

The Disabilities Trust Group

CRB/Disclosure Scotland and Recruitment of Ex-Offenders

Policy Statement

General Principles

As an organisation using the Criminal Records Bureau (CRB) Disclosure service and the Disclosure Scotland service to help assess the suitability of applicants for positions of trust, The Disabilities Trust Group complies fully with the CRB and Disclosure Scotland Codes of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

The Trust 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.

We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.

We actively promote 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. We select all candidates for interview based on their skills, qualifications and experience.

All positions within the Trust require a Disclosure or PVG Scheme membership (Scotland), under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Therefore, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure or PVG Scheme membership will be requested in the event of the individual being offered the position.

We encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the Trust and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

Under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, the Trust will ask questions about your entire criminal record, including 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974, if it deems the convictions to be relevant to the role.

We ensure that all those in the Trust who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.

At interview, or in a separate discussion, we 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.

We make every subject of a Disclosure/PVG Scheme aware of the existence of the CRB and/or Disclosure Scotland Codes of Practice and make a copy available upon request.

We undertake to discuss any matter revealed in a Disclosure/PVG Scheme Record with the person seeking the position before withdrawing a conditional offer of employment.

The Disabilities Trust Group CRB/Disclosure Scotland and Recruitment of Ex-Offenders Policy Statement

Handling Information

The Disabilities Trust Group also complies fully with the CRB and Disclosure Scotland Codes of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure/PVG Scheme information. In addition, the Trust complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it upon request.

Storage and Access

Disclosure/PVG Scheme information is kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure/PVG Scheme information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure/PVG Scheme information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it. The Trust will not disclose information which is not included on the Disclosure to the applicant.

Usage

Disclosure/PVG Scheme information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made; we do not keep Disclosure information for any longer than is necessary. For CRB Disclosures this is for a period of up to six months, and for Disclosure Scotland no longer than 90 days, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than these periods, we will consult the CRB or Disclosure Scotland about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

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 your offences.

Please visit The Disabilities Trust Group's website: www.thedtgroup.org, email csshr@thedtgroup.org or telephone 01444 239123 to obtain a copy of our Recruitment of Ex-Offenders Policy and Procedure