

YMCA Leicestershire's Policy on the Recruitment of Ex-Offenders

YMCA Leicestershire actively promotes equality of opportunity for all with the right mix of talent, skills and potential, we welcome applications from a diverse range of candidates.

YMCA Leicestershire undertakes not to discriminate unfairly against any applicant on the basis of a criminal record or other information revealed. Criminal records and other information will be taken into account for recruitment purposes only when they are relevant.

We select all candidates for interview based on their skills, qualifications and experience, in some circumstances this may include 'personal experience' of the groups which we work with, and for specific roles, exemptions to previous criminal convictions, maybe be applied as part of the recruitment process.

We ask all applicants called for interview to provide details of their criminal record. The level of check will vary dependent upon the role they have applied for and their access to children or young people. The Rehabilitation of Ex-Offenders Act covers posts that do not involve direct access to children or young people in order to protect vulnerable groups such as children and young people. When staff are recruited into positions involving regular work with these groups, they are exempt from the ROA for those positions only and so YMCA Leicestershire is entitled to ask the individual to disclose both spent and unspent convictions.

Information is provided confidentially on a criminal disclosure form and given in a sealed envelope to the chair of the interview panel or interviewer. This information is only to be seen by those who need to see it as part of the recruitment process. All those who are involved in the recruitment process, should be suitably trained to identify and assess the relevance and circumstances of offences and they should 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, Rehabilitation of Offenders Order 1978.

The relevance of convictions should be judged against the following criteria:

- The seriousness of the offence and its relevance to other employees and customers etc.
- The length of time since the offence occurred
- Whether the offence was a one-off or part of a history of offending
- Circumstances which led 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

At interview, or in a separate discussion, it is important that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position.

For the successful candidate, this information will be verified by requesting a Disclosure statement² from the Disclosure and Barring Service (DBS) before the appointment is confirmed. At this point you will be given our GDPR privacy statement on the processing of DBS checks.

Failure to reveal information that is relevant to the position sought could lead to withdrawal of an offer of employment or subsequent dismissal. We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

For those positions where a Disclosure² is required, application forms and guide notes will contain a statement that a disclosure will be requested in the event of a candidate being made a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of any offences. However, we should make it clear that as the nature of YMCA Leicestershire's work brings its workers into contact with children, young people³, and/or vulnerable adults a criminal record or other information which makes the application unacceptable for a position of trust will render the applicant unsuitable.

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, this policy complies with the DBS Code of Practice.

² Applicants for certain positions who are made a conditional offer of employment will be subject to a disclosure and barring service check – known as a Disclosure – from the Disclosure and Barring Service before the appointment can be confirmed. This will include details of cautions, reprimands or final warnings as well as convictions.

³ Young people are those under 18 years of age