**POLICY STATEMENT ON THE RECRUITMENT OF EX-OFFENDERS**

**Introduction**

12.1 The Hessle Road Network, as an organisation using the Disclosure and Barring Service to assess the suitability for positions of trust, complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.

12.2 It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

12.3 The Hessle Road Network 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.

**Equality of Opportunity**

12.4 The Hessle Road Network 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.

12.5 The Hessle Road Network selects all candidates for interview based on their skills, qualification and experience.

12.6 A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

12.7 Where a Disclosure is to form part of the recruitment process, the Hessle Road Network encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. This information is sent to a designated person within the organisation and the Hessle Road Network guarantees that this information is only seen by those who need to see it as part of the recruitment process.

12.8 Unless the nature of the position allows the Hessle Road Network to ask questions about your entire criminal record the organisation will only ask about “unspent” convictions as defined in the Rehabilitation of Offenders Act 1974.

12.9 The Hessle Road Network ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The Hessle Road Network 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.

12.10 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 could lead to withdrawal of an offer of employment.

12.11 Every subject of a DBS Disclosure is made aware of the existence of the DBS Code of Practice and a copy is made available on request.

12.12 The Hessle Road Network will 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**

12.13 Having a criminal record will not necessarily bar you from working with the Hessle Road Network. This will depend on the nature of the position and the circumstances and background of your offences.

12.14 A conviction will only prevent your employment if it has resulted in you being entered on any of the following seven data sources:

**Independent Safeguarding Authority (ISA) Barred List** – These are:

* A list of people barred from working with children (replacing List 99, the PoCA list and disqualification orders); and
* A list of people barred from working with vulnerable adults (replacing the PoVA list).
* These lists will be separate but aligned and will allow the ISA to keep a record of:
* Individuals who will not be permitted to work in regulated activity with children and/or vulnerable adults; and
* Individuals who can only work with children and/or vulnerable adults in controlled activities with safeguards.

**The Sex Offenders’ Register** – This is controlled by the Home Office and maintained by the police. It contains details of those who have been convicted, cautioned or released from prison for a sexual offence against children or adults.

**Sexual Harm Prevention Orders (SHPO’s)** – Replaces the Sexual Offences Prevention Order and Foreign Travel Order, and may be made in relation to a person who has been convicted or cautioned for a sexual or violence offence (including equivalent offences committed overseas) and who poses a risk of sexual harm to the public.

**Sexual Risk Orders** – Replaces the Risk of Sexual Harm Order, and may be made in relation to a person without a conviction for a sexual or violent offence (or any offence), but who poses a risk of sexual harm. The Order is made by the magistrates’ court on application by the police or NCA where an individual has done an act of a sexual nature and as a result poses a risk of harm to the public in the UK or adults or vulnerable children overseas.