



Recruitment of ex-offender's policy

Policy Statement

This policy outlines Care Through the Millenniums approach to its decision-making in respect of applications for employment from people who notify the organisation that they have a criminal record or for whom a criminal record is identified from their Disclosure and Barring Service (DBS) checks.

It is produced in line with the legal requirement that all applicants for employment, who have a criminal record, must be treated fairly and not discriminated against automatically because of their disclosed conviction or other information revealed about possible offending.

Background

The DBS offers the following background information.

- On 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.
- Employers will no longer be able to take an individual's *old* and *minor cautions*, and *minor convictions* into account when making decisions. *
- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, remain subject to disclosure.
- All convictions resulting in a custodial sentence, including suspended sentences, remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

[*The DBS provides on its website guidance and criteria which explains which old and minor convictions are now "protected" and are not subject to disclosure to employers.]

Policy Statement

CTTM is an organisation that must assess applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order. It uses criminal record checks processed through the DBS. In obtaining and processing information, CTTM complies fully with the DBS Code of Practice and will undertake to treat all applicants for any position fairly.

CTTM will not discriminate unfairly against any subject of a criminal record check because of a conviction or other information revealed from any of its sources of information.

CTTM understands that it can only ask an individual to provide details of convictions and cautions that it is legally entitled to know about as described by the DBS in its legal guidance.

This means that CTTM can only ask an individual applicant about convictions and cautions that are not protected.

CTTM is committed to the fair treatment of its staff, potential staff members and users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disabilities, or offending background.

CTTM will make this policy on the recruitment of ex-offenders available to all DBS applicants at the start of the recruitment process.

CTTM actively promotes equality of opportunity for all with the right mix of talent, skills, potential and welcome applications from a wide range of candidates, including those with criminal records.

It will then select candidates for interview based on their skills, qualifications, and experience.

It applies for a criminal record check from the DBS only after a thorough risk assessment has indicated that one is both 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.

At interview, or in a separate discussion, CTTM makes sure that an open and measured discussion takes place about 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. Here, CTTM is mindful of the fact that it must not knowingly employ anyone for a position involving regulated activity who has been placed on the relevant DBS barring list and where the person has been eligible for barring list checks.

CTTM makes every subject of a criminal record check submitted to DBS aware of the existence of the DBS Code of Practice and makes a copy available on request.

CTTM undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Training

CTTM makes sure that everyone involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.

CTTM also makes sure that everyone involved has received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

CTTM will amend its policy in line with any changes made to the DBS Code of Practice and any other changes to the relevant legislation and DBS procedures.

Agreement

All company employees are required to sign this agreement confirming their understanding and acceptance of this policy.

Signed

Date