

# Cranford

## **Employment of people with a criminal record**

The Rehabilitation of Offenders Act 1974 was introduced in the UK to make sure that people with previous convictions but who have not re-offended for a certain period of time are not discriminated against when applying for employment. The equivalent law in the Isle of Man is the Rehabilitation of Offenders Act 2001. The Act allows ex-offenders to not disclose previous convictions once they have become 'spent'. There are, however, certain jobs which are exempted from this Act. In these circumstances, the Manager & Deputy (Fiona Harcourt & Emma Hannay) are legally permitted to ask applicants to disclose all previous convictions, whether spent or not.

### **Responsibilities**

The Manager & Deputy will make all efforts to prevent discrimination and other unfair treatments against any of its staff or volunteers or potential staff or volunteer or users of its service regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical disability or offending background that does not pose a risk to children and/or vulnerable adults. The Management team will ensure that any criminal record information supplied by the applicant is kept confidential and in accordance with Data Protection legislation and, if applicable, CRB Codes of Practice.

### **Recruitment**

A criminal record will not necessarily prevent the applicant from working with Cranford Nursery. A decision on whether or not to employ will be made dependant on the nature of the position applied for and the circumstances and background of any recorded offences.

## CRANFORD NURSERY EMPLOYMENT OF EX OFFENDERS CONTINUED

### **Code of Practice**

Cranford Nursery will make available a written Equal Opportunities Policy and Recruitment of Ex-offenders Policy to all applicants at the start of the recruitment process. Applicants who have criminal record will be treated according to their merits and in conjunction with any special criteria for the post applied for.

The Management team will ensure that those working within the recruiting organisation who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of any offences. The organisation will also ensure that staff have received sufficient training in legislation relating to the employment of ex-offenders.

The organisation will only request a disclosure after a thorough risk assessment has indicated that it is both relevant and proportionate to do so giving consideration to the position applied for. For a position where a disclosure is requested, all application forms, job advertisements and recruitment documentation will contain a statement that a disclosure will be requested in the event of the applicant being given a conditional offer of employment.

Where a criminal record disclosure is to form part of the recruitment process, the organisation will encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process and before a disclosure request is submitted. At interview or in a separate discussion, the organisation will ensure that an open and measured discussion takes place on the subject of any offences or other matters revealed by the applicant. Failure to reveal information which is directly relevant to the application may lead to the withdrawal of a conditional offer of employment. If an applicant reveals a serious criminal record, the recruiter within the organisation will consult with the appropriate senior member of staff or management. A decision to reject an applicant because of, or partly because of, a criminal record should relate to an aspect of the person specification which is seen to be unmet.

If possible in these circumstances, the organisation will advise the applicant why their application has been unsuccessful.

The organisation will make every applicant for a position that is subject to a disclosure request aware of the existence of the CRB Code of Practice and make a copy available on request.