

Discover Ltd Policy on the appointment of Individuals with a Criminal Record

Background

Discover will aim to appoint employees on merit and not discriminate against those holding a criminal record other than where this is necessary for the safe and effective operation of its centre's. Since staff will be working on a regular basis with young people all new employees are required to complete a Criminal Records Declaration. A Disclosure check with the Criminal Records Bureau (CRB) will be made prior to final appointment. Regular checks may be made during the employment with Discover.

Policy Statement on Disclosure

- ❖ Discover complies fully with the CRB 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.
- ❖ Discover 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.
- ❖ We actively promote equality of opportunity for all with the right mix of talent, skills and potential. We welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview on the basis of skills, qualifications and experience.
- ❖ Disclosure is requested due to the nature of the business and the expectations of our users. A statement that Disclosure will be requested in the event of a position being offered is contained within the initial information and during interview.
- ❖ Candidates for interview are encouraged to provide details of their criminal record at an early stage in the application process. This information should be sent under a separate cover to the designated person within Discover and we guarantee that this information is only seen by those who need to see it as part of the recruitment process.

Policy Statement on the recruitment of ex-offenders

- ❖ Unless the nature of the post (defined in the Discover Code of Conduct) allows Discover to ask questions about your entire criminal record, we will only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- ❖ 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 could lead to the withdrawal of an offer of employment.
- ❖ We make all applicants aware of the CRB Code of Practice and have copies 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.

Discover Code of Conduct for checking criminal records.

All Disclosure searches will be initiated by the Director or Centre Manager.

Discover will require successful candidates to complete a Disclosure Application Form which will countersigned by a designated person (currently Vetting Agency Ltd).

The Centre Manager will examine evidence of identity before any application is returned.

Each Disclosure application will be noted with the Disclosure number, Post, name of applicant and date. This will be marked as **'appointed'**, **'conditional'** or **'references unacceptable'** and signed by the Lead and a Counter-Signatory. The Disclosure document will be shredded.

'Appointed' meets our criteria for acceptance.

'Conditional' will require further discussion with the candidate by a Counter-Signatory. Brief details will then be included in the applicants file if successful.

'References Unacceptable' means that the candidate is rejected. If this is on the basis of Disclosure then the situation will be discussed with the candidate by a Counter-Signatory.

Final information and information awaiting processing will be stored in a secure location with access restricted to authorised personnel only.

From 2011, the level of Disclosure for all personnel will be 'Enhanced':

Enhanced Disclosure

- Management Positions at the Eagles Nest
- Teaching Staff, excluding Trainee appointments.
- Group Leaders (Morocco)
- All other full and seasonal staff based at 'The Eagles Nest'.

Discover will carry out a Disclosure check at the appropriate level on appointment, on promotion, or at times when it is felt necessary for the safe operation of the centre.

Discover will not appoint, or continue to employ, any staff that fail to meet the criteria for the post applied or appointed to. Failure at any time to meet the criteria for their current role will be considered adequate grounds for dismissal. Discover will attempt, where practical, to re-deploy staff to less sensitive roles and to allow reasonable time for any appeals to be considered.

The following criteria will apply depending upon the position:

For management and teaching positions:

Enhanced Disclosure – all convictions/cautions/warnings/reprimands are acceptable except:

- Any related to the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000 where they are banned from working with children. These are anyone convicted of schedule four offences or on the DfES List 99, DoH List or National Assembly of Wales List.
- Any offences resulting in a custodial sentence of more than 6 months.
- Any conviction in the last 10 years (or caution in last 5 years) relating to theft/financial irregularities.
- Any conviction related to drug dealing.
- Any conviction relating to a class A drug.
- Any caution or reprimand for class A drugs in the last 5 years.
- Any conviction relating to violent conduct.
- Any conviction or caution relating to falsification of qualifications.

For domestic positions:

Enhanced Disclosure – all convictions/cautions/warnings/reprimands are acceptable except

- Any related to the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000 where they are banned from working with children. These are anyone convicted of schedule four offences or on the DfES List 99, DoH List or National Assembly of Wales List.
- Any offence resulting in a custodial sentence of more than 6 months in the last 10 years
- Any conviction in the last 5 years relating to theft/financial irregularities.
- Any conviction related to drug dealing.
- Any conviction for use of a class A drug in the last 10 years
- Any conviction relating to violent conduct.
- Any conviction or caution relating to falsification of qualifications.