

Recruitment of Ex-Offenders Policy

SCOPE OF THIS POLICY

This policy outlines Anchor's general policy relating to the recruitment of ex-offenders, and should be read and followed in conjunction with the following Anchor Policies and Procedures:

- Recruitment & Selection of Staff (Including Volunteers)
- Recruitment, Assessment and Approval of Foster Carers
- DBS Policy & Identity Checks Policy and Guidance
- Equal Opportunities & Diversity Policy

OUTCOME/S

Children feel safe and are safe. Children understand how to protect themselves and are protected from significant harm, including neglect, abuse, and accident.

There is careful selection of staff, fostering households, volunteers and the central list of persons considered suitable to be members of a fostering panel, and there is monitoring of such people to help prevent unsuitable people from having the opportunity to harm children.

Reference to relevant legislation and standards:

Fostering Services National Minimum Standards 2011

STANDARD 4 - Safeguarding Children

www.minimumstandards.org/fost_four.html

STANDARD 19 – Suitability to work with children

www.minimumstandards.org/fost_nineteen.html

The Fostering Services (England) Regulations 2011

www.legislation.gov.uk/uksi/2011/581/regulation/20/made

www.legislation.gov.uk/uksi/2011/581/schedule/1/made

the Rehabilitation of Offenders Act 1974

<https://www.legislation.gov.uk/ukpga/1974/53>

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1. Introduction

Anchor Foster Care Services (AFC) is committed to the fair treatment of its staff, potential staff, foster carers, prospective foster carers and all users of its services, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, physical/mental disability or offending background.

AFC actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. All candidates are selected for interview based on their skills, qualifications and experience.

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 using criminal record checks processed through the Disclosure and Barring Service (DBS), the Company complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. AFC undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed. The Company uses the Umbrella Body, Swift Check, to undertake DBS checks to ensure a speedy and robust service in this essential area.

2. Further information about conviction information

On the 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain **subject to disclosure**. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain **subject to disclosure**.
- In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.
- Applicants can be directed to the guidance and criteria which explains the [filtering of old and minor cautions and convictions](#) which are now 'protected' so not subject to disclosure to employers.

3. Policy Statement

- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Anchor Foster Carer Services Ltd complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly.
- Anchor Foster Carer Services Ltd undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- Anchor Foster Carer Services Ltd can only ask an individual to provide details of convictions and cautions that Anchor Foster Carer Services Ltd are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- Anchor Foster Carer Services Ltd can only ask an individual about convictions and cautions that are not protected.
- Anchor Foster Carer Services Ltd 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.

- Anchor Foster Carer Services Ltd has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.
- Anchor Foster Carer Services Ltd actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.
- Anchor Foster Carer Services Ltd select all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- Anchor Foster Carer Services Ltd ensures that all those in Anchor Foster Carer Services Ltd who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- Anchor Foster Carer Services Ltd also ensures 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.
- At interview, or in a separate discussion, Anchor Foster Carer Services Ltd ensures 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 withdrawal of an offer of employment.
- Anchor Foster Carer Services Ltd makes every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request.
- Anchor Foster Carer Services Ltd undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

This Policy has been reviewed by:

Name: Sally Killian – Business Support Manager

Date: 22.03.2024

Signature: 