

## **Introduction**

This policy statement applies to all recruitment and selection process where the Diocese of Southwell and Nottingham and any Parochial Church Council within the diocese is the employer or recruiter. It applies to all roles where the Church of England's [Safer Recruitment and People Management Guidance | The Church of England](#) indicates that an enhanced or enhanced plus DBS check is required.

The Code of Practice published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed. A copy of the Code of Practice can be found at: <https://www.gov.uk/government/publications/dbs-code-of-practice>

Within current legislation certain old and minor cautions and convictions are no longer subject to disclosure. In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions. All cautions and convictions for 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. Further guidance is available from the Disclosure & Barring Service regarding the filtering of old and minor cautions and convictions which are now 'protected' and therefore not subject to disclosure to employee. <https://www.gov.uk/government/publications/dbs-filtering-guidance>

As an organisation assessing 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), the Diocese and/or PCC complies fully with the DBS code of practice and undertakes to treat all applicants for positions fairly.

## **Policy Statement**

As an organisation assessing 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):

- The Diocese of Southwell and Nottingham complies fully with the code of practice and undertakes to treat all applicants for positions fairly:
- The Diocese of Southwell and Nottingham undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed:
- The Diocese of Southwell and Nottingham can only ask an individual to provide details of convictions and cautions that the Diocese of Southwell and Nottingham 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):

# Recruitment of ex-offenders Policy

- The Diocese of Southwell and Nottingham can only ask an individual about convictions and cautions that would be filtered through the DBS application process:
- The Diocese of Southwell and Nottingham 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:
- The Diocese of Southwell and Nottingham actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records:
- The Diocese of Southwell and Nottingham selects all candidates for interview based on their skills, qualifications and experience matched only against the Essential criteria of the role description:
- An application for a criminal record check is only submitted to DBS after the completion of the House of Bishop's Confidential Declaration Form and a assessment indicates it is both proportionate and relevant to the position concerned:
- For those positions where a criminal record check is identified as 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:
- The Diocese of Southwell and Nottingham will ensure that all those involved in the recruitment of posts subject to a DBS check have received appropriate training in the relevant legislation relating to the employment of ex-offenders:
- The Diocese of Southwell and Nottingham will engage in a separate discussion with the applicant. This is to ensure 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:
  - The Diocese of Southwell and Nottingham undertakes to discuss any matter revealed on a DBS certificate as outlined in the Safer Recruitment and People Management Policy 2021.

Approved at the Diocesan Safeguarding Advisory Panel Date: 14<sup>th</sup> July 2022

Review date: July 2025