



ILA POLICY STATEMENT
ON THE RECRUITMENT OF EX-OFFENDERS

1. Introduction

All individuals or organisations using the Criminal Records Bureau (CRB) Disclosure service to help assess the suitability of applicants for positions of trust and who are recipients of Disclosure information must comply fully with the CRB Code of Practice.

Amongst other things, the Code requires them to treat their applicants fairly when considering sensitive Disclosure information. The Code also obliges them to have a written policy on the recruitment of such individuals, which can be given to all applicants for positions where a Disclosure is requested. This policy applies to both paid employees and volunteers.

Adherence to this policy will ensure compliance with the 'suitability policy' part of the CRB Code of Practice.

2. Policy

- As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, we aim to comply fully with the CRB Code of Practice and undertake to treat all applicants for positions fairly. We undertake not to discriminate unfairly against anyone who is the subject of a Disclosure on the basis of conviction or other information revealed.
- We are committed to the fair treatment of our staff, potential staff or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability, or offending background.
- This policy on the recruitment of ex-offenders is made available to all Disclosure applicants at the outset of the recruitment process.
- We actively promote equality of opportunity for all to achieve the right mix of talent, skills and potential. We select all candidates for interview on the basis of their aptitude, skills, qualifications and experience in relation to the requirements of the post.
- A Disclosure is only requested after a thorough risk assessment has indicated that a disclosure is both proportionate and relevant to the position concerned.
- An organisation whose position involves 'regulated activity' under the Safeguarding Vulnerable Groups Act 2006 is legally not allowed to employ a barred individual, so must check this for such a post. This includes posts that involve contact with children or vulnerable adults and is of a specified nature, or in a specified place; working frequently, intensively or overnight. A barred person will be committing an offence should they seek employment or a volunteering opportunity in regulated activity.
- For those positions where a Disclosure is required, the recruitment information will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.



- Where a Disclosure is to form part of the recruitment process, we require all applicants called for interview to provide details of any criminal record at an early stage in the application process. We guarantee that this information is only seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position allows us to ask questions about an applicant's entire criminal record we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- We ensure that all those who are involved in the recruitment process have received suitable guidance to enable them to identify and assess the relevance of the offence in relation to the position applied for. We also ensure that they have received appropriate guidance on the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation Act 1974 and the Safeguarding Vulnerable Groups Act 2006.
- At interview/assessment, 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 applied for could lead to withdrawal of an offer of employment.
- We make every applicant of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy 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 ex-offenders from working with us. This will depend on the offence and the relevance of the offence in relation to the position applied for. The factors taken into account will include the responsibilities of the position, the vulnerability of the customer group, the nature of the offence(s), the number and pattern of the offences (if there is more than one), how long ago the offence(s) occurred and the age of the offender when the offence(s) occurred.