

Before Recruitment

The Recruiting Organisation should put in place policies and procedures for employing people with criminal convictions and for the handling and storage of Disclosure information. Recruiting Organisations will need to train all relevant staff to ensure these policies and procedures are followed.

In addition, posts should be checked to ensure they are exempt from the Rehabilitation of Offenders Act 1974, and to assess if a Standard or Enhanced Disclosure is appropriate.

During Recruitment

Information for Applicants: As early as possible, the applicant must be made aware that the post is exempt from the Rehabilitation of Offenders Act 1974, and that either a Standard or an Enhanced Disclosure will be required.

A statement should be included to this effect in either / or all of the following:

- Job Advertisement
- Job Specification
- Application Form
- Accompanying Letter

The Recruiting Organisation should include a policy statement on employing people with criminal convictions when sending out application forms.

The applicant should be made aware that the organisation has policies on storage and handling of Disclosure information and that copies are available on request. If requested the applicant must also be given a copy of the CRB Code of Practice.

The applicant should also be made aware that information on criminal convictions will not be considered until a decision has been made to offer a position following interview.

It is recommended that criminal conviction information is separated from the application form and brought to the interview in a sealed envelope which is only opened for the successful candidate(s) once a recruiting decision has been made. All others should be destroyed un-opened.

Employment Contract

For positions exempt from the Rehabilitation of Offenders Act 1974, it is advisable to include a clause in the employment contract, or volunteer agreement, which will highlight the need for the employee to declare any changes in circumstances with regard to new proceedings or convictions.

For Example:

It is obligatory for the employee/volunteer to advise the organisation of any change in

circumstances in relation to investigations, criminal proceedings, or child protection proceedings that may affect them or those close to them whilst in the post.

It should be made clear that providing this information will not necessarily be a bar to being kept in the post unless it is relevant to the post. However, failure to disclose this information would be considered Gross Misconduct and subject to the organisation's Disciplinary Procedure.

Also, if periodic rechecks are obligatory as part of an ongoing contract, this should be stated clearly in the employee's or volunteer's Terms and Conditions, and failure to co-operate would again be considered Gross Misconduct.