



Survey report May 2007

# Employing ex-offenders to capture talent

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# Foreword

Over the last decade the CIPD has undertaken considerable research on the subject of employment and ex-offenders.

As well as producing good practice guidance that supports access to disclosure information provided by the Criminal Records Bureau, a number of reports have been published by the CIPD to raise awareness and improve understanding about the challenges and reasons for employers getting involved. And, in 2002 the first survey of employers' attitudes to employing ex-offenders was published.

Contrary to what was expected, this earlier survey report showed that employers' experiences in employing ex-offenders were far more positive than negative. It showed that employers reported that reoffending when in employment was very rare indeed, underlining the contribution getting a job can make to reducing reoffending.

Emphasising this unexpected earlier finding, our new research provides even stronger evidence to refute negative assumptions about the potential of ex-offenders to be valued employees.

It also spotlights the willingness of employers to give the employment of ex-offenders more attention than might be expected and identifies ways in which employers themselves would welcome support from public policy provisions to help encourage a greater focus on targeting ex-offenders as a labour market source.

Against the background of increasing concern about crime and the ineffectiveness of prison as a remedy for reducing reoffending, the CIPD believes that employers have a key role to play and a stakeholder interest in finding ways of contributing to the rehabilitation of offenders. There's convincing evidence to show that there are business benefits for including ex-offenders in targeted recruitment programmes, not only to address prevailing skill shortages and problems in filling job vacancies, but also regarding issues of corporate social responsibility and working towards the creation and maintenance of inclusive and economically successful communities in which people and businesses can prosper.

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# Summary of key findings

The CIPD 2007 *Employing Ex-offenders to Capture Talent* survey report provides invaluable information on UK employers' policies, views and experiences in connection with employing ex-offenders. Some of the comments made by CIPD members who took part in focus groups are included, together with example case studies.

## Employers' practices and experiences of recruiting ex-offenders

- Around half (53%) of organisations report experience of employing ex-offenders, with the voluntary sector (75%) having the greatest involvement, followed by the public sector (71%), with the private sector lagging behind at 34%.
  - Most of those employers (51%) who had knowingly recruited ex-offenders had done so over the last two years.
  - As many as one in ten organisations with experience of employing ex-offenders say they tend to actively seek ex-offenders to employ. This shows significant room for improvement in enhancing the rehabilitation of people with criminal convictions through employment as a way to reduce reoffending. The main reasons employers are proactive in recruiting ex-offenders include: to boost their recruitment pool; and to support organisational policy.
  - Only one in seven organisations ask job applicants if they have a criminal record.
  - One-fifth of organisations say that their experience of employing ex-offenders was 'better than expected', with this being more commonly reported in the private sector. Of those organisations that had a 'better than expected' experience, they said that ex-offenders were more motivated to succeed than they expected and praised their attitudes and performance.
  - Among the 134 organisations that record positive experiences with ex-offenders, the reasons given are that they settle into work well with colleagues (86%) and perform well (82%).
- Only 23 employers in the total sample of 474 respondents report negative experiences when employing an ex-offender and these range from an ex-offender being subject to disciplinary action to issues about their employment being raised by colleagues and customers.
  - Although many respondents found it difficult to answer the question, 40% of those who did answer say that the retention rate among ex-offenders is as good as those of employees without criminal convictions. The majority of employers report no difference in their experiences of employing ex-offenders and people without criminal convictions.

## Employers' agendas in recruiting ex-offenders

- The survey evidence shows that employers are more worried about ex-offenders having the soft skills of honesty (92%), reliability (89%) and personal behaviour (84%) than technical skills. But their experience of employing ex-offenders refutes such concerns, as respondents report satisfaction with the soft skills of ex-offenders they've employed and don't see them as less viable employees than their colleagues and co-workers.
- Relevant job skills are seen as being more important for public sector organisations (68%) and the least important in manufacturing, production and the construction sector (28%).
- Around half (52%) of organisations with experience of employing ex-offenders consider sexual offences to be the greatest cause for concern. And this concern with sexual offences is higher in the public sector (63%) and voluntary sector (58%) than in the private sector, where it is less of an issue (28%).
- Driving offences are of the least concern to employers, with 77% of them unlikely to take such offences into consideration when employing ex-offenders.
- Three-quarters of employers indicate that they would consider employing ex-offenders if they had the relevant skills that fit the needs of

the organisation. This is followed by evidence of achievements and courses obtained while serving a sentence, and external support for line managers. Only 14% of organisations consider employer visits to prisons to learn about training programmes as an incentive to employ ex-offenders. Financial incentives are viewed in a similar light, with only 17% of employers considering this as a potential inducement in connection with employing ex-offenders.

### Employers' levels of awareness and interest in employing ex-offenders

- Two-thirds of employers think that between 11% and 30% of the UK population has a criminal record, when in fact one in three adult males under the age of 30 has a criminal record (excluding driving offences).
- The survey evidence shows there's also a low level of awareness of support for employers considering employing ex-offenders. Only a third of organisations are aware of programmes provided to support the rehabilitation of offenders in prison or those who are under the supervision of the Probation Service. However, 57% of large organisations (with more than 5,000 staff) want to find out more about such programmes, and overall, 49% of employers want more information, showing encouraging interest in the topic and the need for a communication strategy to raise awareness of what is available.

### Support available to help employers recruit ex-offenders

- More than two-thirds of employers would find guidance on risk assessments and safeguards useful when employing ex-offenders, followed by more information on legal obligations (52%) and information about the rehabilitation schemes to support ex-offenders 'going straight'.
- Among employers with no experience of ex-offenders, more than half of them want access to employer networks to discuss practical experiences of employing ex-offenders. Of least interest to employers are awards recognising good practice (14%) and employer-led initiatives to encourage employment and training opportunities for ex-offenders (18%).

- Forty-six per cent of organisations say that an employer support service for employing ex-offenders would be valuable to them. Unsurprisingly, those with experience of employing ex-offenders (53%) are more positive than those with no experience (40%). An employer support service is most warmly endorsed by the voluntary sector (55%) and public sector (54%), with the private sector being slightly less positive (45%).

### Implications for progress

The survey findings paint a rosy picture with regard to employment prospects for ex-offenders, contrary to what might be expected. But more work needs to be done to make sure this positive outlook turns into job opportunities for ex-offenders.

Given the highly charged political media profile relating to crime and the levels of fear in society generally, prospects could be expected to be gloomy. This is evidenced by barometer checks made by the CIPD in a *Labour Market Outlook* survey carried out in 2005, which showed that employers said they would have little interest in ex-offenders as a potential labour market source. The survey found UK employers were more likely to exclude those with a criminal record than any other core jobless group, with more than a third of UK employers stating that they would not consider hiring an ex-offender, even though they rate ex-offenders more highly than other core jobless groups.

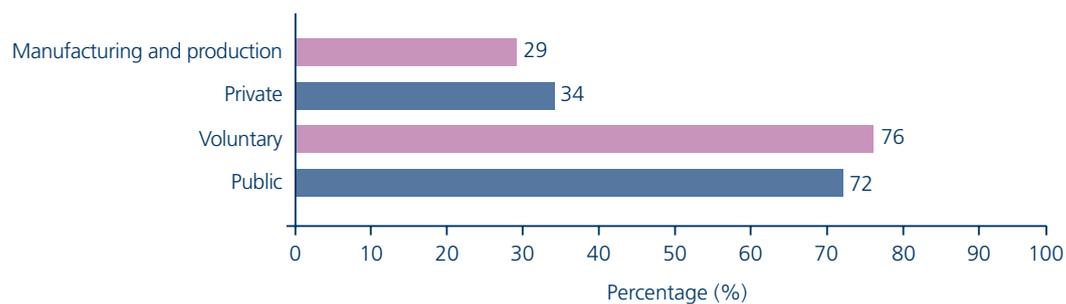
But this latest survey shows employers would in fact be more willing to get involved if they are given access to the practical help and employer support they themselves have helped to identify as valuable to them. This includes accessible and appropriate guidance on risk assessment and legal duties, and networking opportunities with other employers to share experiences and learn from each other. And, this willingness to get more involved is justified by the experiences reported by employers themselves. These show that employing ex-offenders is no less viable than employing people without offending backgrounds – no more difficult and no less satisfactory – while reoffending at work, as reported by employers themselves, is rare.

# Recruitment of ex-offenders

Around half of UK employers (51%) confirm that they knowingly recruited an ex-offender in the past two years. However, the proportion of new employees with a criminal record is still low, with 81% of responding organisations estimating that less than one to five of their new employees are ex-offenders.

Figure 1 shows the voluntary sector appears to be the most active in recruiting ex-offenders (76%) in the past two years, followed by the public sector (72%). The private sector (34%) and the manufacturing and production sector in particular (29%) appear to be less active in knowingly recruiting ex-offenders.

Figure 1: Has your organisation knowingly recruited someone with a criminal record within the last two years?



# Criminal offences

Around two-thirds of employers state they think between 11% and 30% of the UK population have a criminal record. In fact, the number of individuals who have committed a criminal offence is far higher than employers realise: there are 7.3 million people in England and Wales on the Home Office Offenders Index, equivalent to 20% of the UK working population. This index shows that one in three men and almost one in ten women born in 1953 had been convicted of an offence before the age of 46.

Employers are most concerned about sexual offences (61%), and Figure 2 shows that over half of them take this into account when recruiting an ex-offender for a job. Three-quarters of employers were least concerned about driving offences. However, in reality,

the most common indictable offence committed in the UK is theft and handling stolen goods, with sexual offences accounting for only 1.5% of indictable offences committed in 2005, according to Home Office statistics.

The findings suggest that more work needs to be done by the Government and other relevant bodies to educate employers about the nature and incidences of offences that occur in the UK. There also appears to be nervousness around sexual offences despite its low incidence, which could be partly explained by media coverage of these offences. However, the legal duty on particular employers not to employ people with certain sex offences and to protect children and vulnerable adults makes employers vigilant.

Figure 2: Which three of the following offences would your organisation be most likely to take into account when considering an ex-offender for employment?



# Organisational policies

Figure 3 shows more than half of employers have a policy on the employment of ex-offenders; this is considerably higher for those who have experience with ex-offenders (76%) compared with those with no experience (24%). About one in six employers confirm they have a legal duty not to employ ex-offenders: this legal duty is higher in the public sector (27%) and voluntary sector (18%). This isn't surprising, as these sectors include care homes, schools and hospitals, which are the kinds of organisations with legal duties not to employ people with certain offences and a requirement to protect children and vulnerable adults from abuse and personal harm.

One in seven employers report that they ask job applicants if they have a criminal record, compared with two out of three employers saying that they do this in a CIPD survey carried out in 2002 called *Employer Attitudes Towards Ex-offenders*. Importantly, it is those employers without experience of employing ex-offenders who are much more likely not to ask job applicants (30%) compared with those with experience (3%).

More than half (54%) of survey respondents state that they would have the same attitude to dealing with an

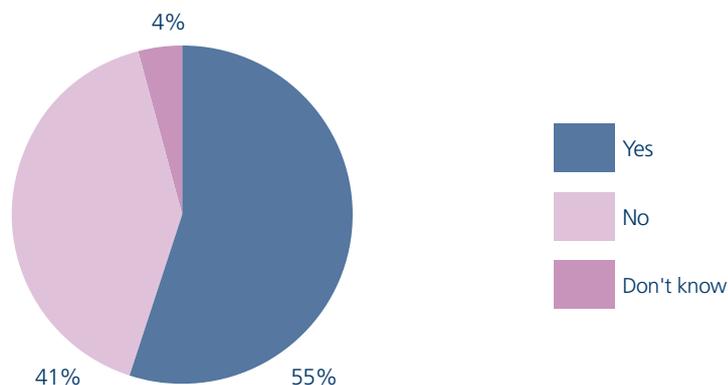
ex-offender applying for a job as a current employee who commits a criminal offence. This figure increases to 67% among those organisations with experience of dealing with ex-offenders.

In line with good practice, an overwhelming majority (94%) of employers say that they would consider the nature and circumstances of the offence if committed during employment. One member of the CIPD focus group (designed to pilot the survey questionnaire) said they would be more likely to monitor the situation if the offence could be repeated in the workplace.

Also in line with good practice, nine out of ten employers confirm that they undertake a risk assessment before employing ex-offenders. Reflecting legislation (The Police Act, Part V, 1997), the biggest factor taken into account in assessing risks is the extent of one-to-one contact with children or vulnerable adults: 57% of organisations consider this.

After conducting risk assessments, employers are likely to consider the level of supervision needed as a safeguard. This figure rises to 98% in organisations employing 5,000 or more staff and is as high as 94% in the voluntary sector.

Figure 3: Does your organisation have a policy about the employment of ex-offenders?



# Employers' experiences with ex-offenders

More than half (53%) of organisations say they have experience in employing ex-offenders. Interestingly, one in ten employers with experience of employing ex-offenders say they actively seek ex-offenders to employ. Of those that do, reasons range from it being organisational policy to employ ex-offenders to boosting the recruitment pool.

The vast majority of organisations with experience of employing ex-offenders say that their experiences are no different to those related to other employees (79%), but Figure 4 shows that nearly four times as many say that their experience is better than expected than those that say it is worse. There is a difference in sectors, however, with manufacturing and production and the private sectors twice as likely to say it is a different experience. Interestingly it is employers in the manufacturing and production sectors who are more likely to employ offenders under licence or probation supervision.

More than three-quarters of employers report that their organisation's attitudes to employing ex-offenders has 'stayed the same': with 17% stating their attitudes had become more positive.

One-fifth of employers record that their experiences with ex-offenders are better than they expected, although this is slightly more common in the private sector. These organisations report that ex-offenders are more motivated and committed to succeed and praised their good attitude.

The majority of organisations have a neutral or positive experience of employing ex-offenders, with less than one in ten employers recording a negative experience. Using mean scores, analysis of the survey responses shows that the smaller companies and the voluntary sector are most likely to have a positive experience. Figure 5 shows those employers with a positive experience of ex-offenders are most likely to say that they had settled in well with colleagues (86%), along with good performance (82%) and reliability (81%). Only 23 employers out of a total of 474 respondents report a negative experience, citing disciplinary action and problems with colleagues and customers as the reasons.

Figure 4: Were your organisation's experiences of employing ex-offenders...

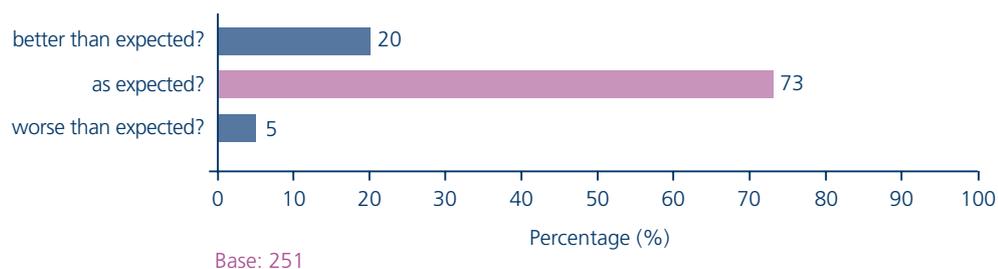


Figure 5: Identify positive experience recruiting ex-offenders



**Employer testimonials**

*'We'll definitely continue with work placements for ex-offenders and we would consider employing ex-offenders as part of our diversity strategy. It's business need as well as a social need. If someone is capable and willing and wants a chance at employment, then we will look at the pros and cons and judge each person on their own merits,'* says Jusna Illah, Policy Co-ordinator for Intertrade Services Group, a not-for-profit company.

# Factors considered when recruiting ex-offenders

Most employers recruit ex-offenders who have been released from prison for at least two years and who are no longer under a supervision order (32%). Figure 6 shows occasions when ex-offenders recently released from prison were employed made up only 14% of responses, and were most common in the manufacturing and production sector (26%) – this could be due to the fact (as shown by survey evidence) that manufacturing and production are least likely to be concerned about the relevant technical job skills.

The apparent reluctance of employers to offer work to ex-offenders for at least two years is worrying against the evidence that shows the importance of employment in reducing reoffending. For example, a CIPD survey – *Employer Attitudes Towards Ex-offenders* – launched in 2002 indicated that employment has a positive impact on reducing the chance of reoffending: of the 144 HR employers who have employed ex-offenders, only eight reported cases of reoffending.

Despite the finding that relatively few organisations currently consider employing ex-offenders either directly from prison or offenders under Probation Service supervision, over one in ten say this is something they would consider. This strongly suggests the need for Government interventions to focus on cultivating interest. Larger companies (25%) are also more likely to state this would be something they would consider and three-fifths of employers didn't rule out recruiting someone straight from prison if they had more information. Again, this emphasises the potential advantages in providing appropriate support and raising awareness among employers about the potential benefits of employing ex-offenders.

The nature and seriousness of the offence (64%) is what concerns employers most when considering employing ex-offenders. This is followed by the relevance of an offence to the job vacancy in question (63%).

Figure 6: If you've recruited ex-offenders in the last two years, at the time you recruited them had any...



CIPD members who took part in the focus group also made the point that the individual circumstances of the offender and the offence had to be taken into account before making a recruitment decision. One member of this CIPD focus group stated that if a prospective job applicant had a driving offence that was not relevant to the job, then they would employ them as long as they were reliable and honest. Another member of the same focus group reflected that HR professionals had to tread a delicate line, balancing the duty of care towards employees with the belief that ex-offenders have paid their dues and deserve a second chance.

Figure 7 shows that the most important skills and qualities when considering employing ex-offenders are honesty (92%), reliability (89%) and personal behaviour (84%). Relevant job skills are seen as being the most critical in the public services (68%) and least important in the manufacturing and production sector (28%).

Formal qualifications are seen as least important when employing ex-offenders, particularly in smaller organisations and the voluntary sector, with only 3% saying that professional qualifications were important.

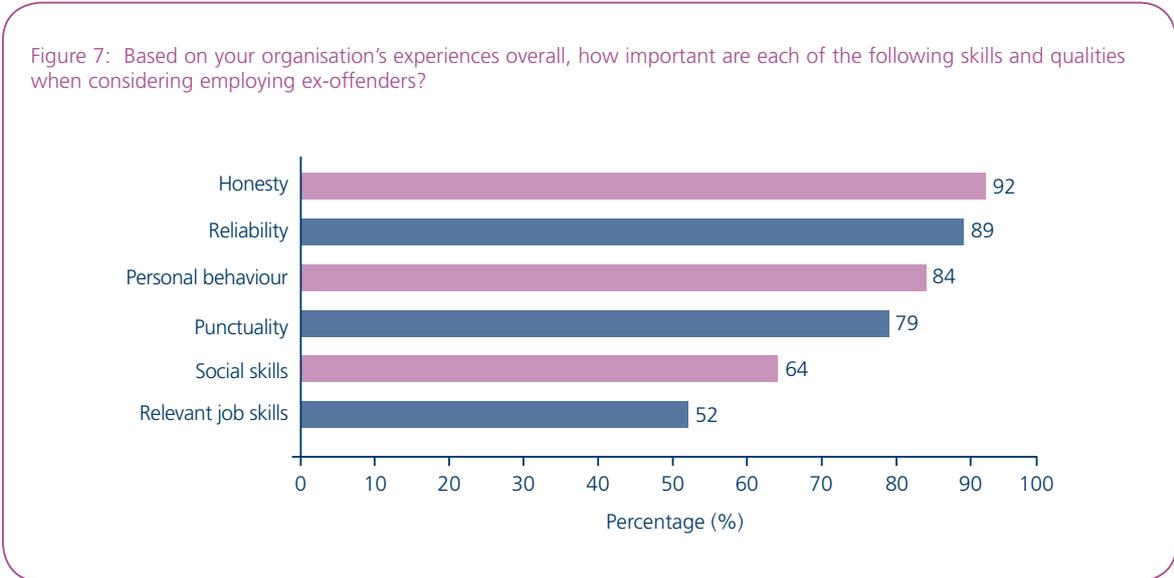
But three-quarters of employers indicate that having the relevant skills would encourage them to consider offering employment to ex-offenders. Evidence of achievements and courses obtained while serving a

sentence and external support for employees and managers would have the most influence (51% and 49% respectively). This evidence is stronger in organisations with experience of ex-offenders (84%). Prison visits to learn about training programmes (14%) and a financial incentive (17%) are rated as having less potential influence on employers.

Bearing in mind employers' primary concern about the personal behaviour of ex-offenders and their possession of soft skills such as honesty and reliability, tangible evidence of progress and achievements in these areas would help to improve the employment prospects. It would also help to promote ex-offenders as a potential pool of talent in the labour market.

**Employer testimonials**

*'Many of the offenders completing their sentence and ex-offenders we employ are loyal and have a lot of drive. They are motivated and will take every opportunity that is offered to them to change their lives. Giving someone a second chance at this point in their life will be paid back ten-fold in hard work and reliability. This process also brings diversity into the workplace and enables other employees to see the values by which their employers and the company they work for live by. This can be a very positive experience for all involved,'* says Alison Itani, HR Director for Wiltan, a manufacturing company.



# Media benefits

The survey shows that very few organisations (8%) with experience of employing ex-offenders choose to promote this through the media.

It could be speculated that this is due to a fear of negative press coverage and potential damage to corporate profile and reputation. But this fear appears to be unwarranted, as 65% of those organisations that had promoted employing ex-offenders say it had delivered a positive impact on their corporate reputation.

This result suggests there could be mileage for employers, ex-offenders and the Government if more employers included ex-offender issues in their corporate social responsibility objectives. If this could be encouraged it would help to:

- make it both easier and more acceptable for employers to address ways of supporting the rehabilitation of ex-offenders into work
- position employers as leaders in responding to challenging social issues
- educate the general public about the need for action
- reduce reoffending and stimulate safer communities and healthy local economies.

By making it more acceptable for businesses to be publicly active on this agenda, it could encourage more employer activity in this field. The following evidence spotlights the activities and interests of employers in connection with corporate social responsibility.

# Corporate social responsibility activities

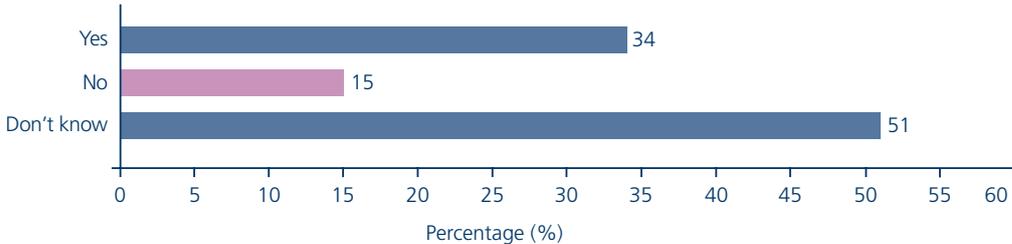
Nearly half (46%) of employers actively support employee volunteering. Of those who do, one-tenth report that the volunteering includes taking part in initiatives designed to support effective rehabilitation of offenders or ex-offenders.

Figure 8 shows that as many as a third of employers with no experience of ex-offenders say they would consider helping in alternative ways to improve their employability. The most common way would be to encourage employees to volunteer to deliver skills coaching in prison or during probation.

These findings show that employers are willing to participate in employee volunteering. As pointed out above, this could be a positive step. Through corporate social responsibility initiatives, links could be established between ex-offenders and employers that may lead to the possibility of work experience and jobs.

Currently, very few employers would consider offering work experience to ex-offenders; just 7% of them would consider this and of those that do, the majority report mixed experiences, spotlighting the need for focusing on ways for increasing the number of successful outcomes.

Figure 8: If your organisation is not in a position to employ ex-offenders, would you consider helping in other ways to improve their employability?



Base: 133

# Support available for employers

The survey shows that, with more support, employers are more likely to consider recruiting ex-offenders.

Only a third of employers were aware of the support provided in this area, and this awareness was highest in the voluntary sector (46%). Almost half of employers (49%) would be interested in finding out if these programmes relate to the skills needed by their organisation. Figure 9 shows an employer support service would be most warmly received by those in the voluntary and public sectors (55% and 54% respectively), while private sector organisations would need more encouragement.

In terms of intermediary organisations and services for employers, the Learning and Skills Council (36%) and the community or voluntary organisations (38%) are most popular. Employers are most negative towards approaches from recruitment agencies (47%).

Those employers who say that intermediaries wouldn't encourage them to take on an ex-offender, both perceived the risks to be too high (36%) and would only employ ex-offenders with fully 'spent' convictions under the Rehabilitation of Offenders Act.

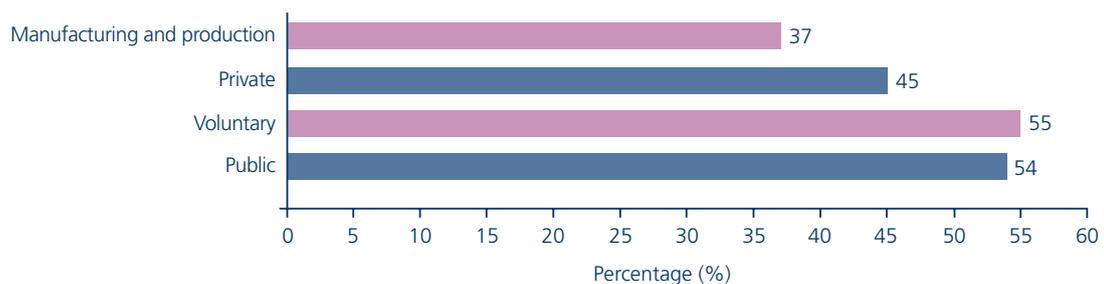
Figure 10 shows more than two-thirds of employers say that they would find guidance on risk assessments and safeguards useful in connection with ex-offender employment.

There is greater interest in access to employer networks to discuss practical experiences from organisations with no experience of ex-offenders (53%) compared with those with experience (37%).

Of less interest to employers are awards recognising good practice (14%) and employer-led initiatives to encourage employment opportunities for ex-offenders (18%). Just under half of organisations say that an employer support service for employing ex-offenders would be valuable to them. Unsurprisingly, those with experience of ex-offenders (53%) are more positive than those with no experience (40%).

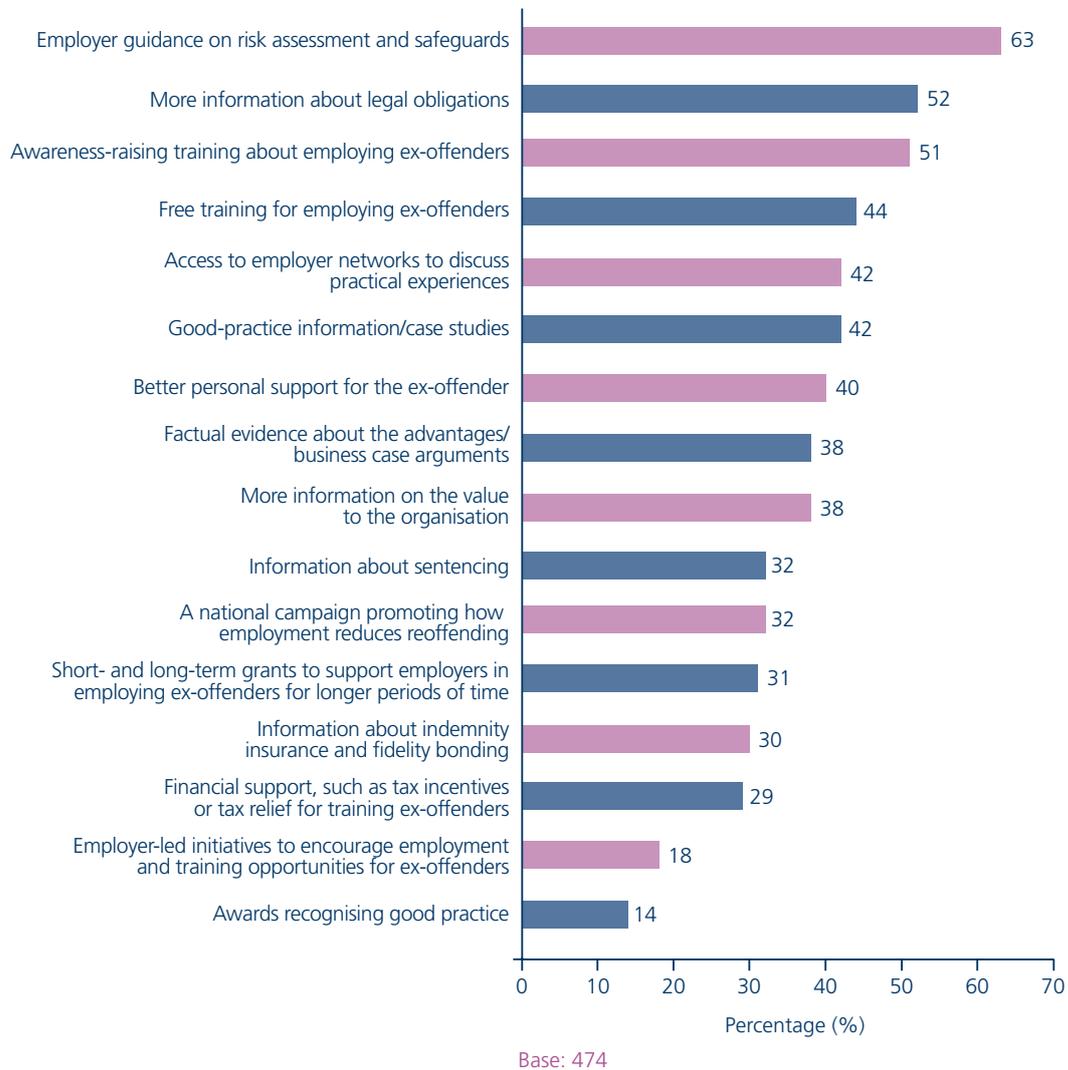
The Government has recently set up the Corporate Alliance. This is an umbrella body of employers from the private, public and voluntary sectors, government departments and intermediary and professional bodies such as the CIPD. The aim of the Corporate Alliance is to encourage the rehabilitation of ex-offenders into employment.

Figure 9: A service supporting employers in employing ex-offenders would be helpful to...



Base: 133

Figure 10: What help, advice or support would your organisation find useful in connection with employing ex-offenders?



The Corporate Alliance is a cross-government initiative led by the partnership unit of the National Offender Management Service (NOMS).

Other important national-level work with employers to increase the opportunity of employment for offenders on release is being done by the Impact Project, funded by the European Social Fund, Equal programme. This research project is based in the north-west of England and pilots new methods of working with offenders in custody and post-release during the custodial period.

# Challenges and implications

- A national strategy needs to be designed to promote more employer activity in offering work experience to offenders under licence and Probation Service supervision.
- There's a clear need for training and development to be provided in prisons that would be of value to employers. This will increase the employability of offenders and ex-offenders, and will facilitate their rehabilitation and the reduction of reoffending. As well as basic and technical job skills, there's a clear employer need evidenced by the CIPD survey, for evidence of soft workplace skills like honesty, reliability and personal behavioural skills – especially as employers are very concerned about violent behaviour.
- Specifically, the survey results show that employers want more information about undertaking risk assessments, and the business case for employing ex-offenders, as well as information about volunteering opportunities that can make a difference to employing ex-offenders in the shorter and longer term.
- General background information about the nature and incidences of offences would be helpful to employers in considering individuals' offences and the circumstances that led to them.
- The private sector remains the most reluctant and least active economic sector regarding the employment of ex-offenders. But more work needs to be done generally by the Government and other relevant stakeholders to challenge employer and societal attitudes about the rehabilitation of ex-offenders by building on the good work and experiences gained in this field, which can deliver successful outcomes in reducing crime. Getting the media 'on side' with positive support for all the good work being achieved, and extolling the longer-term benefits to society from breaking the cycle of offend/reoffend, would be a useful start in influencing change.
- A network for employers to share their experiences of employing ex-offenders should be established. This would play a central role in increasing employers' interests and confidence through greater awareness and understanding of the challenges and kinds of practical solutions that can deliver success for business.
- Legal obligations are a key influence in the voluntary and public sectors, where most activity in employing ex-offenders occurs. The evidence shows that activity on employing ex-offenders lags behind in the private sector, although there's very successful activity in the small business sector.

# Background

A total of 474 responses were received. The study was administered using a web-based questionnaire. The research was carried out by Plus Four Market Research.

Figure 11: Response by sector

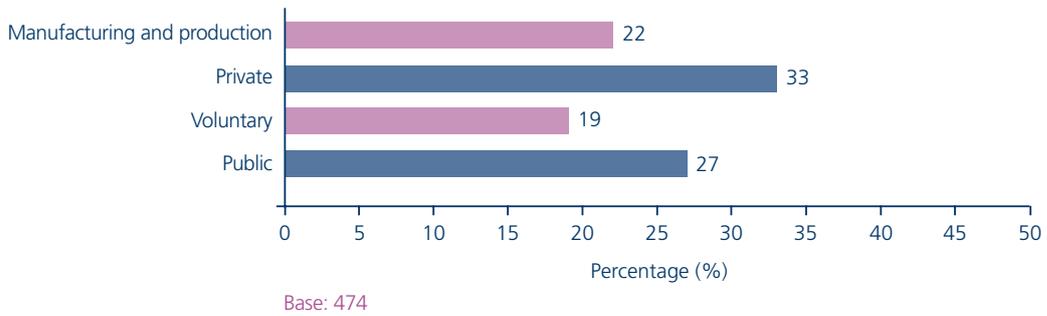
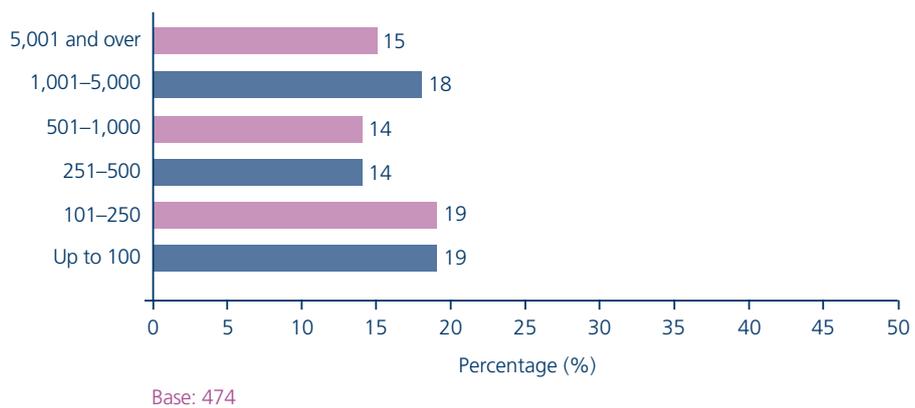


Figure 12: Response by company size



# Further reading

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## Useful organisations

The Impact Project

[http://www.equal-impact.com/index.php?option=com\\_frontpage&Itemid=1](http://www.equal-impact.com/index.php?option=com_frontpage&Itemid=1)

The National Offender Management Service

[www.noms.homeoffice.gov.uk](http://www.noms.homeoffice.gov.uk)

Business in the Community

[www.employingexoffenders.org.uk](http://www.employingexoffenders.org.uk)

The Partnership Unit, Home Office

[Alan.Taylor44@homeoffice.gsi.gov.uk](mailto:Alan.Taylor44@homeoffice.gsi.gov.uk)

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We explore leading-edge people management and development issues through our research. Our aim is to share knowledge, increase learning and understanding, and help our members make informed decisions about improving practice in their organisations.

We produce many resources on diversity management issues including guides, books, practical tools, surveys and research reports. We also organise a number of conferences, events and training courses. Please visit [www.cipd.co.uk](http://www.cipd.co.uk) to find out more.



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