

Recruitment of ex-offenders Policy

Policy Statement

The Code of Practice <https://www.gov.uk/government/publications/dbs-code-of-practice> published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed. This policy sets out Christians Together Calderdale's commitment to this code and will be available to all staff and volunteers on our website and in the Policy files.

Further information regarding conviction information

On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

(See Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013).

In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

For more information on filtering of old and minor cautions and convictions which are now 'protected' so not subject to disclosure to employers, see: <https://www.gov.uk/government/collections/dbs-filtering-guidance>

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Christians Together Calderdale complies fully with the Code of Practice <https://www.gov.uk/government/publications/dbs-code-of-practice> and undertakes to treat all applicants for positions fairly. Christians Together Calderdale undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

Christians Together Calderdale can only ask an individual to provide details of convictions and cautions that Christians Together Calderdale are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended), Christians Together Calderdale can only ask an

individual about convictions and cautions that are not protected. Christians Together Calderdale is committed to the fair treatment of its staff, potential staff, volunteers or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

This policy is made available to all DBS applicants at the outset of the recruitment process and is accessible on the CTC website.

Christians Together Calderdale actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. Christians Together Calderdale selects all candidates for interview based on their skills, qualifications and experience.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

Christians Together Calderdale ensures that all those in Christians Together Calderdale who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. Christians Together Calderdale also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, Christians Together Calderdale ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

Christians Together Calderdale makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice <https://www.gov.uk/government/publications/dbs-code-of-practice> and makes a copy available on request.

Christians Together Calderdale undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.