



## RECRUITMENT OF EX-OFFENDERS POLICY

**The Rehabilitation of Offenders Act 1974 (ROA)** outlaws discrimination against ex-offenders and was amended by **Section 139 of the Legal Aid Sentencing and Punishment of Offenders Act 2012** which came into force on 10<sup>th</sup> March 2014.

However, some types of jobs are exempt from this Act under the **Act's Exemption Order (1975)**, and these jobs include:

- Teaching, training, instruction, care for or supervision of children if carried out by the same person frequently or overnight
- Providing assistance to, or conveying an adult because of their age, illness or disability

### The purpose of our policy is:

- To promote equality of opportunity for all, while providing protection for the children, young people and vulnerable adults who receive the services of **Homestay and Venture Breaks (HS&VB)**

### We will do this by:

- Being committed to the fair treatment of all contributors and users of our services, regardless of race, gender, religion, sexual orientation, responsibility for dependents, age, physical/mental disability or offending background
- Using the Disclosure and Barring Service (DBS) checking service to assess suitability for positions of trust among those who seek to work with **HS&VB**, where a risk assessment has indicated that one is both relevant and proportionate to the role concerned
- Complying fully with the DBS Code of Practice and undertaking not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed
- Requesting an individual to provide details of convictions and cautions that we are legally entitled to know about, namely where the position is one that is included in the ROA 1974 (Exceptions) Order 1975 as amended and, where appropriate, Police Act Regulations (as amended)

### HS&VB's Recruitment Process:

- 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 people in our community, including those with criminal records
- For those positions where a criminal record check is identified as necessary, our recruitment and advertising material will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being invited to work as part of the **HS&VB** community
- Unless the nature of the position allows **HS&VB** to ask questions about your entire criminal record, except for certain spent convictions and cautions that are 'protected' so not subject to disclosure to employers and that cannot be taken into account, we only ask about 'unspent' convictions as defined in the ROA
- We ensure that all those in **HS&VB** who are involved in the recruitment process have been suitably trained to identify and assess the relevance and 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, e.g. ROA
- We undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing the opportunity to work as part of the **HS&VB** community
- and we make every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and make a copy available on request

### HS&VB upholds confidentiality at all times by:

- Storing confidential information in line with our Data Protection Policy
- Sharing information about children, young people, staff, volunteers and families on a clearly identified and agreed need to know basis

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