

## **Volunteer Cornwall**

### **Data Security and Protection Policy**

### **Policy Statement on the Recruitment of Ex-offenders**

#### **Introduction**

Volunteer Cornwall is committed to the principle of equality of opportunity and undertakes to treat all applicants for positions fairly and not discriminate unfairly against any subject of a Disclosure based on conviction or other information revealed.

#### **Responsibilities**

Responsibility for the implementation, monitoring and development of this policy lies with the Chief Executive. Day to day operation of the policy is the responsibility of senior managers.

#### **Policy Statement**

- ◆ As an organisation using the Disclosure and Barring Service (DBS) Disclosure service to assess applicants' suitability for positions of trust, Volunteer Cornwall complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure based on conviction or other information revealed.
- ◆ Volunteer Cornwall 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.
- ◆ This policy on the recruitment of ex-offenders is made available to all Disclosure applicants at the outset of the recruitment process.
- ◆ Volunteer Cornwall 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 from all sections of the community, including those with criminal records. Volunteer Cornwall will not unfairly discriminate against those with a criminal record. It will select candidates for interview based on their skills, qualifications, and experience.
- ◆ A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts, and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position. When considering the relevance of a criminal record, risk assessments will be based on:
  - the seriousness of the offence and its relevance to the safety of service users, other employees, clients, and property.
  - an examination of any relevant information regarding the circumstances leading up to the offence.
  - whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely.

- level of supervision required and available and the ability to manage risks and provide safeguards.
  - whether the offence has since been decriminalised by Parliament.
  - the length of time since an offence(s) took place.
  - whether the post involves any direct responsibility for finance or items of value.
  - whether the offence was a 'one-off' or part of a history of offending.
- ◆ Where a Disclosure is to form part of the recruitment process, all applicants called for interview are encouraged to provide details of their criminal record at an early stage in the application process. Volunteer Cornwall will request that this information is sent under separate, confidential cover to a designated person within Volunteer Cornwall and it guarantees that this information is only seen by those who need to see it as part of the recruitment process.
- ◆ Unless the nature of the position allows Volunteer Cornwall to ask questions about criminal records it will only ask about “unspent” convictions as defined in the Rehabilitation of Offenders Act 1974.
- ◆ Volunteer Cornwall ensures that all those in Volunteer Cornwall who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. It 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, Volunteer Cornwall ensures that an open and measured discussion takes place about 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.
- ◆ Volunteer Cornwall makes every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and makes a copy available on request.
- ◆ Volunteer Cornwall undertakes to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- ◆ Having a criminal record will not necessarily bar applicants from working with Volunteer Cornwall. This will depend on the nature of the position and the circumstances and background of the offences.

### **Complaints**

Any applicant wishing to raise a complaint should do so, in writing, to the Chief Executive within 15 working days, at the latest, of the alleged incident. The complainant will receive written notification as to the outcome of any investigation.

Signed: 

Date:

Chief Executive  
Volunteer Cornwall

Due Review: 04/25