

## RECRUITMENT OF EX-OFFENDERS POLICY

**PURPOSE:** to set out the approach of Changing Pathways (CP) approach to the recruitment of ex-offenders.

**SCOPE:** this policy applies to all CP employees, prospective employees and volunteers.

**RELATED POLICIES AND PROCEDURES:**

- DBS Policy Statement
- DBS publication: Code of Practice
- Recruitment and Selection Policy

### PART ONE - POLICY STATEMENT

#### 1.0 Aims and Principles

1.1 The organisation is committed to the promotion of 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.

1.2 The Code of Practice published under section 22 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 because of a conviction or other information revealed.

1.2 With some exceptions, for example, 'Schedule Four Offences', having a criminal record will not necessarily bar an individual from working for Changing Pathways in either a paid or unpaid capacity. This will depend on the nature of the position sought and the circumstances and background of the offences.

1.3 As an organisation utilising the Disclosure and Barring Service (DBS) to assess the suitability for positions of trust, CP compiles fully with the DBS Code of Practice and utilises an umbrella organisation to administer the checks that adheres to the DBS Code of Practice.

### PART TWO - PROCEDURAL GUIDANCE

#### 2.0 Recruitment Processes

2.1 A DBS disclosure will only be required in job roles where it is considered both proportionate and relevant to the position concerned. This will be decided through the process of job analysis when new and existing roles are vacant. This analysis will include a check using the eligibility tool published by <https://www.gov.uk/find-out-dbs-check>

2.2 For job roles which require a DBS check, all recruitment materials: role advert; application form and job profile will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

2.3 Where a DBS forms part of the recruitment and selection process, applicants will be asked to provide details of their criminal record at an early stage. Applicants will be asked to send this information under a separate, confidential cover to a designated person within CP. This information will only be disclosed on a need to know basis in the recruitment and selection process.

2.4 Unless the nature of the job role allows CP to ask questions about an applicant's entire criminal record, i.e. posts exempt from the Rehabilitation of Offenders Act (1974), applicants are only required to disclose 'unspent' convictions.

2.5 Rehabilitation periods are as follows: for adults, the rehabilitation period is 5 years for most noncustodial sentences, 7 years for prison sentences of up to 6 months, and 10 years for prison sentences of between 6 months and 2½ years. For a young offender (under 18) the rehabilitation period is generally half that for adults. Prison sentences of more than 2½ years can never be spent. Other sentences have variable rehabilitation periods. Compensation orders are only spent once paid in full, but being bound over to keep the peace would be spent either at the end of the order or a year (depending which is longer).

2.6 Where an applicant has disclosed a previous conviction, then an interview will be arranged between the applicant and the recruiting officer to have an open and measured discussion on the subject of the offences.

2.7 CP will seek to discuss any matter revealed in a disclosure with the person seeking the position before withdrawing a conditional offer of employment.

2.8 Failure by an applicant to reveal information directly relevant to the position sought could lead to the conditional job offer being withdrawn.

*This policy is subject to annual review:*

**POLICY CREATED:** December 2017

**STAFF MEMBER:** PL

**NEXT REVIEW DUE:** December 2018

**REVIEW DATE:** September 2018

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NEXT REVIEW DUE: September 2019