



Policy on the Recruitment of Ex-Offenders (Staff and Volunteers)

Introduction

The Rehabilitation of Offenders Act 1974 and the Legal Aid and Sentencing and Punishment of Offenders Act 2012 provides that ex-offenders are not required to disclose to prospective employers, convictions defined as 'spent' under the Act (unless the post is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) 1975. The Act defines time periods after which different types of convictions become spent. It also makes it illegal for employers to discriminate against an ex-offender on the grounds of a spent conviction.

The Rehabilitation of Offenders Act 1974 applies throughout the UK. However, although there are some differences to the way in which related legislation operates in different jurisdictions, the Exclusions and Exceptions Order applies throughout.

NB: All BB roles that involve working with children and young people come into the scope of the Exclusions and Exceptions Order. This means that even "spent" convictions must be declared when applying for a post. See point 4 below.

Having a criminal record will not necessarily bar an individual from working with The Boys' Brigade, this will depend on the nature of the position and the circumstances and background of the offence(s) and the relevance to the post in question. (See the "Safeguarding Policies and Procedures" document, section entitled "Recruitment of Leaders")

The Boys' Brigade demonstrates its commitment to the fair treatment of its staff, volunteers and service users as stated in the Equality Opportunities Policy, by:

- Making this policy available, on request, to all disclosure applicants at the outset of the recruitment process.
- Actively promoting equality of opportunity for all with the right mix of talent, skills and potential and welcoming applications from a wide range of candidates, including those with criminal records.

Policy on Disclosures and Declaring Convictions:

1. For those positions where a disclosure is required, all application forms and recruitment details will contain a statement that a disclosure will be requested in the event of the individual being offered the position.
2. Where a disclosure is to form part of the recruitment process, candidates will be required to provide details of their criminal record with the initial application. We guarantee that this information is only seen by those who need to see it as part of the

recruitment process. Volunteers will be consulted as to whether they wish to continue with their application before any information is shared.

3. Unless the nature of the position allows The Boys' Brigade 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
4. Where the role applied for involves working with children and young people under the age of 18 then this represents an exception to the Act, and as such, applicants are expected to declare their convictions even if they are "spent".
5. If the role applied for is working with children, and the applicant has conviction details on their disclosure the Brigade's Safeguarding Manager will assess the information and a risk assessment process may be undertaken by the Safeguarding Panel. This will give the applicant an opportunity to discuss the circumstances leading to the conviction/s and to give any relevant information that will enable The Boys' Brigade, and the sponsoring Church, to make a decision on appointment.

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