

POLICY STATEMENT ON THE EMPLOYMENT OF EX-OFFENDERS

INTRODUCTION

North Warwickshire Borough Council has an agreed policy on the recruitment of ex-offenders which seeks to avoid discrimination against them, whilst taking the necessary checks and precautions to safeguard the welfare of our clients and service users. A copy of the full policy is available upon request.

SCOPE OF THE POLICY

This policy covers all relevant posts within the Council exempted under the Rehabilitation of Offenders Act 1974. This includes permanent employees; temporary; agency; casual; contract and voluntary workers. Only the successful applicants will be subject to checks of criminal records via Disclosure. However, all applicants will be required to declare whether they have any convictions on their application form.

APPLICATION OF THE POLICY

The Council undertakes to treat all applicants who have a criminal record fairly, and will not discriminate unfairly against job applicants on the grounds of a previous conviction or other information which is not relevant to the post applied for.

Criminal records will be taken into account for recruitment purposes only where the conviction is relevant. Therefore, unless the nature of the work demands it, candidates will not be asked to disclose convictions which are 'spent' under the Rehabilitation of Offenders act 1974. Having an 'unspent' conviction will not necessarily bar a candidate from employment. This will depend on the circumstances; relevance and background to the offence(s).

However, the Council has a duty to protect vulnerable client groups from potential harm or abuse, and to that end the Council will undertake specific measures to check the suitability of prospective employees who would work with these groups. Such measures include undertaking criminal record checks, known as Disclosures, which will be carried out by the Disclosure and Barring Service (DBS) for candidates selected to work in a certain range of posts involving contact with children and vulnerable groups of adults.

If a Disclosure reveals a criminal history, this will be discussed with the candidate concerned before the decision regarding appointment is made. Where there is perceived to be a reasonable risk of future misconduct, based on the relevance of past events, the selected candidate will **not** be appointed, and will be given written reasons for the decision. Where the criminal history is irrelevant and/or the risk is deemed to be minimal or manageable, the selected candidate will be appointed, subject to the approval of the Assistant Director or their delegated representative.

For jobs that do not require a DBS check, if an applicant is shortlisted, and the applicant has declared an unspent conviction on the recruitment monitoring form, the conviction will be discussed with the applicant and risk assessed against the job applied for prior to being invited to interview.

The Council undertakes to adhere to the Code of Practice issued by the Disclosure and Barring Service and all relevant legislation.

Please note that if you are offered this position, the appointment process requires you to apply for an **Enhanced level** of Disclosure with the Disclosure and Barring Service (DBS).

In applying for a Disclosure we usually ask to see your passport and driving licence (where issued) together with two proofs of address, such as a recent utility bill, a credit card statement or bank statement. If, in addition, you can provide your Birth Certificate, Marriage Certificate (where applicable) or a reference to your National Insurance Number ie from a P45 or P60, this will assist with the process. Additionally, you will be required to complete a Disclosure application, which will then be forwarded to the DBS.

The DBS will then check the Police National Computer records for all convictions, (including spent convictions) listed, plus details of any cautions or warnings issued. Additionally, the DBS will check information contained on a Governmental list of people on the barred list to work with children and/or adults, as well as information held by the Police.

After all checks have been carried out, the DBS will send a Disclosure to you, which will list any details obtained from those checks. You will need to bring this to the HR department at the Council before you can start work. Staff starting work in Leisure at the centres can take their certificate to the Centre Manager or the Assistant Manager who will photocopy it, sign and date the photocopy stating that they have seen the original documentation and forward to HR. In the event of the DBS check highlighting information held on any of the databases accessed, HR will discuss the details with you in order to make an informed decision as to whether or not this affects the offer of appointment. The final decision as to whether your appointment can proceed will be made by the relevant Assistant Director and the HR Manager/HR Officer.

If you already hold a DBS certificate and subscribe to the DBS Update Service you will be required to bring this to the HR department at the Council and with your permission they will carry out a Status Check. Provided that this is satisfactory you will be able to arrange to start work. As with a new DBS check, in the event of the Status Check highlighting information held on any of the databases accessed, HR will discuss the details with you in order to make an informed decision as to whether or not this affects the offer of appointment. The final decision as to whether your appointment can proceed will be made by the relevant Assistant Director and the HR Manager/HR Officer.