



Criminal Records in Recruitment Policy

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Introduction

This policy outlines the process by which Running Deer assesses the relevance of criminal records during recruitment.

It aims to guide recruiters to make fair and legally sound judgements about a candidates criminal record. This guide draws on advice from government of the United Kingdom, and the charity Unlock.

Suitability of People with Criminal Records

The following is considered before making decisions about checking an applicants criminal record.

1. Roles within Running Deer (as of October 2018) involve 1:1 contact with children and vulnerable adults, who make up the majority of Running Deer users. These roles are exempt from the Rehabilitation of Offenders Act 1974 in accordance with the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
2. While roles within Running Deer are exempt under the ROA 1974, offences which are or would be filtered must be ignored.
3. Running Deer School is a registered Independent School. OFSTED requires schools to conduct criminal record checks on all staff.
4. Running Deer conducts DBS checks on all staff. The check consists of an enhanced criminal record check, including searches of the child workforce barring list and/or adult workforce barring list where appropriate.
5. Staff who work as part of Running Deer School project will have 1:1 contact with vulnerable children.
6. Staff who work for the organisation on other projects (project workers) including members of senior management teams and some members of the Board of Directors will have 1:1 contact with vulnerable children and adults.
7. Members of the Board of Directors are managing an organisation working in a regulated industry (education), and must also comply with OFSTED requirements for criminal record checks.

Within the context of the above, the following are standing conditions for recruitment of people with a criminal record:



- Applicants who have been barred from working with children or vulnerable adults will not be successful.
- Applicants are given the opportunity to disclose offences at application. If an applicant fails to disclose offences during the application process which are later revealed by a criminal record check, they will not be successful.
- Certain offences will always be considered relevant, i.e., offences not filtered by the Disclosure and Barring Service. Applicants with a history of violent or sexual offences, serious drug offences, and serious offences of dishonesty will not be successful.
- Some members of staff are expected to drive as part of their duties. Driving offences may be considered relevant, and must be discussed prior to appointment.
- Applicants whose criminal record disclosure reveals offences should expect to speak openly, frankly, and honestly regarding those offences with an officer or the member of staff involved in the recruitment process.

Assessing

While Running Deer recognises that a history of offending does not constitute who a person is, and that people with a criminal record may bring valuable experience particularly in youth work roles, safeguarding our users, clients, staff and volunteers is paramount.

If criminal records are disclosed during recruitment, Running Deer should consider:

- Relevance, e.g:
 - whether offences have been, or if disclosed by the applicant should have been, filtered;
 - whether those offences bar that person from working with vulnerable children and adults.
- Seriousness, e.g:
 - dishonesty/theft/larceny may include shoplifting, or violent burglary;
 - violent offences may include affray or public disorder, or causing grievous bodily harm;
 - criminal damage may include breaking into an empty building, or intentionally destroying property;
 - sexual offences may include public urination, or rape or sexual assault;
 - drug offences may include possession of Class B substances for example cannabis, or possession with intent to supply Class A substances such as heroin or cocaine;
 - driving offences may include speeding, or causing death by dangerous driving.



- Pattern, e.g:
 - a number of offences committed over a longer period may indicate recidivism, particularly where those offences were committed within the last 3-5 years;
 - most offending is circumstantial, and it is important to establish why that person was offending, and why they have ceased;
 - the age at which offences were committed.
- Attitude, e.g:
 - whether the applicant accept responsibility for offending;
 - whether the applicant express remorse regarding their offending;
 - how the applicant views their offending in the context of their present role in work, and in society, and whether the applicant believes these experiences may be useful in their role.

DBS Policy

Running Deer C.I.C. is an organisation which assesses 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).

Running Deer complies fully with the code of practice and undertakes to treat all applicants for positions fairly.

- Running Deer undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed
- Running Deer can only ask an individual to provide details of convictions and cautions that Running Deer are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended)
- Running Deer can only ask an individual about convictions and cautions that are not protected
- Running Deer 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
- Running Deer has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process



- Running Deer 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
- Running Deer select all candidates for interview based on their skills, qualifications and experience
- 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
- Running Deer ensures that all those in Running Deer who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences
- Running Deer 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
- at interview, or in a separate discussion, Running Deer 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
- Running Deer 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
- Running Deer undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Contact Running Deer

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