

CRIMINAL RECORDS BUREAU

DISCLOSURE CHECKS

- ✓ An Enhanced Disclosure will be requested in the event of all successful applications for all paid positions and volunteers.
- ✓ Colebrook Housing Society will cover the cost of Enhanced Disclosures for all paid and voluntary positions with the organisation.
- ✓ Having a criminal record will not necessarily bar you from working at Colebrook Housing Society. This will depend on the nature of the position and the circumstances and background of your offence(s). A copy of our policy on the Recruitment of Ex-Offenders is enclosed for your information.
- ✓ A copy of the Disclosure Code of Practice is retained at Colebrook Housing Society's Head Office, 3 Woodland Terrace, Greenbank, Plymouth and is available on request.
- ✓ Colebrook Housing Society has produced a written policy in relation to the handling and safekeeping of Disclosure information, a copy of which is available on request.

If you require any further information in relation to the Criminal Records Bureau or Disclosure checks, please contact the HR Administrator at Colebrook Housing Society or access one of the following:

Criminal Records Bureau Information Line 0870 90 90 811

For all general enquiries about the Criminal Records Bureau

Disclosure Application Line

0870 90 90 844

If you wish to apply for a Disclosure or have any questions about the Disclosure Service

Websites

www.disclosure.gov.uk
www.crb.gov.uk

RECRUITMENT OF EX-OFFENDERS

Introduction

It is a requirement of the Criminal Records Bureau's Code of Practice that we must treat Disclosure applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed.

The purpose of this policy is to clarify Colebrook Housing Society's position in relation to employees and volunteers who are subject to Criminal Records Bureau checks. Such checks are not only now a requirement but are vital to ensure good practice and effective health and safety whilst complying with other related policies, procedures and legislation.

As an organisation who accesses the Criminal Records Bureau Disclosure service and Vetting and Barring Scheme to help assess the suitability of applicants for positions of trust and as recipients of Disclosure information we must fully comply with the Criminal Records Bureau Code of Practice and Vetting and Barring Scheme.

This policy should be used in conjunction with our Equality and Diversity policy.

This Policy deals with:

- [Risk Assessment](#)
- [The Rehabilitation of Offenders Act 1974](#)
- [Exceptions to the Act](#)
- [Policy Statement](#)
- [Guidance regarding Convictions](#)

Risk Assessment

In order to practice equality in our recruitment and selection process and to ensure fairness with recruitment of ex-offenders we will conduct a risk management / exercise in considering criminal convictions.

With this risk assessment / management we will consider the following:

- Examination of the circumstances leading up to an offence
- The length of time since the offence occurred
- Whether there are repeat offences or multiple offences
- Attempts at rehabilitation – degree of remorse and motivation to change
- The nature of the job and the environment ie exposure to money, property, contact with vulnerable people etc.
- The amount of supervision available within the post and the expectations in terms of self and stress management
- The seriousness of the offence and the relevance to safety of others

The Rehabilitation of Offenders Act 1974

This enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. After this period, with certain exceptions, a person with a conviction is not normally obliged to mention it when applying for a job. The Act is more likely to help people with few and/or minor convictions because further convictions usually extend rehabilitation periods. People with many convictions; especially serious convictions, may not benefit from the Act unless the convictions are very old.

Exceptions to the Act

Various kinds of employment, occupations and professions are exempted. The Exceptions Order overrules the employment rights an ex-offender would otherwise have in respect of spent convictions. Ex-offenders have to disclose information about spent, as well as unspent convictions, provided the employer states clearly on the application form or at the interview that the job applied for is exempted. Exempted occupations fall into the following categories:

- Work involving matters of national security
- Work that brings the person into contact with vulnerable groups such as the infirm, elderly, mentally ill and young people under 18 (ie Colebrook's work)
- Posts concerned with the administration of justice, for example police officers and lawyers
- Professions that have legal protection, for example nurses, doctors, dentists, chemists etc
- Health Service appointments

Applicants to Colebrook Housing Society should also be aware that Enhanced CRB Disclosures also highlight non-conviction information which may be relevant to the position applied for, for example allegations of abuse. Colebrook Housing Society will also access the Independent Safeguarding Authority (ISA) and Vetting and Barring Scheme as necessary.

Policy Statement

- 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 and where relevant in line with this policy will consider using 'risk management' to consider the relevance of any offences – spent / unspent.
- With a few exceptions eg non frontline administrative staff, all Colebrook Housing Society paid positions are subject to Enhanced Criminal Records Bureau Disclosure checks. Volunteers are managed on a case by case basis ie dependent on the nature and frequency of their volunteering role.
- Unless specific exceptions are made eg administrative staff, all posts will have to be registered with the ISA before appointment from July 2010. For existing staff a rolling programme of registration will take place within the next 5 years.
- CRB checks will be renewed as per the Commissioners' contract requirements or as a minimum every 3 years.
- All our application forms, job adverts and recruitment briefs contain a statement that Disclosures will be requested and that all appointments are subject to the satisfactory outcome of the Criminal Records Bureau Disclosure check and subject to receipt of satisfactory references.
- On application and at interview, we encourage all applicants to provide details of their criminal records at an early stage in the application process. We request that this information is sent under separate, confidential cover to the HR Administrator within Colebrook Housing Society and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- Due to the fact that all posts relate to working with vulnerable people, Colebrook Housing Society is entitled to ask questions about your entire criminal record.

- We ensure that all Service Managers in Colebrook Housing Society who are involved in the recruitment process are able 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, for example the Rehabilitation of Offenders Act 1974 and Criminal Records Bureau Code of Practice.
- At interview, or in a 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 will lead to withdrawal of an offer of employment and if discovered after appointment, will lead to dismissal.
- We make every subject of a Criminal Records Bureau Disclosure aware of the existence of the Criminal Records Bureau Code of Practice and make a copy available on request.
- We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

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 and the risk assessment. The Senior Management Team have discussed “types of convictions” and below are guidance on which types of offences and convictions we would / would not consider.

Guidance regarding Convictions

Convictions relating to “Abuse” where a person has been convicted of abuse – either sexual, physical, emotional, financial etc, employment will not be considered. This is because of the vulnerability of the client group we work with.

Theft / Fraud:

Minor Theft - (under £2000) will be considered if spent. Multiple offences will be considered if spent, taking into account “lapsed” time period.

Major Theft - (over £2000) will be considered if spent. Multiple offences considered if over 10 years ago and risk assessed.

Specific Convictions for:

Embezzlement of Company funds / Charitable Funds - Employment NOT considered.

Drug and Alcohol Offences- Consider if spent. If multiple offences will consider if spent taking into account “lapsed” time of offences. Except for convictions for “supplying of drugs” this will not be considered unless clear “mitigating circumstances” can be proven and the conviction is spent.

Domestic Violence / Violent Offences:

Such as:

Affray / Assault – Consider if spent and no more than 1 offence regardless of time.

ABH / GBH – Consider if spent and more than 10 years ago, if no more than 1 offence.

Please note this list is not exhaustive.