



Recruitment of Ex-Offenders Policy

Part of the BYO Governance and Compliance Policy Suite

Britannia Youth Organisation CIC is a Community Interest Company registered in England and Wales.
Company No. 12515346 | Registered Address: 36 St Joseph's Rd, Ward End, Birmingham, B8 2JU

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1. Introduction

Britannia Youth Organisation CIC (BYO) is committed to promoting equality of opportunity and supporting rehabilitation by considering applications from people with criminal records. Having a criminal record will not automatically prevent someone from working or volunteering with BYO.

This policy sets out how we approach recruitment of ex-offenders fairly while ensuring the safety of young people and vulnerable adults in our care.

Our approach balances:

- Supporting rehabilitation and second chances
- Protecting the young people we serve
- Complying with legal requirements
- Making fair, evidence-based decisions

Safeguarding Integration: This policy operates within our comprehensive **Safeguarding Policy Framework** and ensures all recruitment decisions prioritise the protection of children and vulnerable adults.

Professional Standards: All individuals recruited under this policy must meet the standards outlined in our **Code of Conduct Policy** and complete appropriate training.

2. Scope and Application

This policy applies to:

- All staff recruitment (paid employees)
- Volunteer recruitment
- Student placements and work experience
- Contractor and consultant appointments
- Any role involving contact with young people or vulnerable adults

Recruitment Framework: This policy works alongside our **Recruitment, Selection and Onboarding Policy** and **Vetting and DBS Policy** to ensure comprehensive assessment of all candidates.

3. Legal Framework

Our approach is guided by:

- **Rehabilitation of Offenders Act 1974** - allows “spent” convictions to be considered as if they never happened
- **Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975** - permits us to consider all convictions for roles working with young people
- **DBS Code of Practice** - ensures fair treatment during background checking
- **Equality Act 2010** - prevents discrimination while allowing legitimate safety measures
- **Children Act 1989/2004** - statutory duties to safeguard and promote child welfare
- **Working Together to Safeguard Children 2023** - guidance on safer recruitment

4. Our Commitment

BYO commits to:

Fair Recruitment:

- **Individual assessment** rather than blanket exclusions
- **Transparent processes** so applicants know what to expect
- **Support during recruitment** for those disclosing criminal history
- **Reasonable adjustments** as per **Equality, Diversity and Inclusion Policy**

Safeguarding Excellence:

- **Rigorous assessment** of risk to young people and vulnerable adults
- **Compliance with safeguarding requirements** and procedures
- **Continuous monitoring** and review of suitability
- **Professional development** and support for all staff

Data Protection:

- **Confidential handling** of criminal record information
- **Secure storage** and appropriate destruction of records
- **Need-to-know** information sharing only
- **Compliance with Data Protection Policy** requirements

5. Criminal Record Checks

5.1 When We Check

We require **Enhanced DBS checks** for all roles because we work with children and young people. This includes:

- All staff positions
- All volunteer roles
- Student placements involving direct contact with young people
- Contractors working regularly on our premises

Vetting Framework: All criminal record checks follow procedures outlined in our **Vetting and DBS Policy**.

5.2 What We Consider

For roles exempt under the Rehabilitation of Offenders Act, we can consider:

- All unspent convictions, cautions, reprimands, and final warnings
- Spent convictions that are not “protected” (filtered out)
- Information from police records relevant to safeguarding
- Any other information disclosed during the application process

5.3 Protected Information

We cannot consider and applicants need not declare:

- Protected cautions and convictions (filtered out by DBS)
- Spent convictions that meet the filtering criteria
- Information that is not relevant to the role

For current filtering rules, see: www.gov.uk/government/organisations/disclosure-and-barring-service

5.4 Safeguarding Considerations

Particular attention is given to:

- Offences against children or vulnerable adults
- Sexual offences of any nature
- Violent offences and domestic abuse
- Drug-related offences (supply/dealing)
- Offences involving positions of trust
- Patterns of concerning behaviour

6. Application Process

6.1 Self-Declaration

All application forms include a section asking applicants to declare:

- Unspent convictions, cautions, reprimands, and final warnings
- Any pending court cases
- Any other information they consider relevant
- Understanding of safeguarding responsibilities

Important: We only ask for information we are legally entitled to consider.

6.2 Honest Disclosure

We encourage honest disclosure because:

- It allows us to consider context and circumstances
- It shows integrity and openness consistent with our **Code of Conduct Policy**
- It enables us to provide appropriate support
- Failure to disclose relevant information may lead to offer withdrawal

6.3 No Automatic Exclusions

Having a criminal record does not automatically prevent employment. Each case is considered individually based on:

- **Nature of the conviction(s)** and relevance to working with young people
- **Time elapsed** since the conviction
- **Pattern of offending** (single incident vs repeat behaviour)
- **Steps taken towards rehabilitation** and personal development
- **References and evidence** of current suitability
- **Risk assessment** in relation to safeguarding responsibilities

7. Assessment Process

7.1 Initial Application Review

Applications are assessed first on:

- Skills, experience, and qualifications
- Commitment to working with young people
- Understanding of safeguarding responsibilities
- Alignment with BYO values and **Code of Conduct Policy**

Criminal history is considered alongside these factors, not in isolation.

7.2 Safeguarding Assessment Panel

For candidates with declared criminal history, assessment involves:

Panel Composition:

- **Designated Safeguarding Lead (DSL):** Joshua William Hall
- **Deputy DSL:** Hassan Alexander Kingsley
- **Senior Manager** for the role
- **Independent panel member** where appropriate

Assessment Process:

- Confidential discussion of circumstances and context
- Exploration of steps taken towards rehabilitation
- Risk assessment in relation to role and safeguarding
- Consideration of support and supervision needs

7.3 Decision Making

All decisions:

- Are made collectively by the assessment panel
- Are documented with clear reasoning
- Consider both rehabilitation and safeguarding factors
- Include recommendations for support and supervision
- Are subject to review and appeal

Key Contacts:

- **DSL:** Joshua William Hall (07925 328 728)
- **Deputy DSL:** Hassan Alexander Kingsley (07597 874 222)

8. Risk Assessment Framework

8.1 Safeguarding Risk Factors

Higher Risk Indicators:

- Offences against children or vulnerable adults
- Sexual offences (any nature or age of victim)
- Violence, including domestic abuse
- Drug supply/dealing offences
- Offences involving abuse of trust or authority
- Recent convictions or ongoing court proceedings

Risk Mitigation Factors:

- Significant time elapsed since conviction
- Single incident rather than pattern
- Evidence of successful rehabilitation
- Strong support systems in place
- Acknowledgment of harm caused and insight gained

8.2 Role-Specific Assessment

Direct Contact Roles:

- Enhanced scrutiny for any concerning convictions
- Additional supervision and support requirements
- Clear boundaries and professional expectations
- Regular review and monitoring

Indirect Contact Roles:

- Assessment of access to children and vulnerable adults
- Consideration of organisational reputation
- Professional conduct expectations
- Safeguarding awareness requirements

8.3 Rehabilitation Evidence

Positive indicators include:

- Stable employment or education since conviction
- Community involvement and positive references
- Completion of rehabilitation programs
- Demonstration of changed lifestyle and attitudes
- Strong support networks and personal development

Support Framework: Successful candidates receive ongoing support through our Recruitment, Selection and Onboarding Policy procedures and regular supervision.

9. Decision Outcomes

9.1 Possible Outcomes

Appointment with standard conditions:

- Full appointment with normal supervision arrangements
- Completion of all standard training requirements
- Regular performance monitoring

Appointment with enhanced support:

- Additional supervision and mentoring
- Graduated responsibilities and review periods
- Specific training and development plans
- Regular risk assessment reviews

Conditional appointment:

- Probationary period with specific conditions
- Enhanced DBS monitoring arrangements
- Restricted duties or supervised contact only
- Clear performance and conduct expectations

Non-appointment:

- Where risk cannot be adequately managed
- Clear reasoning provided and documented
- Signposting to support organisations
- Right of appeal through **Complaints Policy**

9.2 Ongoing Monitoring

For all appointments involving ex-offenders:

- **Regular supervision** meetings and support
- **Enhanced performance** monitoring and review
- **Professional development** opportunities and training
- **Continuous risk assessment** and adjustment

10. Ongoing Employment and Support

10.1 Continuous Disclosure

Staff and volunteers must inform their line manager if they:

- Receive any new convictions, cautions, or charges
- Are subject to police investigation
- Have any change in circumstances affecting their suitability
- Face any safeguarding concerns or allegations

Professional Obligations: These requirements align with our **Code of Conduct Policy** and safeguarding responsibilities.

10.2 Support and Development

Ongoing support includes:

- **Regular supervision** and professional development
- **Clear expectations** and professional boundaries
- **Training opportunities** and career progression
- **Peer support** and mentoring arrangements
- **Access to external** support services where appropriate

10.3 Review and Monitoring

- **DBS checks renewed** every 3 years minimum
- **Risk assessments reviewed** when circumstances change
- **Safeguarding training** updated regularly
- **Performance monitoring** and development planning

11. Confidentiality and Data Protection

11.1 Information Security

Criminal record information is:

- **Stored securely** with restricted access as per **Data Protection Policy**
- **Shared only** on a need-to-know basis for safeguarding
- **Retained** in accordance with DBS requirements and retention schedules
- **Destroyed** when no longer needed following secure procedures

11.2 Confidentiality Protocols

- **Information kept confidential** within the recruitment and safeguarding teams
- **Only relevant personnel** informed of assessment outcomes
- **Personal circumstances** not discussed unnecessarily
- **Dignity and privacy** respected throughout all processes

11.3 Information Sharing

Appropriate sharing may include:

- **Safeguarding concerns** with relevant agencies following **Child Protection Procedures**
- **Professional references** with consent and appropriate safeguards
- **Regulatory reporting** where required by law
- **Support agencies** with consent for ongoing assistance

12. Appeals and Complaints

12.1 Right to Appeal

Applicants can:

- Request detailed feedback on the decision and reasoning
- Appeal through our **Complaints Policy** procedures
- Seek independent advice from support organisations
- Contact the DBS if they believe their certificate is inaccurate

12.2 Alternative Reporting

- Whistleblowing procedures available if concerns about fairness or process
- Independent advice from external organisations
- Legal support through relevant agencies
- Regulatory bodies where appropriate

Fair Process: All appeals are handled through our **Complaints Policy** with independent review where appropriate.

12.3 Support Organisations

We can signpost to:

- **Unlock** (charity supporting people with criminal records): 0203 598 4841
- **Citizens Advice** for independent guidance and support
- **Local rehabilitation services** and support groups
- **Legal advice services** for employment rights

13. Training and Professional Development

13.1 Decision-Maker Training

All recruitment decision-makers receive training on:

- **Fair recruitment** of ex-offenders and legal requirements
- **Risk assessment** principles and safeguarding considerations
- **Unconscious bias** and discriminatory practice avoidance
- **Rehabilitation principles** and trauma-informed approaches

13.2 Organisational Awareness

All staff receive training on:

- **Inclusive practices** and second chance employment
- **Professional boundaries** and conduct expectations
- **Safeguarding responsibilities** and reporting procedures
- **Supporting colleagues** with diverse backgrounds

13.3 Ongoing Development

- **Regular policy updates** and refresher training
- **Best practice sharing** and case study learning
- **Partnership working** with rehabilitation organisations
- **Continuous improvement** based on experience and feedback

14. Quality Assurance and Review

14.1 Monitoring and Evaluation

We monitor:

- **Application patterns** and outcomes for ex-offenders
- **Effectiveness of support** provided to successful candidates
- **Incident rates** and safeguarding concerns
- **Feedback** from staff, volunteers, and stakeholders

14.2 Continuous Improvement

Annual review includes:

- **Policy effectiveness** and legal compliance
- **Best practice development** and sector learning
- **Stakeholder feedback** and consultation
- **Training needs** assessment and development

14.3 External Oversight

- **Partnership working** with rehabilitation agencies
- **Regulatory compliance** and inspection readiness
- **Sector benchmarking** and best practice sharing
- **Academic research** and evaluation participation

15. Related Policies

This policy should be read alongside:

- Safeguarding Policy Framework
- Child Protection Procedures
- Adult Safeguarding Procedures
- Recruitment, Selection and Onboarding Policy
- Vetting and DBS Policy
- Code of Conduct Policy
- Equality, Diversity and Inclusion Policy
- Data Protection Policy
- Complaints Policy
- Whistleblowing Policy
- Managing Allegations about Staff and Volunteers

16. Key Contacts

Internal Contacts

Designated Safeguarding Lead: Joshua William Hall (07597 874 222) **Deputy DSL:** Hassan Alexander Kingsley (07597 874 222) **Main Office:** 0121 448 7378

External Support

Unlock: www.unlock.org.uk (0203 598 4841) **Citizens Advice:** www.citizensadvice.org.uk **DBS helpline:** 03000 200 190 **ACAS Employment Relations:** 0300 123 1100

Emergency Contacts

If safeguarding concerns arise: Contact DSL immediately **Emergency services:** 999 for immediate danger **Police non-emergency:** 101

17. Key Principles Summary

We Believe In:

- **Second chances and rehabilitation** within safe frameworks
- **Fair assessment** based on individual circumstances and risk
- **Protecting young people** through rigorous safeguarding procedures
- **Transparency and honesty** in all our processes
- **Supporting people** to rebuild their lives positively

We Do Not:

- **Automatically exclude** people with criminal records
- **Discriminate unfairly** based on irrelevant factors
- **Share confidential information** inappropriately
- **Make decisions** without proper safeguarding consideration
- **Compromise** on child protection standards

Our Approach:

- **Balances rehabilitation** with safeguarding responsibilities
- **Considers context** and individual circumstances
- **Provides ongoing support** and professional development
- **Maintains transparency** while protecting confidentiality
- **Continuously improves** based on learning and experience

18. Commitment Statement

BYO is committed to creating opportunities for people from all backgrounds while maintaining the highest standards of safeguarding for the young people in our care. We believe that everyone deserves the opportunity to contribute positively to their community, and we will continue to assess applications fairly and thoroughly.

This policy reflects our commitment to both rehabilitation and safeguarding, ensuring we can provide opportunities while keeping young people safe.

Our approach recognises that people can change and that past mistakes do not necessarily define future potential, while acknowledging our absolute responsibility to protect the children and vulnerable adults we serve.

Document Control:

- This policy balances rehabilitation opportunities with rigorous safeguarding requirements
- All decision-makers receive appropriate training on fair assessment and risk evaluation
- Regular monitoring ensures both fairness and safety in recruitment decisions

Reviewed by:



Hassan Kingsley

Date: 27/06/2025

Next Review Date: 27/06/2026

This policy forms part of BYO's commitment to safeguarding and should be read alongside our complete Safeguarding Framework.

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