

## GUIDELINES ON EMPLOYING PEOPLE WITH CRIMINAL RECORDS

**The objective of the London Borough of Waltham Forest on disclosure information is:**

- to ensure that disclosure information is used fairly in the recruitment process to prevent discrimination against **staff, volunteers, service users, potential employees and ex-offenders** on the basis of conviction or other details.
- to maximise the protection for children in Waltham Forest schools and other vulnerable people against those who might wish to harm them.

**Our guidelines comply with the Criminal Records Bureau (CRB) Code of Practice under section 122 of the Police Act 1997, which is available on request.**

### Recruitment Process

Waltham Forest will carry out risk assessments for each position that is exempt from the Rehabilitation of offenders Act and encourage managers to adopt an open mind in recruitment decisions. In making recruitment decisions our managers will:

- Assess the nature and relevance of the offence, the potential risks involved in employing the offender, and how these could be sensibly and effectively managed.
- Recognise that having a criminal record will not necessarily be a bar to obtaining a position
- State the level of Disclosure applicable to any post that requires a Disclosure.
- Discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- Only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974, unless the nature of the position allows Waltham Forest to ask questions about the applicant's entire criminal record.

### Recruitment of Ex-Offenders

Unless the nature of the work demands it, ex-offenders will not be asked to disclose any convictions 'spent' under the Rehabilitation of Offenders Act 1974. Having an 'unspent' conviction will not necessarily bar employment. However all applicants offered employment will be subject to a criminal record check from the Criminal Records Bureau before the appointment is confirmed. This will include details of cautions, reprimands or final warnings, as well as convictions.

All school based jobs are subject to an Enhanced Disclosure which, in addition to showing spent and unspent convictions, as well as cautions, reprimands and final warnings held on the Police National Computer, also show 'other relevant information' from local police records that the police believe is relevant in connection with a particular post.

### Declaration of Convictions

Applicants will be actively encouraged to declare any convictions, or any other information that may be relevant, at an early stage in the recruitment process. **Failure to declare a conviction, caution or bind-over may, however, disqualify an applicant from appointment, or result in summary dismissal if the discrepancy comes to light.**