

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 a **Basic level** of Disclosure with the Disclosure and Barring Service (DBS).

A basic check will contain details of convictions and conditional cautions considered to be 'unspent' under the terms of the Rehabilitation of Offenders Act 1974. You will need to request this for yourself and the Council will reimburse the cost following submission of the appropriate required documents.

The DBS will send a Disclosure to you, which you will need to bring to the HR department at the Council before you can start work. Staff starting work at the Leisure Centres can take their certificate to the Centre 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 'unspent' convictions, HR will discuss the details with you in order to make an informed decision as to whether this affects the offer of appointment. The final decision as to whether your appointment can proceed will be made by the relevant Corporate Director and the HR Manager/HR Officer.