

RECRUITMENT OF EX-OFFENDERS POLICY

Winston's Wish is committed to the fair treatment of all staff, potential staff, volunteers or users of its services, regardless of race, gender, religion, sexual orientation, responsibility for dependents, age, physical / mental disability or offending background.

Winston's Wish will actively promote equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of candidates. We will select all candidates for interview based on their skills, qualifications and experience.

The Rehabilitation of Offenders Act 1974 enables some criminal convictions to become 'spent', or ignored, after a 'rehabilitation period'.

A rehabilitation period is a set amount of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention their conviction when applying for a job or volunteering role.

Due to the nature of our work with children and young people, a large number of positions with Winston's Wish qualify for DBS (Disclosure and Barring Service) checks at a level which provides access to sensitive criminal information about individuals. As an organization using the DBS service to assess applicants' suitability for positions of trust, Winston's Wish must comply fully with the relevant legislation and DBS Code of Practice and undertakes to treat all applicants for positions fairly. We will not discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

Having a criminal record will not necessarily bar an individual from working with Winston's Wish. This will depend on the nature of the role and the circumstances and background of the offences. The Rehabilitation of Offenders Act 1974 was introduced to ensure that ex-offenders who had not re-offended for a period of time since their last conviction are not discriminated against when applying for jobs. Unless a post is exempted from the Act, we are not allowed to discriminate on the grounds of spent convictions.

All staff, potential staff or volunteers who will be working directly with children and young people will be required to undertake an Enhanced DBS check with additional checks against the barred lists. All other staff, potential staff and office based volunteers who will not be working directly with children and young people will be required to undertake a Basic DBS check which will only disclose 'unspent' convictions.

All recruitment packs and job adverts will contain a statement that a DBS check will be undertaken in the event of the individual being offered a role.

Checking processes

Winston's Wish is committed to safeguarding and protecting the children and young people we work with. All posts are subject to safer recruitment processes including self-disclosure, the disclosure of criminal records and vetting checks. The level of check will vary dependent upon the role and the access to children or young people.

Posts that do not involve direct access to children or young people are covered by the Rehabilitation of Offenders Act.

In order to protect vulnerable groups such as children and young people, when staff or volunteers are recruited into positions involving regular work with these groups, they are exempt from the Rehabilitation of Offenders Act for those positions only and therefore Winston's Wish is entitled to ask the individual to disclose both spent and unspent convictions.

Procedure

All applicants must be encouraged to provide details of any criminal record at an early stage in the recruitment process. Every applicant will be required to complete a self-declaration form at the point of application. This will form a discrete part of the recruitment pack but must be returned, in a sealed envelope or as a separate document, with the application form. Self-disclosure forms will only be read if the candidate is shortlisted and called for interview. Applications that do not contain a completed self-disclosure form will automatically be disqualified.

The relevance of any convictions will be judged against the following:

- The seriousness of the offence and its relevance to other employees, service users and volunteers.
- The length of time since the offence occurred.
- Whether the offence was a one-off or part of a history of offending.
- Circumstances which lead to the committing of the offence.
- Whether the applicant's personal circumstances have since changed.
- The country in which the offence occurred.
- Decriminalisation and remorse.

Any offences revealed on the self-declaration form that might be relevant to the post, must be discussed at interview, or in a separate discussion, in an open and fair manner. Failure to reveal information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment or volunteering.

Any offences subsequently revealed in a Disclosure must be discussed with the applicant prior to finalizing any offer of employment. Only convictions which are relevant to the role which an

individual applies for must be taken into consideration. Past convictions which were spent a long period of time ago and which would not impact on an individual's ability to perform a role competently and safely, must not bar an individual from taking up a post within the organization.

Having a criminal record will not necessarily bar an individual from working at Winston's Wish. This will depend on the nature of the position and the circumstances and background of the offences.