

Policy for Recruitment of Candidates with a Criminal Record

Guidance

This guidance has been designed as a source to support recruiting persons with a criminal record in youth work settings.

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Policy Statement

Our organisation is committed to a culture of inclusivity and equality whilst ensuring the safe provision of services to children, young people and adults at risk. We recognise the contribution that all people can make as current or future workers, as both employees and volunteers, and are committed to a fair recruitment process in which no-one faces unfair discrimination due to a criminal record.

As an organisation that works to support children, young people and adults at risk, this policy should be read in conjunction with our [Safer Recruitment Policy](#).

Inclusivity and Transparency

We are a supporter of the [Ban the Box](#) campaign, increasing opportunities for people with criminal records to compete for jobs. We are committed to principles of fair recruitment and we will not ask you to disclose information about your criminal record when applying for a role. We recruit all candidates on the merit of their skill, qualifications and experience required for the role.

If you are applying for a role that will be subject to checks, we will make this clear as part of the recruitment process. We will then ask for details about your criminal record when a conditional offer has been made.

If the role you are applying for includes regulated activity with a vulnerable group, you will be asked to confirm that you are not barred from working with this vulnerable group. Applicants on the relevant barred list will not be able to continue with an application.

We strive to uphold principles of inclusivity and transparency and we expect the same from any future worker. We have a zero tolerance approach to any deliberate deception or concealing necessary information*.

Our Position on Completing Checks

Each role is assessed for its legitimacy and need for a DBS check. We ensure any request to disclose a criminal record is proportionate and relevant to the role.

A candidate with a conditional offer will be asked to complete a criminal record self-disclosure form, that is relevant to the role they're applying for.

- Any person applying for a role that is covered by the Rehabilitation of Offenders Act, will only be asked to disclose unspent convictions" through the completion of a basic DBS check.
- Any person applying for a role that is exempt from the ROA will be asked to declare any unspent and spent convictions by completing a standard or enhanced DBS check. You will not be asked to disclose filtered or protected records as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.
- Any person applying for a role that includes regulated activity with children or adults at risk, will be checked against the barred list. It is a criminal offence for you to apply for, or work with, a group you have been barred from working with.

You will be asked to complete these checks at the point of a conditional offer being made, along with other conditional offer checks, such as references. For further guidance or an online tool which will help you determine whether a conviction is spent and/or filtered. [Unlock has an online disclosure calculator](#) and the [Government also offer guidance](#).

Decision Making

In order to make a fair, measured and comprehensive decision about any matters revealed by an applicant with a criminal record, we will have a conversation with you directly and carry out a criminal record assessment.

Our criminal record assessment will consider:

- whether a conviction is spent or unspent and the length of time since the offence(s) occurred
- the nature and seriousness of any offence revealed
- whether the conviction is relevant to the position applied for
- the age at the time of the offence(s) and any pattern of offending behaviour
- the circumstances surrounding the offence(s), and the explanation(s) provided and whether your circumstances have changed since the offending behaviour
- how the offence(s) impacts on your ability to carry out the role.

A historical criminal record that has no bearing on the role you are applying for, and that would pose no risk to you or the service users we support, will not prevent you from working or volunteering with our organisation. Any decision to withdraw that conditional offer will be discussed with you in full.

**It's important that all recruiting staff have a good understanding of what could be 'deliberate deception' as opposed to a genuine error or misunderstanding. Unlock run workshops for recruiters around this subject.*

Information Sharing

Information shared with us will be requested, processed and stored in line with the Data Protection Act (2018). Any information about your criminal record will only be shared as is absolutely necessary during the application and decision making process.

Legislation and Support

If you have any questions relating to this policy you can speak with our Safeguarding Lead directly. If you are unsure about your own criminal record, you can visit the charity [Unlock](#).

This policy does not supersede any legislation or exceptions pertaining to filtered offences, which will always be observed.

