

POLICY STATEMENT ON RECRUITING EX-OFFENDERS AND SAFEKEEPING OF DISCLOSURES

The policy objective of 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.

To achieve our policy objectives and to comply with the Criminal Records Bureau (CRB) Code of Practice under Section 122 of the Police Act 1997, London Borough of Waltham Forest, as a Registered Umbrella Body for Disclosure, undertakes to implement the following general provisions.

GENERAL PROVISIONS ON DISCLOSURE POLICY

1. Recruitment Process

London Borough of Waltham Forest will carry out risk assessments for each position 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.
- Focus on a person's abilities, skills, experience and qualifications.
- Consider the nature of the conviction and its relevance to the job in question.
- Identify the risks to our business, customers, clients and employees.
- Recognise that having a criminal record does not always mean a lack of skills,
- Note that high-quality training, leading to qualifications is available in prison
- State the level of Disclosure applicable to any posts that requires a Disclosure
- Discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- Ensure that where a Disclosure is to form 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 EduAction and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- Only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974, unless the nature of the position allows London Borough of Waltham Forest to ask questions about your entire criminal record.
- Include in application forms or accompanying materials a statement to the effect that a criminal record will not necessarily be a bar to obtaining a position. 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

2. 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 an individual from employment. This will depend on the circumstances and background of the offence(s).

London Borough of Waltham Forest meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, therefore all applicants for positions of trust who are 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.

3. 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.**

4. Training

We ensure that all those in London Borough of Waltham Forest who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure 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.

5. Storage & Access

Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Documents are kept in lockable and non-portable storage containers. Keys or combinations for such storage units are **only** available to named individuals. Access to rooms containing storage containers are restricted to staff engaged in recruitment work.

No photocopy or other image of the Disclosure is retained, nor is any copy of the contents made or kept. However, records will be kept of the date of a Disclosure, the name of the applicant, the type of Disclosure, the post in question, the unique number issued by the Bureau and the recruitment decision taken, as well as a written record of the names to whom disclosure information has been revealed.

6. Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of