

# **The Parish of Saffron Walden**

## **Policy Statement on Recruitment of Ex-Offenders November 2020**

1. As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974<sup>1</sup> (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), we comply fully with the code of practice<sup>2</sup> and undertake to treat all applicants for positions fairly.
2. We undertake not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed
3. We can only ask an individual to provide details of convictions and cautions that we are legally entitled to know about<sup>3</sup>.
4. We can only ask an individual about convictions and cautions that are not protected.
5. We are committed to the fair treatment of staff, potential staff or users of our services, regardless of race, gender, religion<sup>4</sup>, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
6. We make this written policy on the recruitment of ex-offenders available to all DBS applicants at the start of the recruitment process.
7. 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.
8. We select all candidates for interview based on their skills, qualifications and experience.
9. 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.
10. We ensure that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offence.

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<sup>1</sup> Full text available here: [www.legislation.gov.uk/ukpga/1974/53](http://www.legislation.gov.uk/ukpga/1974/53)

<sup>2</sup> DBS Code of Practice: [www.gov.uk/government/publications/dbs-code-of-practice](http://www.gov.uk/government/publications/dbs-code-of-practice)

<sup>3</sup> 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.

<sup>4</sup> See Diocesan website for information about Genuine Occupational Requirements (GOR), (e.g. the post requires the applicant to be a practicing Christian).

Please note that we may take advice from the Diocesan Safeguarding Adviser in this regard.

11. We 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.
12. At interview, or in a separate discussion, we ensure 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
13. We make every subject of a criminal record check submitted to DBS aware of the existence of the code of practice<sup>5</sup> and make a copy available on request.
14. We undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment. Please note that we will involve the Diocesan Safeguarding Adviser if there are disclosures of cautions, convictions, reprimands or police intelligence in order to ensure that the relevance of the offences and associated risk are assessed.

Approved by the PCC on 11th November 2020

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<sup>5</sup> DBS Code of Practice: [www.gov.uk/government/publications/dbs-code-of-practice](http://www.gov.uk/government/publications/dbs-code-of-practice)