

# Youth contract Policy: Recruitment of Ex-Offenders Policy

## 1. POLICY STATEMENT

Having a criminal record will not automatically bar anyone from working for organisations working with the **Youth Contract Consortia**. This will depend on the nature of the position and the circumstances and background of the offence(s).

### 1.1 INTRODUCTION

The **Youth Contract Consortia** is committed to the fair treatment of its partners staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or, and with regard to this recruitment of ex-offenders policy, offending background.

### 1.2 TERMS AND DEFINITIONS

DBS - Disclosure and Barring Service - The Disclosure and Barring Service (DBS) helps employers, such as the organisations working with the **Youth Contract Consortia**, make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. DBS is an executive non-departmental public body, sponsored by the Home Office. Only employers and licensing bodies can request a DBS check. Job applicants can't do a criminal records check on themselves.

### 1.3 SUMMARY OF PRINCIPLES

- The **Youth Contract Consortia** 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 a criminal record.
- The **Youth Contract Consortia** partner organisations select all candidates for interview based on their skills, qualifications and experience and do not hold any prejudice against those with a criminal record.
- The **Youth Contract Consortia** make every subject of a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request. Failure by any individual to reveal information that is directly relevant to the position sought to work in organisations working with The **Youth Contract Consortia** could lead to withdrawal of an offer of employment or termination of a contract with immediate effect from that organisation and or the termination of the contract within the youth contract for the organisation, whichever is relevant, and a referral to the Police.

### 1.4 RELEVANT ACTS SUPPORTING THE POLICY

- 1.4.1 The Safeguarding Vulnerable Groups Act 2006 set out the scope and operation of the vetting and barring scheme.
- 1.4.2 The Criminal Records Bureau was established under Part V of the Police Act 1997.
- 1.4.3 Part 5 of the Protection of Freedoms Act 2012 covers the reduction in scope of the definition of regulated activity, new services provided by the DBS, and disregarding convictions and cautions for consensual gay sex.

## 2. POLICY

- 2.1 Each organisation using the DBS checking service to assess applicant’s suitability for positions of trust must comply fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. The **Youth Contract Consortia** undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed whilst working with a partner organisation.
- 2.2 A DBS check 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 DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.
- 2.3 Where a DBS check 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 the organisation working with the **Youth Contract Consortia** and they guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- 2.4 Unless the nature of the position allows the **Youth Contract Consortia** to ask questions about an entire criminal record, the **Youth Contract Consortia** only ask about ‘unspent’ convictions as defined in the Rehabilitation of Offenders Act 1974.
- 2.5 Each organisation working with the **Youth Contract Consortia** ensure that all those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The **Youth Contract Consortia** also asks the partner organisations to ensure that those involved in the recruitment process have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.
- 2.6 At interview, or in a separate discussion, the partner organisations of the **Youth Contract Consortia** ensure that an open and measured discussion will take place on the subject of any offences or other matter that might be relevant to the position.
- 2.7 The **Youth Contract Consortia** partner organisations undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

Signed

Name

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Role

Date

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Policy review date