the Beacon parish
Diocese of Chichester
(Reg. Charity No. 1132488)

# Recruitment of Ex-Offenders Policy

## Purpose of Policy

The Parish is committed to equality of opportunity in employment. This policy outlines the Parish's approach to the recruitment of ex-offenders.

Candidates are assessed on their skills, experience and qualifications for the job role and criminal convictions will not be relied on as immediate grounds for refusal of employment. Candidates will be required to disclose "unspent" convictions during the application and/or interview process. If the nature of the offence is relevant to the role they are applying for, the suitability of the candidate will be considered. In these circumstances, the Parish reserves the right to refuse to offer employment to the candidate.

Information relating to "spent" convictions will not be required to be disclosed by the candidate, unless the job role is exempt from the Rehabilitation of Offenders Act (ROA) 1974.

The Church undertakes to treat all applicants for positions fairly, while assessing their suitability for advertised positions both using criminal record checks processed through the Disclosure and Barring Service (DBS) and also references.

The Church undertakes to comply with the code of practice published under section 122 of the Police Act 1997, which 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.

We will :

- not discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed
- 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)
- only ask an individual about convictions and cautions that are not protected
- demonstrate our commitment to the fair treatment of staff, potential staff or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background
- maintain a written policy on the recruitment of ex-offenders, and make this available to all DBS applicants at the start of the recruitment process
- 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
- select all candidates for interview based on their skills, qualifications and experience
- only submit an application for a criminal record check 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
- ensure that all those in the Church who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences

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- also ensure 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
- ensure at interview, or in a separate discussion, 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
- make every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and make a copy available on request
- undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

**Recruitment process**
Applicants will be made aware of any positions where a criminal records check is required. A statement that a criminal record check is required if the candidate is offered the position will be included in any application forms, job advertisements and recruitment documents.

Where a criminal records check is part of the recruitment process, all candidates who are successfully invited to an interview should be encouraged to present information regarding any convictions they have at an early stage. They will be advised of the designated person within the Parish to whom they should provide this information and informed that this will be kept confidential and only disclosed to those who require the information as part of the recruitment process.

Any disclosure of an offence will lead to a full discussion with the candidate regarding the relevance of the conviction to the job role before a decision is made about withdrawal of an offer of employment. A failure by the candidate to produce information about convictions relevant to the role could lead to the Parish withdrawing an offer of employment. Where the criminal record information reveals details of an offence, the relevance to the job in question should be fully discussed with the applicant before withdrawing an offer of employment. Before withdrawing an offer, the HR department should be consulted.

In order to assess whether a criminal record is relevant to the role, the convictions disclosed should be assessed in line with the duties of the role and how the work is carried out. Factors to take in to account include, but are not limited to:

- whether the offence is relevant to the position in question
- the seriousness of any offence
- the type of offence or offences the applicant committed
- the circumstances and the explanation offered by the applicant
- the length of time that has passed since the offence took place
- whether the applicant's circumstances have changed since the offending took place.

**Criminal records checks**
The Parish will request a criminal record check where this is proportionate and relevant to the position concerned, as identified by a thorough risk assessment. Checks will be carried out in accordance with the relevant regulations (for example for occupations or activities covered by the ROA 1974 (Exceptions) Order 1975 and the Police Act 1997 (Criminal Records) Regulations).

The parish will not unlawfully discriminate against any candidate where they are required to provide information about their criminal convictions. The Company will provide appropriate guidance and training to all individuals that are involved in recruiting ex-offenders. This will include specific training in relation to the Rehabilitation of Offenders Act 1974.

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The Disclosure and Barring Service and/or Disclosure Scotland codes of practice will be complied with during this process. T

**Data protection**
The provisions of the Data Protection Act will be fully complied with when carrying out this process.