

## **Policy on the Recruitment of Ex-Offenders**

### **Key statement**

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), Southampton City Mission (SCM) complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. SCM undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

### **Purpose and Scope**

SCM will only ask an individual to provide details of convictions and cautions that we 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), SCM can only ask an individual about convictions and cautions that are not protected.

SCM is committed to the fair treatment of its staff, volunteers, potential staff and volunteers, or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background.

This policy on the recruitment of ex-offenders is made available to all DBS applicants at the outset of the recruitment process.

We actively promote 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. SCM select all candidates for interview and appointment based on their skills, qualifications and experience.

### **Procedure**

SCM uses the Winchester Diocesan Board of Finance Safeguarding Registry as an umbrella body and provides the Registry with a copy of this policy on the Recruitment of Ex-Offenders.

An application for a criminal record check is only submitted to the 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.

SCM will ensure that a representative from SCM who is involved in the recruitment process has been suitably trained to identify and assess the relevance and circumstances of offences. SCM will also ensure that this person receives appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of

Offenders Act 1974. SCM will consult and accept guidance from the Diocesan Safeguarding Panel in this respect.

At interview, or in a separate discussion, SCM 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 or voluntary position.

SCM makes every subject of a criminal record check submitted to the DBS aware of the existence of the Code of Practice and makes a copy available on request.

SCM undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment or voluntary position.

For positions involving work with children or vulnerable adults a Confidential Self Declaration form will also be required. The information will only be seen by those within the SCM and Safeguarding Registry who need to see it as part of the recruitment process. Failure to disclose information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment or voluntary position, and may constitute a criminal offence.

It is SCM policy that anyone who has been convicted or who has accepted a caution for offences against a child and/or vulnerable adult will not be permitted to work, in a paid or voluntary position, which brings them into direct contact with children or vulnerable adults.

A person for whom there are unresolved allegations outstanding will be referred to the Diocesan Safeguarding Panel and only allowed to work with children / vulnerable adults following a recommendation from the Panel and with the express permission of the Bishop.

#### **Appeals and Complaints Procedure**

If an applicant for a disclosure is unhappy about the way SCM has processed the disclosure or how a risk assessment has been made, the appeal or complaint should be made in writing, stating their name, address, the nature of the appeal, the date of the disclosure document concerned, the identity of the person or appointing body responsible for making the appointment, and any other relevant information to:

**The Chairperson, Southampton City Mission, Unit 5 Second Avenue Business Park,  
Southampton, SO15 0LP**

The Chairman will then instigate an independent assessment of the issues in question. The appeal/complaint will be dealt with within six months. The adjudication will be sent to the applicant and the appointing body with a copy to the Chairman for information.

***Ratified by the Trustees at a meeting on 1<sup>st</sup> November 2018***

***Signed (Chairperson/Secretary): .....***

***Policy due for review November 2021***