

RECRUITMENT OF EX-OFFENDERS

OBJECTIVE OF THE POLICY

The objective of this policy is to state St John's Parochial Church Council's (PCC) approach towards employing people who have criminal convictions.

GENERAL PRINCIPLES

1. As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), St John's PCC complies fully with the DBS [Code of Practice](#) and undertakes to treat all applicants for positions fairly.
2. St John's PCC undertakes not to discriminate unfairly against any person who is subject to a criminal record check on the basis of a conviction or other information revealed.
3. St John's PCC can only ask an individual to provide details of convictions and cautions that St John's PCC are legally entitled to know about. Any such request will be in accordance with the current law and guidance in regard to the rehabilitation and the employment of individuals who have been convicted or cautioned for offences.
4. St John's PCC will only ask an individual about convictions and cautions that are not protected.
5. St John's PCC is committed to the lawful treatment of its staff, potential staff, or users of its services, with regard to their race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
6. St John's PCC actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcomes applications from a wide range of candidates, including those with criminal records.
7. St John's PCC selects all candidates for interview based on their skills, qualifications and experience.
8. An application for a criminal record check is only submitted to the DBS for relevant roles in accordance with the guidance from central government and the Church of England and it is 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.

9. St John's PCC ensures that all those in St John's PCC who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
10. St John's PCC also ensures 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.
11. At interview, or during a separate discussion, St John's PCC ensures that an open and measured conversation 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.
12. St John's PCC makes every individual who is subject of a criminal record check submitted to the DBS aware of the existence of the DBS [Code of Practice](#) and makes a copy available on request.
13. All volunteers and applicants for employment will be required to complete a Confidential Declaration Form as part of their pre-employment checks.
14. St John's PCC undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
15. In the event of a DBS check revealing any information the details will be discussed at the Safeguarding Executive Committee who will recommend if the person should be appointed, in some cases the appointment can be made subject to safeguards being put into place.
16. This policy on the recruitment of ex-offenders is available to all applicants who will be subject to a DBS check at the start of the recruitment process.

RESPONSIBILITIES

As an employer St John's PCC has a legal obligation under The Rehabilitation of Offenders Act (ROA) 1974 not to discriminate against ex-offenders, who have not re-offended for a period of time since the date of their conviction, when applying for jobs. This means that, unless the post they are applying for is exempt, they are not legally required to disclose to organisations convictions that have become spent.

However, employers of occupational groups and professions which involve access to children and young people (under the age of 18) and "vulnerable adults" have a legal obligation to ask applicants for details of convictions, irrespective of whether they are spent or unspent, under the Exemptions Order of the ROA.