Christ Church, Bath

Charity No: 1055275

Recruitment of Ex-Offenders

Introduction

The code of practice published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies (and clients of registered umbrella bodies) must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed.

The code also obliges such bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to DBS applicants at the outset of the recruitment process.

To help meet this requirement Christ Church Trustees produced the following policy statement (based upon the DBS 'sample policy') which has been adapted from a Diocese of Exeter template for this purpose.

Further information about conviction 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 disclosure.

- employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions where they fall into the category above (i.e. they do not appear on a DBS disclosure)
- 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, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded
    - you can direct applicants to the guidance and criteria which explains the filtering of old and minor cautions and convictions which are now 'protected' so not subject to disclosure to employers - https://www.gov.uk/government/collections/dbs-filtering-guidance

Christ Church Bath Recruitment of Ex-Offenders Policy

1. as an organisation which assesses applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service

(DBS), Christ Church Bath complies fully with the code of practice (hyperlink checked 09.11.26) and undertakes to treat all applicants for positions fairly - https://www.gov.uk/government/publications/dbs-code-of-practice (hyperlink checked 09.11.26)

2. Christ Church Bath undertakes not to discriminate unfairly against any person subject of a criminal record check on the basis of a conviction or other information revealed

3. Christ Church Bath can only ask an individual to provide details of convictions and cautions that Christ Church Bath are legally entitled to know about, where a DBS certificate at either Standard or Enhanced level can legally be requested (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)

4. Christ Church Bath can only ask an individual about convictions and cautions that are not 'protected'

5. Christ Church Bath is committed to the fair treatment of its staff (paid and voluntary), potential staff/officers or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background (subject to points 3,4 and 11).

6. Christ Church Bath will make this written policy on the recruitment of ex-offenders, available to all applicants at the start of the recruitment process

7. Christ Church Bath 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, including those with criminal records

8. Christ Church Bath selects all candidates for interview based on their skills, qualifications and experience (excepting where there is an 'occupational requirement' as laid out under the terms of the Equality Act 2010)

9. an application for a criminal record check is only submitted to DBS after a thorough assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, role/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 considered for the position

10. Christ Church Bath ensures that those in Christ Church Bath who are involved in the recruitment process have been suitably trained to identify and assess the

relevance and circumstances of offences under the guidance of the Diocesan Safeguarding Team

11. any disclosure of a caution or conviction, whether for a serious violent and/or sexual offence or a conviction resulting in a custodial offence (whether or not suspended), or other intelligence information disclosed, will be referred to the Diocesan Safeguarding Team for an initial assessment and they will consult as appropriate with the individual responsible for the recruitment process as to whether the disclosure may affect suitability for the role

12. at interview, or in a separate discussion, Christ Church Bath ensures that an open and measured discussion takes place on the subject of 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

13. Christ Church Bath makes every person subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request

14. Christ Church Bath undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

15. Christ Church Bath will apply this policy to employed/paid and volunteer roles.

Template Revision History

Version No.	Revision Date	Summary of Changes	Author
1.0	07.11.2024	Initial version taken from Diocese of Exeter template and approved by Trustees	Simon Tatton-Brown
1.1	10.11.25	No changes. Hyperlinks checked. Approved by Trustees 13.11.25	Nick Wells
1.2	09.11.26	No changes. Hyperlinks checked. Approved by Trustees 12.11.26	Nick Wells