

POLICY ON THE RECRUITMENT OF EX-OFFENDERS



Policy Statement

1. The Code of Practice (“the Code”) is published by Scottish Ministers under section 122 of Part V of The Police Act 1997 (“the 1997 Act”). The Code identifies obligations which registered bodies, counter signatories and other recipients of disclosure information issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007 (“the 2007 Act”).
2. We comply with the Code, the 1997 and 2007 Acts regarding the treatment of individuals who are subject to Disclosure Scotland checks. We undertake not to discriminate unfairly against the subject of a disclosure on the basis of conviction or other information revealed.
3. We will provide a copy of this policy and the Code to any student or volunteer who asks to see it. The code can be found via this link: <https://www.mygov.scot/disclosure-code-of-practice/disclosure-scotland-code-of-practice.pdf?inline=true>
4. We are committed to equality of opportunity, to following practices, and to providing a service which is free from unfair and unlawful discrimination. We ensure that no applicant or member of staff is subject to less favourable treatment on the grounds of offending background. We actively promote the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on skills, qualifications and experience.
5. We will use a Disclosure Scotland check only where this is considered proportionate and relevant to the particular position or type of regulated work. This will be based on a thorough risk assessment of the position or work and having considered the relevant legislation which determines whether or not a Standard or Enhanced Disclosure under the 1997 Act or a Scheme Record under the 2007 Act is applicable.
6. Where a disclosure application or request is deemed necessary, individuals will be made aware that the position or work will be subject to a Disclosure Scotland check and that the nature of the position or work entitles us to ask about spent and unspent convictions.
7. We will ask individuals to complete a criminal record self-disclosure form. We will stress to individuals that they should be honest in their response. We will ask that this form be returned under separate, confidential cover, to a designated person within our organisation and we guarantee that this form will only be seen by those who need to see it as part of the decision-making process.
8. At interview, or under separate discussion, we undertake to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the position or work concerned.
9. We undertake to discuss any matter revealed in a certificate¹ issued under the 1997 Act or a Scheme Record issued under the 2007 Act with the subject of that disclosure before a decision is made.
10. We ensure that all those who are involved in the decision making process have been suitably trained to identify and assess the relevance and circumstances of disclosure information. We also ensure that they have received appropriate guidance and training about providing work for ex-offenders.

HAVING A CRIMINAL RECORD WILL NOT NECESSARILY DEBAR YOU FROM WORKING WITH US.

¹ We are only able to discuss what is contained on a Disclosure Certificate and not what may have been sent under separate cover by a police force.