



# Bournemouth Council for Voluntary Service

Registered Charity No: 1081381 - Company Reg'd in England & Wales No: 4024662

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## **RECRUITMENT AND RETENTION OF EX-OFFENDERS AS EMPLOYEES, VOLUNTEERS OR BOARD MEMBERS.**

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, Bournemouth Council for Voluntary Service (BCVS) 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 DBS check on the basis of a conviction or other information revealed.

BCVS is committed to the fair treatment of its staff, potential staff, volunteers, board members or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We have a written policy on the recruitment of ex-offenders, which is made available to all DBS 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 interview based on their skills, qualifications and experience.

A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. Advice should be sought from BCVS's Nominated Safeguarding Officer. For those positions where a DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

Where a DBS check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process, except for certain spent convictions and cautions which are 'protected'<sup>1</sup> so not subject to disclosure to employers and that cannot be taken into account. We request that any information not subject to this filtering is sent under separate, confidential cover to a designated person within BCVS and we guarantee that this information will only to be seen by those who need to see it as part of the recruitment process.

<sup>1</sup> Go to <https://www.gov.uk/government/news/dbs-filter-certain-old-and-minor-cautions-and-convictions-reprimands-and-warnings-from-criminal-record-certificates>

Unless the nature of the position allows BCVS to ask questions about your entire criminal record, except for certain spent convictions and cautions which 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 Rehabilitation of Offenders Act 1974.

We ensure that all those in BCVS 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 in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in separate discussion, we 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. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

Should the post in question be one which has been assessed as requiring checking of criminal records then this requirement will be reviewed at periods of not more than three years. Where it is determined that a check is still required for the post then checks of criminal records will be repeated at the cost of BCVS.

We make every subject of a DBS check aware of the existence of the Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment. Where an employee or volunteer receives a criminal conviction after taking up a post with BCVS then the relevance of this to their role will be considered by the Chief Executive before a decision is taken about disciplinary action. However, immediate suspension on full pay may be required to ensure that the individual concerned does not pose an ongoing threat to a child or vulnerable person or to the organisation. (See Disciplinary Procedure for further details).

Where any member of staff becomes aware that an employee or volunteer has received a criminal conviction after taking up a post with BCVS they will inform the Chief Executive who will be responsible for determining what further action is required.

BCVS also complies fully with its obligations relating to DBS. This will include referring to DBS, information about individuals working with children or vulnerable adults where BCVS considers them to have caused harm or to pose a risk of harm to children or vulnerable adults and checking applicants to relevant posts against the barred lists.

Any member of staff or volunteer who is unsure about their obligations under this policy should refer to the Nominated Safeguarding Officer or Chief Executive for further guidance.

**Having a criminal record will not necessarily bar you from working or volunteering with us. This will depend on the nature of the position and the circumstances and background of your offences.**

Signed:



Chair of BCVS Board



Chief Executive BCVS

Policy agreed: December 2014

Reviewed: 2019

