



Recruitment of Ex-Offenders Policy

STATEMENT OF INTENT

We use appropriate criteria in the recruitment of ex-offenders.

Aims

It is our policy that all staff working directly with and volunteers who will have substantial access to children have an Enhanced DBS checks and two references prior to appointment. This is the highest level of check available to anyone involved in regularly caring for, training, supervising or being in sole charge of children. DBS checks contain the following checks:

- Protection of Children Act (POCA) List.
- Protection of Vulnerable Adults (POVA) List
- Information that is held under Section 142 of the Education Act 2002 (formerly known as List 99)
- Relevant and proportionate information held by local police forces.

Methods

In line with Surrey County Council guidance notes on criminal records bureau disclosures criteria, we will use the following criteria in considering ex-offenders for employment:

- Sexual offences against a child – offer of employment would not be made.
- Other sexual offences – offer of employment would not be made.
- Recent serious violent crimes and supply of drugs, or a pattern of possession which is recent - offer of employment would not be made.
- One off possession of cannabis, especially if some years ago – offer of employment may be made.
- Any convictions for theft, fraud, criminal damage etc - An offer of employment would depend upon the circumstances and the age of the conviction.

- Drink driving offences – A one off drink driving offence where the appointing person is happy there is no longer an issue, an offer of employment may be made.
- One off minor violence which can be explained – depending on the circumstances, an offer of employment may be made.
- Speeding tickets and parking fines do not appear on Disclosures.

If a disclosure comes back with criminal information declared, then a thorough risk assessment will be undertaken. We will look at both the job and the person and weigh up whether there is a risk to children against possible safeguards and precautions. Our foremost duty is to the safety of our children.

The following set of questions from 'NACRO' can be used as an aid when entering discussion with an applicant and when making a decision of employment:

- How does the offence impact on the role that the person has applied for?
- The nature of the crime?
- Is the offence a one off or are there a number of offences?
- How long ago it occurred?
- Is it a juvenile or adult offence?
- The circumstances involved?
- Is the behaviour behind the crime a concern?
- Is the context behind the crime a concern?
- Has the situation leading to the crime changed?
- What is the person's attitude to the crime?
- Job requirements?
- Safeguards against offending at work – is the role supervised or does it involve unsupervised work?

Spent and Unspent Convictions; If an offender stays on the right side of the law for the specified time after their conviction, it becomes 'spent', hence the convicted person does not have to reveal it or admit its existence in most circumstances. However, there are some exceptions relating to employment and these are listed in the Exceptions order to the Rehabilitation of Offenders Act 1974. The main exceptions relate to working with children or working with vulnerable adults, where DBS checks will reveal both spent and unspent convictions.

Agreed by Claire Childs and Shamira Lumsden

Reviewed on August 2021

STAFF ACKNOWLEDGEMENTS

I have read this policy and will adhere to it in future practice: