

Recruitment of Ex-Offenders Policy at St James' & St Luke's Church, Whitfield Parish

- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), St James' & St Luke's Church, Whitfield Parish, complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly
- St James' & St Luke's Church, Whitfield Parish, undertakes not to discriminate unfairly against any subject of a criminal record check based on a conviction or other information revealed
- St James' & St Luke's Church, Whitfield Parish, can only ask an individual to provide details of convictions and cautions that St James' & St Luke's Church, Whitfield Parish, are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)
- St James' & St Luke's Church, Whitfield Parish, can only ask an individual about convictions and cautions that are not protected
- This policy on the recruitment of ex-offenders, can be made available to all DBS applicants at the start of the recruitment process
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position
- St James' & St Luke's Church, Whitfield Parish, ensures that all those in St James' & St Luke's Church, Whitfield Parish, who are involved in the recruitment process will be suitably trained to identify and assess the relevance and circumstances of offences
- St James' & St Luke's Church, Whitfield Parish, also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974

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- At interview, or in a separate discussion, St James' & St Luke's Church, Whitfield Parish, ensures that an open and measured discussion takes place about any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment
- St James' & St Luke's Church, Whitfield Parish, makes every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request
- St James' & St Luke's Church, Whitfield Parish, undertakes to discuss any matter revealed (via the Derby Diocese Safeguarding Team) on a DBS certificate with the individual seeking the position before withdrawing or confirming a conditional offer of employment.

On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure. Employers are no longer able to take an individual's old and minor cautions and convictions into account when making decisions. All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, remain subject to disclosure, as are all convictions where an individual has more than one conviction recorded.

Further guidance can be found at <https://www.gov.uk/government/collections/dbs-filtering-guidance> regarding the filtering of old and minor cautions and convictions which are now 'protected' and thus not subject to disclosure to employers.

Signed: T May – Incumbent

T Fellows – Parish Safeguarding Officer

Dated: 4-7-2022

Adapted from information provided by Derby Diocese.