



STATEMENT ON RECRUITMENT OF EX-OFFENDERS

Introduction

CAT is committed to the principle of equality of opportunity and, subject to the over-riding consideration of protecting children and vulnerable people, undertakes to treat all applicants for positions fairly and not discriminate unfairly against any subject of a Disclosure, on the basis of conviction or other information revealed.

This policy applies to all potential job applicants and also relates to the Rehabilitation of Offenders Act 1974.

This written policy on the recruitment of ex-offenders, is made available to all applicants at the outset of the recruitment process, by means of being on the website.

- 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. We select all candidates for interview based on their skills, qualifications and experience.
- Having a criminal record will not necessarily bar applicants from working with us. This will depend on the nature of the position and the circumstances and background of the offences, with due consideration given to our responsibilities to protect children and vulnerable people.
- Unless the nature of the position allows CAT to ask questions about a person's entire criminal record, we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
- A conviction is not 'spent' until the rehabilitation period is complete (see table below).
 - Once it is 'spent', the rehabilitated person does not have to reveal its existence in most circumstances and can answer 'no' to the question 'Have you ever been convicted of an offence that is not 'spent' under the Rehabilitation of Offenders Act 1974'
 - Certain occupations are excepted – these are listed in Rehabilitation of Offenders (Exceptions) Orders.

Convictions become spent after a certain period of time has elapsed from the **date of conviction** (the "rehabilitation period"), depending on the nature of the sentence imposed.

For more information, visit the Nacro website www.nacro.org.uk

- However in order to protect certain vulnerable groups within society, there are situations that are exempted from the Act and additionally include employment within positions of working with children and/or vulnerable adults and in such cases, applicants will be asked for details of all convictions, whether unspent or spent and will be required to undertake a disclosure (CRB check).
- A Disclosure is only requested after a thorough analysis has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, applicants will be informed that a Disclosure will be requested in the event of them being offered the position, in both the job description and any adverts.
- In the case of unspent convictions and/or where a Disclosure is to form part of the recruitment process, we request 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 marked 'private and confidential' for the attention of the HR Officer. This information will only be seen by those who need to see it as part of the recruitment process. This will only be opened if a candidate is shortlisted.
- We ensure that all those in CAT who are involved in the recruitment process, are familiar with how to identify and assess the relevance and the circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, eg the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, we ensure that an open and measured discussion 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 or subsequent dismissal.
- We make every subject of a DBS Disclosure, aware of the existence of the DBS Code 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.
- Complaints: any applicant wishing to raise a complaint should do so in writing, to the HR Officer within 15 working days, at the latest, of the alleged incident. An investigation will then be conducted by a representative of the Human Resource Department, who has not been previously involved in the selection procedure. The HR Officer's ruling will be final. The individual will receive written notification as to the outcome.

Objective assessments will:

- focus on a person's abilities, skills, experience and qualifications
- consider the nature of the conviction and its relevance to the job in question
- identify the risks to the organisation's business, customers, clients and employees
- recognise that having a criminal record does not always mean a lack of skills, qualifications and experience
- note that high-quality training, leading to qualifications, is available in many prisons.