



Recruitment of Ex-Offenders Policy

This policy applies to all employees of Barnby Dun Parish Church in the Diocese of Sheffield, including full-time, part-time and temporary employees and casual workers. It does not apply to members of the Clergy, self-employed contractors, and volunteers.

This policy does not confer any contractual rights and can be amended at any time.

Last review	September 2024 (NEW)	Next review	September 2025
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1. Introduction

We want to promote a working environment and culture that encourages inclusivity at all levels within Barnby Dun Church. The code of practice published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat any applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed.

The purpose of this policy is to set out our framework for recruitment of ex-offenders and ensuring a fair and compliant process is followed to give all applicants an equal opportunity for employment within Barnby Dun Parish church.

2. Scope of Policy

This policy applies only to the recruitment and employment of all employees within Barnby Dun Parish Church regardless of gender, gender reassignment, race, religion or belief, disability, sexual orientation, age, trade union membership or public interest disclosure status. It also applies to eligible part time and fixed term employees.

3. General Principles

The church at Barnby Dun is committed to equality of opportunity for all job applicants and aim to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, where appropriate, qualifications and training.

However, the church is an exempt employer as defined by the Rehabilitation of Offenders Act 1974 (Exceptions Order 1975), therefore, we have a lawful basis for requesting a DBS disclosure certificate for some employees. In addition, Barnby Dun Parish Church is a regulated activity provider and for some posts, we have a statutory duty to check that the individual is not barred from regulated work with children and / or adults.

The safeguarding of children and adults at risk is of paramount importance to us and the scrutiny of any unspent cautions or convictions and those which would not be protected under the Ministry of Justice filtering rules is an essential and non-negotiable part of the pre-employment check process.

4. Rehabilitation of Offenders Act 1974



Barnby Dun Parish Church will not automatically refuse to employ a particular individual just because they have a previous criminal conviction. During the recruitment process, HR will ask shortlisted job applicants to disclose any unspent cautions or convictions but will not ask job applicants questions about criminal history that would be filtered or protected, nor expect them to disclose any protected convictions. The successful applicant may be asked to apply for a basic DBS certificate.

If an applicant has a caution or conviction that is unspent and if the nature of the offence is relevant to their suitability for the job for which they have applied, we will review the individual circumstances of the case and may, at our discretion, decline to select the individual for employment.

Many of the roles we are seeking to recruit are covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. In these cases, Barnby Dun Parish Church will require shortlisted applicants to disclose all unspent convictions or cautions in addition to any criminal history that would not be filtered. Even in these circumstances, however, we will not refuse to employ a particular individual unless the nature of the conviction has relevance to the job for which the individual has applied.

As a result of amendments to the Rehabilitation of Offenders Act in 2013, 2020 and 2023, cautions and convictions that meet specified criteria should not be disclosed by applicants and must not be considered by potential employers. We encourage all applicants to seek legal or impartial advice before completing their self-disclosure. We will not consider any criminal history that would be protected or filtered, even if it is subsequently disclosed on the DBS certificate.

The PCC of Barnby Dun Parish Church will, once we have selected the person to whom we wish to offer employment, make a joint application to the Disclosure and Barring Service (DBS) for an enhanced certificate (with the relevant DBS barred list(s) check if the post is in regulated activity).

Barnby Dun Parish Church is committed to ensuring that all information provided about an individual's criminal convictions, including any information released in disclosures, is used fairly and stored and handled appropriately and in accordance with the provisions of the General Data Protection Regulations (GDPR) UK and the Data Protection Act 2018. Data held on file about an individual's criminal convictions will be held only as long as it is required for employment and / or safeguarding purposes and will not be disclosed to any unauthorised person.



5. Procedure for DBS Checks

For those positions where an enhanced DBS check is required, all application forms and recruitment advertising will contain a statement that an enhanced DBS certificate (with barred list check(s) where relevant) will be requested in the event of the individual being offered the position, and an explanation of when in the recruitment process criminal information will be requested and considered.

All shortlisted applicants are required to complete a confidential declaration form to be returned prior to the start date. This information is to be sent to the HR Team. Failure to return the self-disclosure will result in the offer of interview being withdrawn. We will ensure that the self-disclosure information will only be seen by those who need to see it as part of the recruitment process.

The criminal history self-disclosure will include information for shortlisted applicants on the importance of seeking legal advice.

We ensure that all those who are involved in the safeguarding team have been suitably trained to identify and assess the relevance and circumstances of offences during the recruitment process.

We also ensure that they have received appropriate guidance on the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 (exceptions order 1975) (as amended 2013, 2020 & 2023) and know how to access advice and support (e.g. from HR, external adviser) and relevant registered bodies.

At interview, or in a separate discussion, the recruitment selection panel will ensure that an open and measured discussion takes place on the subject of any offences or related concerns that might be relevant to the candidate's suitability for the position.

Failure to reveal information that would not be filtered could lead to withdrawal of an offer of employment.

We undertake to discuss any relevant matter revealed on a DBS certificate with the person seeking the position before withdrawing a conditional offer of employment. This discussion and any subsequent risk assessment will be undertaken by Safeguarding or by another appointed person. If the DBS check reveals any matching information against the DBS barred list(s) or any criminal conviction which precludes them from working with children and / or vulnerable adults the applicant is deemed non-appointable. In this circumstance, we would notify the relevant statutory services.

6. Existing Staff

As part of our contractual obligation depending on post, we currently undertake routine renewals of DBS certificates for existing staff on a three-yearly basis.

7. Find out more

Employees and line managers can seek guidance or further information about the Recruitment of Ex-Offenders by contacting the HR team. Other policies to refer to:

- Recruitment Policy
- GDPR Policy