-civil-service-becoming-the-uks-most-inclusive-employer [↑](#footnote-ref-8)
9. https://www.gov.uk/government/publications/education-and-employment-strategy-2018 [↑](#footnote-ref-9)