

Executive summary of findings: Smart Justice in action: Employability Background report

1. Project background

In March 2019, Community Justice Scotland (CJS) commissioned research to understand the extent and nature of the employment of people with convictions in small to medium sized enterprises (SMEs) in Scotland.

The research objectives were to:

- Determine if SMEs currently, or have previously, employed people with convictions;
- Establish if SMEs are open to employing people with convictions;
- Identify barriers to employing people with convictions;
- Identify the motivations of those who are receptive to employing people with convictions, and those who are not;
- Determine any differences between those who are receptive to employing people with convictions and those who are not.

CJS is committed to enabling more people with convictions access to fair employment. The aim of this research was to understand better the attitudes and behaviours of SMEs in relation to employing people with convictions. Findings would inform the development of a communications campaign which encouraged more SMEs to employ people with convictions.

2. Methodology

A web survey was sent out to 9,350 contacts, and follow-up telephone interviews were conducted to boost the response rate. 200 interviews (155 web and 45 telephone) were achieved, with a response rate of 2%. The survey was completed by business contacts responsible for recruitment, which included HR Managers and Directors, and Managing Directors. Fieldwork was conducted between 4 February and 1 March 2019.

A wide spread of business sizes, turnovers, sectors and locations was achieved in the sample surveyed. Please see the Appendix for full details of the breakdown within categories.

3. Limitations to research

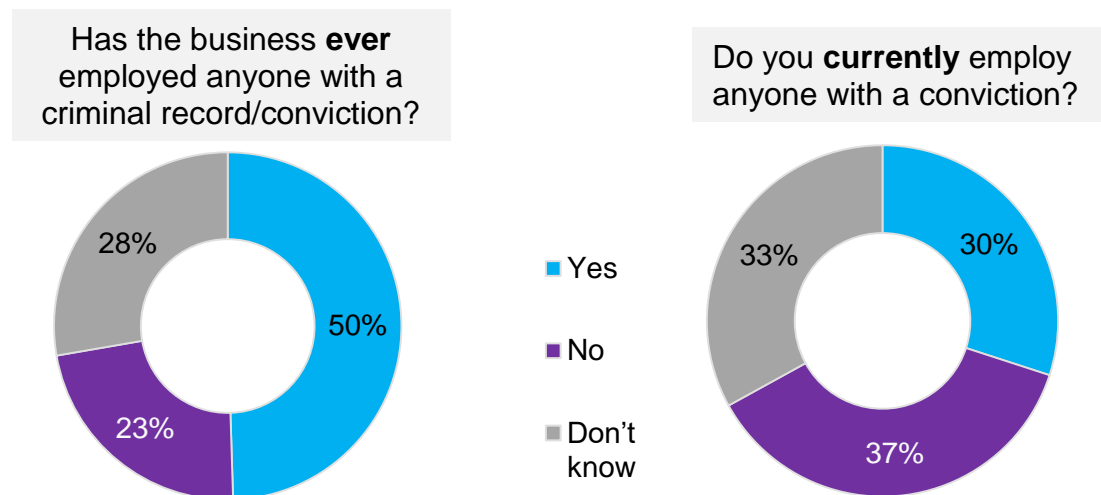
The findings of this research must be treated as indicative only, due to a relatively small sample size (particularly when conducting subgroup analysis) and the limited response rate achieved. With the overall sample size of 200, the dataset holds a margin of error of between $\pm 1.38\%$ and $\pm 6.93\%$, calculated at the 95% confidence level.

4. Summary of key findings

4.1 Recruitment practice among employers

4.1.1 History of employing people with convictions

Half (50%) of the businesses surveyed had at some point employed an individual with a conviction. A lower proportion (30%) said they currently employ someone with a conviction.



Base: All (200)

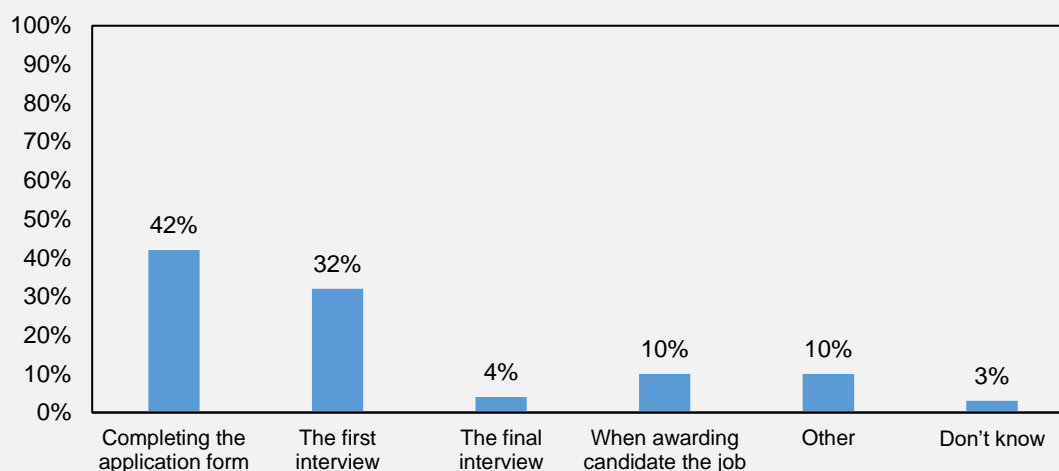
However, there was also a significant level of uncertainty among employers around this topic, with over a quarter (25%) saying that they didn't know whether they had ever employed someone with a conviction. This figure was even higher when asked if they *currently* employed anyone with a conviction, rising to one third of those surveyed (33%).

4.1.2 Recruitment policies

1 in 10 (9%) of employers said they believe it is a legal requirement to ask all job candidates whether they have a criminal record. Slightly more (13%) believe it is a legal requirement to ask candidates applying for specific types of roles about their criminal record. However, over one fifth (21%) said that in their business it is up to the discretion of the recruiter or manager in question as to whether a candidate is asked if they have a criminal record.

Of those businesses that said they do ask candidates, the majority do so very early on in the application process.

What is the first stage of the application process you ask the candidate for information on criminal convictions?



Base: All who ask candidates for information on convictions (134).

Over one quarter (28%) of employers said that currently they do not ask any candidates whether they have a criminal record. Unsurprisingly, however, this was almost twice as likely among employers who do not know if they have ever employed someone with a conviction (51%).

4.1.3 Experience of employing people with convictions

When asked to describe their experience of employing someone with a conviction...



64% of businesses who had employed someone with a conviction said it had been a positive experience for them or the employee.



19% gave a neutral response about the experience.



16% said they had a negative experience.

Those that had a positive experience mentioned reasons such as that they simply had no concerns, the individual did the job well and that the individual was motivated.

“They have gone out of their way to fit in and deliver and can be more motivated than people without conviction[s] as they have [a] point to prove.”

“In the past, I have found out that someone had a conviction but had lied about it at interview. In fact, it was something that happened (breach of peace) whilst young and under the influence of alcohol. This was out of character and the individual was an excellent employee.”

Of the minority (16%) that said they had a negative experience, examples included issues with reoffending behaviour or poor performance at work (base sizes too small to quote percentages).

4.2 Employing someone with a conviction

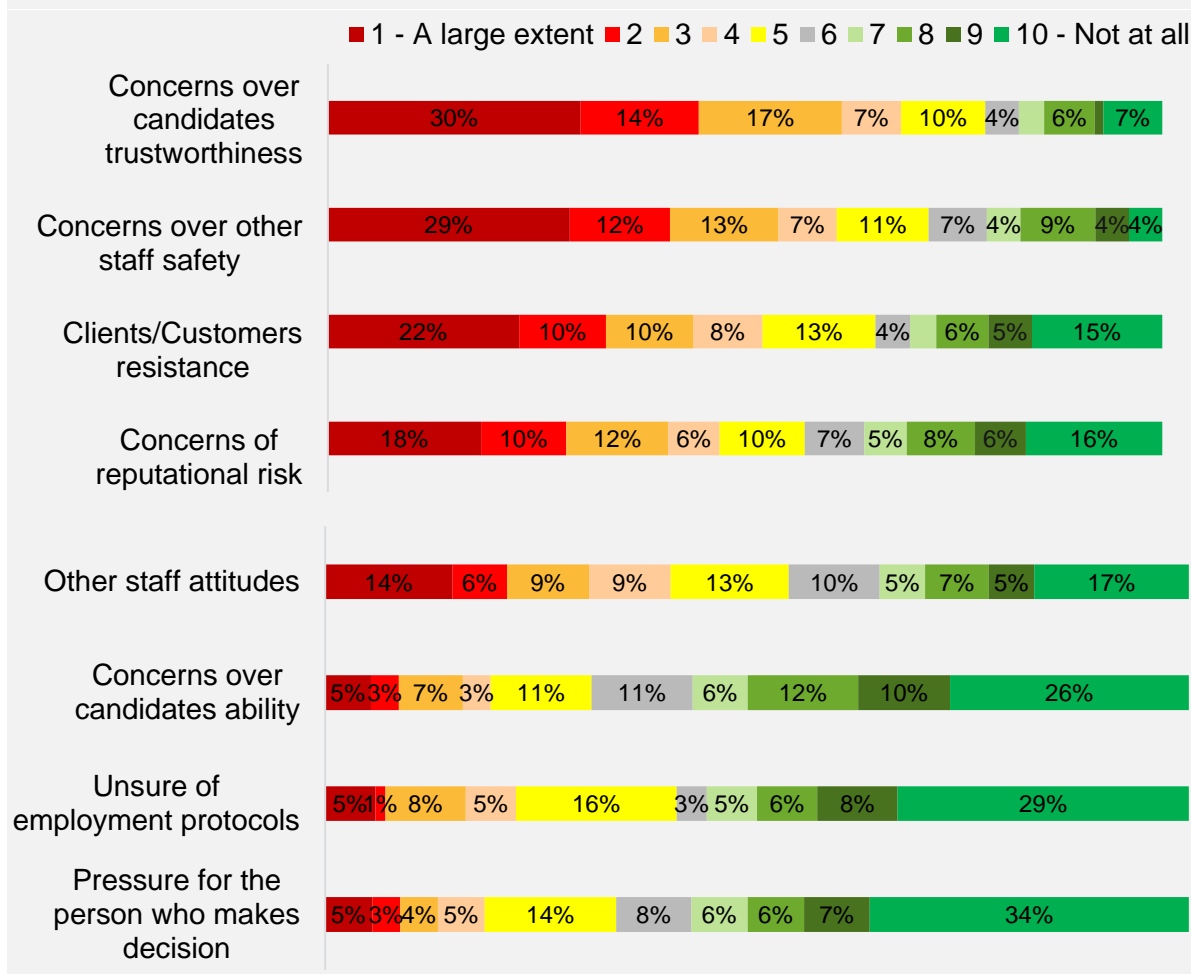
Businesses that had ever employed someone with a conviction were significantly more likely to feel comfortable employing individuals in any type of role.



4.3 Barriers to employing people with convictions

When asked about the barriers facing businesses when employing people with convictions, the most commonly reported were the pressure created for the decision-maker; being unsure of employment protocols, and concerns around candidates' abilities.

Thinking about your company, to what extent are the following barriers to employing people with convictions?



Base: All (200)

However, businesses that had previously employed someone with a conviction were significantly less likely to report several of these barriers, namely concerns of reputational risk; resistance from clients or customers, and concerns around candidates' trustworthiness.

4.4 Employers' perceptions and beliefs

Businesses were asked for their levels of agreement with a series of attitudes-based statements.

Two thirds (66%) agreed that they would employ someone with a conviction if the individual was qualified for the job, and over half (54%) agreed that it is a way of giving back to the community. 9 in 10 employers (90%) agreed that employment is a gateway to security, with a further 67% agreeing that people with convictions are less likely to reoffend if they are employed. There was also a belief that employing people with convictions gives access to a wider pool of talent and skills, with only 12% disagreeing with this statement.

There was some confusion and ambiguity around recruitment processes, with over a quarter (28%) of people saying they were not sure what paperwork they would need to do, and another quarter (24%) saying they neither agreed nor disagreed with this statement.

There was some concern around whether employing someone with a conviction might put off customers or clients (47%). However, belief in the commitment of individuals was strong, with only 3% of businesses thinking that people with convictions would not have the commitment required for the job.

5. Appendix

Sample profile

No. of full time employees	Total
1 employee	2%
2 to 5 employees	22%
6 to 10 employees	13%
11 to 25 employees	24%
26 to 50 employees	14%
51 to 100 employees	10%
101 to 250 employees	10%
251 to 500 employees	4%
Unsure	3%

Approximate annual turnover	Total
Less than £70,000	2%
£70,001 - £100,000	3%
£100,001 - £200,000	8%
£200,001 - £400,000	7%
£400,001 - £750,000	8%
£750,001 - £1,000,000	7%
£1,000,001 - £2,000,000	15%
£2,000,001 - £3,000,000	10%
£3,000,001 - £4,000,000	8%
£4,000,001 - £5,000,000	4%
More than £5,000,000	16%
Unsure	3%
Prefer not to say	13%

Sector	Total
Aerospace, defence and marine	1%
Chemical sciences	1%
Creative industries (including digital)	5%
Construction	10%
Enabling technologies/ICT	5%
Energy (including renewables)	3%
Financial and business services	9%
Food and drink	8%
Forest and timber technologies	3%
Life sciences	2%
Manufacturing	8%
Textiles	1%
Tourism	5%
Universities	2%
Health and social care	12%
Agriculture / Farming	2%
Property	2%

Retail	1%
Other (includes charity/third sector, security, printing and publishing, leisure, transport)	23%

Location	Total
Aberdeen City	6%
Aberdeenshire	4%
Angus	1%
Argyll & Bute	2%
Clackmannanshire	-
Dumfries & Galloway	3%
Dundee City	4%
East Ayrshire	1%
East Dunbartonshire	1%
East Lothian	2%
East Renfrewshire	1%
Edinburgh City	14%
Comhairle nan Eilean Siar (Western Isles)	1%
Falkirk	1%
Fife	4%
Glasgow City	18%
Highland	5%
Inverclyde	2%
Midlothian	3%
Moray	5%
North Ayrshire	2%
North Lanarkshire	7%
Orkney Islands	-
Perth & Kinross	2%
Renfrewshire	1%
Scottish Borders	3%
Shetland Islands	-
South Ayrshire	3%
South Lanarkshire	2%
Stirling	2%
West Dunbartonshire	2%
West Lothian	2%
Unsure	2%