

Volunteer Cornwall Recruitment of Ex offenders Policy 2026

Presented to the Board	Signed on behalf of Volunteer Cornwall	Date	Next Scheduled Review

Introduction

Volunteer Cornwall is committed to equality of opportunity and to treating all applicants fairly. We will not discriminate unfairly against any applicant subject to a Disclosure, based on conviction or other information revealed.

Responsibilities

- The **Chief Executive** has overall responsibility for implementation, monitoring, and development of this policy.
- **Senior managers** are responsible for its day-to-day operation.

Policy Statement

- As a registered user of the Disclosure and Barring Service (DBS), Volunteer Cornwall complies fully with the DBS Code of Practice.
- We treat all applicants for positions fairly and will not discriminate unfairly against any subject of a Disclosure.
- We are committed to the fair treatment of staff, potential staff, and service users regardless of:
 - race, gender, religion, sexual orientation, caring responsibilities, age, disability, or offending background.

Recruitment Process

- This policy is made available to all Disclosure applicants at the start of the recruitment process.
- We welcome applications from all sections of the community, including those with criminal records. Candidates are assessed on skills, qualifications, and experience.
- A Disclosure will only be requested following a risk assessment which shows it is proportionate and relevant to the role.
- All recruitment materials (e.g. adverts, application forms, briefs) will state when a Disclosure is required.

Assessing Criminal Records

Risk assessments will consider:

- seriousness of the offence and relevance to safety of service users, employees, clients, or property.
- circumstances surrounding the offence.
- changes in the applicant's situation since the offence.

- supervision and risk management available.
- whether the offence has since been decriminalised.
- time elapsed since the offence.
- whether the role involves financial responsibility or handling items of value.
- whether the offence was isolated or part of a pattern.

Confidentiality

- Applicants invited to interview are encouraged to disclose relevant information early in the process.
- This should be provided under separate, confidential cover to a designated person at Volunteer Cornwall.
- Such information will only be shared with those directly involved in the recruitment decision.

Relevant Legislation and Training

- Unless the role permits otherwise, Volunteer Cornwall will only ask about **“unspent” convictions** under the Rehabilitation of Offenders Act 1974.
- All staff involved in recruitment receive training on:
 - assessing offences in context,
 - the Rehabilitation of Offenders Act 1974, and
 - fair recruitment practices.

Equality and Non-Discrimination

Volunteer Cornwall is committed to promoting equality, diversity, and inclusion in all recruitment practices.

In applying this policy, Volunteer Cornwall will comply with:

- The Equality Act 2010.
- The Rehabilitation of Offenders Act 1974.
- The Data Protection Act 2018 and UK GDPR.

Decisions relating to criminal record information will be based on a fair and objective assessment of the relevance of any disclosed information to the role. Applicants will not be treated less favourably solely because they have a criminal record where that record is not relevant to the position being applied for.

Data Protection

Volunteer Cornwall recognises that criminal record information constitutes personal data and, in some circumstances, special category or criminal offence data under data protection legislation.

All criminal record information will be processed lawfully, fairly, securely, and confidentially in accordance with UK GDPR, the Data Protection Act 2018, and DBS requirements. Access to such information will be restricted to those directly involved in the recruitment decision-making process.

Interviews and Decisions

- Applicants will have the opportunity for an open and fair discussion about any disclosed offences.
- Failure to disclose information directly relevant to the role may result in withdrawal of an offer.
- Applicants will be informed of the **DBS Code of Practice** and may request a copy.
- No conditional offer of employment will be withdrawn without first discussing the Disclosure with the applicant.
- Having a criminal record will not automatically bar someone from working with Volunteer Cornwall; the decision depends on the role, the offence, and the circumstances.

Complaints

- Applicants wishing to raise a complaint must do so in writing to the **Chief Executive** within **15 working days** of the alleged incident.
- Complainants will receive written notification of the outcome following investigation.