



Policy Statement on the Recruitment of Ex-Offenders

- As an organisation using the Disclosure & Barring Service to assess applicants' suitability for positions of trust, Redcar & Cleveland Mind complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.
- It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
- Redcar & Cleveland Mind is committed to the fair treatment of its staff, potential staff or users of its services, regardless of colour, race, nationality, ethnic or national origin, religion, gender, age, disability, marital status, responsibilities for dependants, sexual orientation, or offending background.
- This written policy on the recruitment of ex-offenders, is made available to all job applicants at the outset of the 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 candidates, including those with criminal records. We select all candidates for the interview based on their skills, qualifications and experience appropriate for the vacancy.
- A job applicant does not usually have a legal obligation to reveal spent convictions. If an employer refuses to employ a person on the grounds of a spent conviction it is unlawful under the Rehabilitation of Offenders Act (ROA) 1974.
- Certain areas of employment are exempt under the ROA 1974 (Exceptions) Order 1975, for which employers may ask about spent convictions. This is known as asking an exempted question. When answering the applicant has a legal obligation to declare spent convictions.
- Under the DBS filtering system introduced in May 2013 certain old and minor cautions and convictions will no longer be disclosed in a criminal record certificate. However, specified offences (because of their serious nature) will always be included in a DBS disclosure regardless as to whether they are spent or unspent.
- We encourage all applicants to voluntarily 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 the Business Support Manager, who will consider any offences or other matter that might be relevant to the position. We guarantee that this information will only be seen by those who need to see it as part of the recruitment process. This information will be treated in strict confidence, will be securely stored and kept for only as long as is necessary.

- Unless the nature of the position allows Redcar & Cleveland Mind to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act (ROA) 1974.
- We ensure that all those in Redcar & Cleveland Mind who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- We will also ensure that they have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act (ROA) 1974.
- We will 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.
- Following the discussion a 'risk assessment' will be undertaken with each case assessed on an individual basis before a decision is made whether to continue with the offer of employment or to withdraw it.
- Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- We make every subject of a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request.
- We undertake to discuss any relevant matter revealed in a Disclosure with the person seeking the position before any offer of employment is considered.
- Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

Redcar & Cleveland Mind uses as an 'umbrella organisation' (UCheck) to process and comply with the Disclosure & Barring Service procedures.

All policies must be agreed by the Board of Directors. <i>Policies will be reviewed every two years or when changes in practice or legislation require incorporation into existing policies.</i>	
Adopted by Board of Directors	January 2015
Last Review Date	January 2021
Next Review Due	January 2023