



**RECRUITMENT OF EX-OFFENDERS (INCLUDING
CRIMINAL RECORDS BUREAU DISCLOSURES)
POLICY**

Recruitment of Ex-Offenders Policy

Contents	Page
1 Definitions	3
2 Commitments	3
3 Key points of policy	3
4 Monitoring and Review	4

1 Definitions

- 1.1 For the purpose of this policy and accompanying procedures the following definitions apply: -
- 1.2 "Employees" includes all workers who are employed by the Association under a Contract of Employment.
- 1.2 "Applicants" includes anyone applying for an advertised vacancy with the Association.
- 1.3 "CRB" is the Criminal Records Bureau.
- 1.4 "Disclosure" is defined as a check obtained from the CRB listing police records and, in relevant cases, information held by the Department of Health and the Department for Education and Skills.

2 Commitments

- 2.1 Cestria Community Housing Association is committed to:
1. The fair treatment of employees and potential employees.
 2. Not unfairly discriminating against any employee or applicant on the basis of a disclosed criminal record or any information revealed on a CRB Disclosure.
 3. Making appointments on merit and only taking criminal records into account for employment purposes when the conviction is relevant.
 4. Complying fully with the CRB Code of Practice, the Data Protection Act and the Rehabilitation of Offenders Act.
 5. Ensuring that no employees are unjustifiably discriminated against in the application of this policy and associated procedure.
 6. Ensuring that this policy and associated procedure is applied appropriately and consistently.

3 Key Policy Points

- 3.1 All applicants will be required to declare any convictions or charges still outstanding against them in respect of a criminal offence, subject to the Rehabilitation of Offenders Act 1974.
- 3.2 Where the work for which the applicant has applied includes contact with vulnerable groups or for professions that have legal protection, either a

standard or enhanced CRB disclosure will be requested before the appointment is confirmed.

- 3.3 Standard CRB checks will primarily be appropriate for positions that involve working with children or regular contact with vulnerable adults. Enhanced disclosures will be appropriate for positions that involve the regular care, training, supervision or sole charge of children or vulnerable adults.
- 3.4 Where a disclosure is required, this will be made clear throughout the recruitment process.
- 3.5 Where an offer of employment is made, the offer will be conditional subject to the receipt of a CRB disclosure that is satisfactory to the Association.
- 3.6 Applicants may be permitted to commence an employment without receipt of a satisfactory disclosure providing their post does not have direct and unsupervised working with children or vulnerable adults.
- 3.7 An applicant or employee's criminal record will not be looked at in isolation. It will be assessed in relation to the tasks the individual will be required to perform and the circumstances in which the work is to be carried out.
- 3.8 Any matter revealed in a disclosure will be discussed with the applicant or employee before any decision to withdraw the offer or terminate employment is made.
- 3.9 Failure to disclose any relevant convictions may result in the withdrawal of an offer of employment or dismissal.
- 3.10 In line with guidance from the CRB, disclosures carried out on behalf of other organisations will not be accepted.
- 3.11 The Association will request disclosures from employees in relevant posts every three years.
- 3.12 Disclosure information will be stored in a lockable, non-portable storage unit with access strictly controlled to those who are entitled to see it as part of their duties.
- 3.13 Disclosure information will only be passed to those who are authorised to receive it in the course of their duties.
- 3.14 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 3.15 Once a recruitment decision has been made, the disclosure information will be kept for a period up to six months to allow for the resolution of any disputes or complaints.

- 3.16 If, in very exceptional circumstances, it is considered necessary to keep disclosure information for longer than six months, full consideration of the Data Protection Act and Human Rights implications of doing so will be given.
- 3.17 Once the retention period has elapsed, the disclosure information will be destroyed by secure means i.e. shredding.
- 3.18 Copies of disclosure information will not be kept. However, a record of the name of the applicant, the level of disclosure requested, the position for which the disclosure was requested, the unique disclosure number and details of the recruitment decision taken will be recorded and held electronically.

4 Monitoring and Review

- 4.1 The Board will receive quarterly monitoring information on the number of offers withdrawn/contracts terminated due to unsatisfactory CRB disclosures or failure to disclose a relevant criminal record.
- 4.2 The Association will automatically review this policy, associated procedures and staff training requirements following policy or legislative changes.
- 4.2 The Director of Finance & Corporate Services will be responsible for ensuring that this policy is reviewed by the Board at least every two years.

Approval by the Board: 1st October 2007

Date for Review: October 2008