



St Thomas' Church, Kilnhurst Policy Statement on the Recruitment of Ex-offenders

This statement was adopted by St Thomas' Church, Kilnhurst (St Thomas') at a Parochial Church Council (PCC) meeting held on Monday 20th May 2024. This policy will be reviewed annually.

The Church of England's practice guidance on Safer Recruitment requires that all parishes have a written policy statement on the recruitment of ex-offenders. The practice guidance says:

"Applicants for paid and volunteer positions must be clear about how they will be treated if they are ex-offenders."

The following Policy Statement is based on a sample statement issued by the Disclosure and Barring Service (DBS). In the following Policy Statement, the term 'we' refers to the PCC of St Thomas' Church, Kilnhurst.

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order, and using criminal record checks processed through the DBS, St Thomas' Church complies fully with the DBS code of practice and undertakes to treat all applicants for positions fairly.

St Thomas' PCC

- Undertakes not to discriminate unfairly against any subject of a criminal record check based on a conviction or other information revealed.
- Can ask an individual to provide details of convictions and cautions that St Thomas' are legally entitled to know about, that is where a DBS certificate at either standard or enhanced level can be legally requested and 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.
- Can ask an individual about only convictions and cautions that are not protected.
- Is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibility for dependants, age, physical/mental disability or offending background.
- Will make this policy statement available to all DBS applicants at the outset of the recruitment process.
- Actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applicants from a wide range of candidates including those with a criminal record.
- Selects all candidates for interview based on their skills, qualification and experience.

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- Will ensure that for those positions where a criminal record check is 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.
- Will ensure that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. It will 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.
- Will ensure that at interview, or in a separate discussion, that an open and measured discussion takes place on the subject of any offence 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.
- Will make every subject of a criminal record check submitted to the DBS aware of the existence of the DBS Code of Practice and make a copy available on request¹.
- Will undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Further 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 disclosure². Employers are no longer able to take an individual's old and minor cautions and convictions into account when making decisions. 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, remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether suspended or not, remain subject to disclosure, as are all convictions where an individual has more than one conviction recorded.

Further guidance can be found at <https://www.gov.uk/government/collections/dbs-filtering-guidance> regarding the filtering of old and minor cautions and convictions which are now 'protected' and thus not subject to disclosure to employers.

¹ The DBS Code of Practice is available via the government website at: <https://www.gov.uk/government/publications/dbs-code-of-practice>

² See Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.

Mr Simon Langmead, Church Warden

Mr Colin Proudman, Church Warden