

St John and St Stephen's Church Policy on the Recruitment of Ex-Offenders



Be kind and compassionate to one another, forgiving each other, just as in Christ God forgave you (Ephesians 4.32)

Introduction

This policy statement applies to all recruitment and selection process where the PCC is the employer or recruiter. It applies to all roles where the Church of England's [Safer Recruitment and People Management Policy](#) indicates that an enhanced or enhanced plus DBS check is required.

Principles

The Code of Practice published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed. A copy of the Code of Practice can be found at: <https://www.gov.uk/government/publications/dbs-code-of-practice>

Information regarding conviction information

Within current legislation certain old and minor cautions and convictions are no longer subject to disclosure. In addition, employers will no longer be 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, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

Further guidance is available from the Disclosure & Barring Service regarding the filtering of old and minor cautions and convictions which are now 'protected' and therefore not subject to disclosure to employee: <https://www.gov.uk/government/publications/dbs-filtering-guidance>.

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), the PCC complies fully with the [DBS code of practice](#) and undertakes to treat all applicants for positions fairly.

Policy

1. 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 John and St Stephen's Church complies fully with the [code of practice](#)¹ and undertakes to treat all applicants for positions fairly.
2. St John and St Stephen's Church undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

¹ <https://www.gov.uk/government/publications/dbs-code-of-practice>

3. St John and St Stephen's Church can only ask an individual to provide details of convictions and cautions that St John and St Stephen's Church are legally entitled to know about. Where a Standard or Enhanced DBS check can legally be requested, an employer can only ask an individual about convictions and cautions that are not protected i.e. should be disclosed to employers. For a check to be legally requested, a position must be included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) and where appropriate, in the Police Act Regulations (as amended).

4. St John and St Stephen's Church is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

5. St John and St Stephen's Church will make this policy available to all DBS applicants at the start of the recruitment process.

6. St John and St Stephen's Church actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records.

7. St John and St Stephen's Church selects all candidates for interview based on their skills, qualifications and experience.

8. 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.

9. St John and St Stephen's Church ensures that all those in St John and St Stephen's Church who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences under the guidance of the Diocesan Safeguarding Team.

10. Any disclosure of a caution or conviction, whether for a serious violent and/or sexual offence or a conviction resulting in a custodial offence (whether or not suspended), or other intelligence information disclosed, will be referred to the Diocesan Safeguarding Team for an initial assessment and they will consult as appropriate with the individual responsible for the recruitment process as to whether the disclosure may affect suitability for the role. Anyone previously convicted of an offence against a child would not be deemed suitable for any role involving work with children.

11. At interview, or in a separate discussion, St John and St Stephen's Church ensures 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.

12. St John and St Stephen's Church 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.

13. St John and St Stephen's Church undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

14. St John and St Stephen's Church will apply this policy to employed/paid and volunteer roles.

[End of policy statement]

Date of Adoption: 20/11/2023.....

Signed:
([Full name], [Position])

Next Review Date: September 2026...