



# Recruitment of Ex- Offenders Policy

## 1.1 Introduction

Herts Vision Loss (HVL) is committed to the fair treatment of its staff, potential staff, volunteers or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

HVL actively promotes 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. All candidates are selected for interview based on their skills, qualifications and experience.

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Herts Vision Loss 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 Disclosure on the basis of conviction or other information revealed.

**Having a criminal record will not necessarily bar an applicant from working with HVL, either as a staff member or a volunteer.** This will depend on the nature of the job and the circumstances and background of the offence/s. However HVL will not take on anyone with a conviction for a sexual offence against a child or vulnerable adult, regardless of when the offence took place. Nor will HVL accept serving prisoners as applicants.

Herts Vision Loss ensures that all those in who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. It 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.

## 2.1 The Hertfordshire Charity of the Blind Policy and Procedure:

- A Disclosure is requested for all staff and volunteer opportunities on application.

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- Unless the nature of the position allows Herts Vision Loss to ask questions about your entire criminal record we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
- As Disclosure forms 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. We request that this information is sent under separate, confidential cover; to a designated person within Herts Vision Loss we guarantee that this information is only seen by those who need to see it as part of the recruitment process.
- At the appointment stage, 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 could lead to withdrawal of an offer of employment, or, dismissal if employment has already begun.
- HVL makes every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.
- HVL undertakes to discuss any matter revealed in a Disclosure with the candidate seeking the job before deciding if they are still suitable.
- This written policy on the Recruitment of Ex-offenders is made available to all Disclosure applicants at the outset of the recruitment process.
- Should a criminal record be revealed at application or after appointment, a decision whether or not to maintain employment must have regard to the nature of the crime, when it was committed, the client group involved and the reputation of the service.

### 3.1 Process if Criminal Record/ Conviction Identified

When considering risk HVL will look at:

- The risk to clients - is there the potential for clients to be harmed in some way? How serious was the offence(s) and how relevant to clients' safety and security?
- Will the work present opportunities for the person to re-offend?
- What supervision arrangements are in place - or could be put in place - to further reduce the risk?
- Would the standing of the HVL be affected if it became known that it had employed someone with a particular criminal record? (Although this could be positive as well as negative).

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- The possible impact on the member of staff should the offence become known in the organisation.
- Who are the potential clients?
- What was the nature of the crime and who was the victim(s)?
- Could the individual with a criminal record come into contact with their victim or the victim's family through their work at HVL?
- How long ago was the offence committed and in what circumstances? Have the personal circumstances of the applicant changed since they were cautioned, convicted or charged?
- What rehabilitation programmes has the applicant gone through? What else has the applicant done to avoid re-offending?
- Was the offence a one-off or is there a noticeable pattern of habitual offending?
- Has the offence since been decriminalised by parliament?
- Would the individual pose any risk to the Charity's insurance cover?

HVL to give particular attention to the following types of offences:

- Cruelty to or neglect of children. Where the role involves work targeted at children.
- Cruelty to or neglect of vulnerable adults; this includes financial abuse. Where the role involves work targeted at vulnerable.
- Any 'hate crime', i.e. assault based on race, gender, religion, sexual orientation etc.
- A pattern of cautions or convictions for GBH and / or other similar violent offences.
- Violent or aggravated sexual offences.

Reviewer: Alex Hickinbotham

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