

**RECRUITMENT OF  
EX OFFENDERS POLICY**

# RECRUITMENT OF EX-OFFENDERS POLICY

## 1. Policy statement

JRH Support is an organisation that uses the Disclosure and Barring Service (DBS) to assess applicants' suitability to work with vulnerable adults and children.

The safety of vulnerable adults and children in our care is of paramount importance. JRH Support recognises and complies with its obligations under all of the legislation which protects these vulnerable groups, including the Safeguarding Vulnerable Groups Act 2006.

As a care company that provides regulated activity to vulnerable adults, JRH Support are exempt from the Rehabilitation of Offenders Act 1974 for those roles within the company that have direct contact with service users. Because of this, applicants for those roles MUST disclose all cautions and convictions, even if they are spent (unless they are protected/filtered)

JRH Support seeks to provide assurance to those applying for Standard or Enhanced Disclosures that the information released will be used fairly. Information relating to an individual's criminal record will only be seen by those who need to see it as part of the recruitment process. JRH Support acknowledges that it is a criminal offence to pass on disclosure information to someone not authorised to receive it.

## 2. The recruitment process

- JRH Support will ensure that all requests for DBS disclosures are made at the appropriate level and that all necessary evidence is checked and validated.
- We will identify Authorised Signatories, who will be responsible for deciding whether to employ or continue to employ individuals who are the subject of adverse disclosures.
- JRH Support is committed to the fair treatment of its staff, potential staff or users of its services, regardless of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation; or offending background.
- This policy on the recruitment of ex-offenders will be made available to all Disclosure applicants at the outset of the recruitment process.
- 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. We select all candidates for interview based on their skills, qualifications and experience.

- A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within JRH Support and we guarantee that this information is only to be seen by those who need to see it as part of the recruitment process.
- We will ensure that advice from people trained to identify and assess the relevance and circumstances of offences will be available to all those in JRH Support who are involved in the recruitment process. We also ensure that advice will be available on the relevant legislation relating to the employment of ex-offenders, in particular the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matters 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.
- We make every subject of a DBS Disclosure procedure aware of the existence of the DBS Codes of Practice and make a copy available on request.
- We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- Having a criminal record will not necessarily bar a person from working with us. This will depend on the nature of the position and the circumstances and background of the offence/s.

### **3. The recruitment decision**

- Where there is adverse disclosure information, the decision to appoint will be based on the details of the discussion with the applicant, with particular emphasis on the nature of his/her criminal record and the role for which he/she is applying. The applicant will already have received his/her own copy of the Disclosure direct from the DBS. Additional information sent under 'separate cover' in addition to an Enhanced Disclosure will not be discussed with the applicant.
- Some key issues to discuss at the meeting:
  - What are the offences and how serious are they?
  - What were the circumstances of the offence?
  - How relevant are the offences to the role they are applying for?
  - What are the risks to service users?

- How long ago was the offence committed?
  - How old was the person when the offence was committed?
  - Was this a one-off or is there a pattern of offending?
  - What were the circumstances of the person at the time of the criminal offence and now?
- If a decision is made to appoint the applicant, a note will be made and placed on the applicant's personnel file with the outline of the discussion. These notes will be kept confidentially and held securely.
  - If there is a decision not to appoint, the reasons for this decision and a copy of the minutes of the meeting will be placed on the applicant's file. Such a decision will be based on an assessment of risk to vulnerable adults and will always favour the welfare of these groups. These notes will be kept confidential and held securely and destroyed after a period of six months.

#### **4. Storage, handling, usage, retention and disposal of Disclosures**

- JRH Support will not hold photocopies of the Disclosures.
- Disclosures will be held by the Registered Body, in accordance with the DBS Codes of Practice, for a period of no longer than six months after which they will be destroyed.
- Disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- Once the retention period has elapsed or disclosure information has been inspected, the information will be destroyed by secure means.
- JRH Support will only keep record of:
  - the date of issue of disclosure
  - the name of the applicant
  - the type of disclosure requested i.e. enhanced / standard; and
  - the disclosure reference number.

**Paul Battershall**  
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