St Mary's Summerstown, Recruitment of Ex-Offenders policy

Purpose & Ethos

The Church is committed to equality of opportunity in employment and volunteering. Additionally, the Church seeks to embody Biblical teaching on forgiveness, and recognises that the employment/volunteering of ex-offenders is a positive, helpful and necessary practice to support rehabilitation, reintegration into society and the restoration of relationships and quality of life. We welcome applications for our roles from a wide range of candidates, including those with criminal records. This policy outlines the Church's approach to the recruitment of ex-offenders and should be made available to all potential recruits or volunteers at the start of the relevant recruitment or volunteering process.

Candidates are assessed on their skills, experience and qualifications for job roles and criminal convictions will not be relied on as immediate grounds for refusal of employment or volunteering opportunity. Candidates will be required to disclose "unspent" convictions during the application process and our safer recruitment processes for any work with children or vulnerable adults. The Church's safer recruitment processes should provide for this disclosure being obtained either in the use of a standard question on the application form, the confidential declaration form and where appropriate through a DBS check. If the nature of the offence is relevant to the role they are applying for, the suitability of the candidate will be considered. In these circumstances, the Church reserves the right to refuse to offer employment or volunteering opportunity to the individual.

Information relating to "spent" or "protected" convictions will not be required to be disclosed by the candidate, unless the job role is exempt from the Rehabilitation of Offenders Act (ROA) 1974 e.g. working with children or vulnerable adults.

Recruitment process

Volunteers and applicants will be made aware of any positions where a criminal records check (from the Disclosure and Barring Service) is required. A statement that a criminal record check is required if the candidate is offered the position will be included in any application forms, job advertisements and recruitment documents. An Enhanced DBS check will be required where the candidate is applying for a role involving activities with children or vulnerable adults.

Where a criminal records check is part of the recruitment process, all candidates who are successfully invited to an interview should be encouraged to present information regarding any convictions they have at an early stage. They will be advised of the designated person within the Church to whom they should provide this information and informed that this will be kept confidential and only disclosed to those who require the information as part of the recruitment process.

Any disclosure of an offence will lead to a full discussion with the applicant/volunteer regarding the relevance of the conviction to the job role before a decision is made about withdrawal of an offer of employment. A failure by the candidate to produce information about convictions relevant to the role could lead to the Church withdrawing an offer of employment/volunteering opportunity. Where the criminal record information reveals details of an offence, the relevance to the job in question should be fully discussed with the applicant before withdrawing an offer of employment. Before withdrawing an offer, the Church's HR representatives (from the trustee board or management team) should be consulted, as well as the Church's Safeguarding Officer.

In order to assess whether a criminal record is relevant to the role, the convictions disclosed should be assessed in line with the duties of the role and how the work is carried out. Factors to take into account include, but are not limited to:

- whether the offence is relevant to the position in question
- the seriousness of any offence
- the type of offence or offences the applicant committed
- the circumstances and the explanation offered by the applicant
- the length of time that has passed since the offence took place
- whether the applicant's circumstances have changed since the offending took place.

Criminal records checks (DBS)

The Church will request a criminal record check, obtained through the Disclosure and Barring Service, where this is proportionate and relevant to the position concerned, as identified by a thorough risk assessment. Any Church recruitment policies and processes will be in line with denominational Safer Recruitment practice, where appropriate. Checks will be carried out in accordance with the relevant regulations (for example for occupations or activities covered by the ROA 1974 (Exceptions) Order 1975 and the Police Act 1997 (Criminal Records) Regulations).

The Church will not unlawfully discriminate against any candidate where they are required to provide information about their criminal convictions. The Church will provide appropriate guidance and training to all individuals that are involved in recruiting ex-offenders. This will involve making the personnel aware of this policy and providing guidance on the purpose and substance of the Rehabilitation of Offenders Act 1974.
https://www.legislation.gov.uk/ukpga/1974/53

The Disclosure and Barring Service code of practice (https://www.gov.uk/government/publications/dbs-code-of-practice) and/or Disclosure Scotland codes of practice (https://www.mygov.scot/disclosure-code-of-practice) will be complied with during this process.

Data protection

The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR). The provisions of the Data Protection Act 2018 will be fully complied with when carrying out this process.