

Lead Scotland Recruiting People with Convictions Policy

The purpose of this policy is to provide assurance to applicants, staff and volunteers and guidance to those making recruitment decisions about our organisations process in assessing whether any conviction information provided to us, either through self-disclosure or in a disclosure certificate impacts on a person's ability to carry out the role that they have applied for or which they hold within our organisation. It is important to recognise that having a criminal record does not necessarily mean that someone cannot work or volunteer for our organisation.

Our organisation treats all applicants fairly and consistently in accordance with the requirements of Rehabilitation of Offenders Act 1974 (as amended). We do not differentiate between paid and unpaid roles when applying the criteria detailed in this policy, the assessment is based entirely on the requirements of the role and any information shared with us either through self-disclosure or contained in a disclosure certificate. The level of disclosure which we will access will be the appropriate level for the role (basic, standard, enhanced or PVG).

Where a position requires a disclosure we will make this clear on the application form, job advert and any other information provided about the post.

Self-Disclosure

We operate a fair recruitment process and will ensure anyone applying for or holding a role in our organisation is given the opportunity to discuss any unspent convictions which they are required to tell us about.

As part of our recruitment process, the self-disclosure form should be completed and returned with the application form. This self declaration form will be destroyed once a final decision is made on the recruitment.

How We Will Use Disclosed Information

Any information disclosed will be treated in the strictest confidence and only people required to see the information to help assess it will have access to it. There may be instances where we need to seek support or guidance externally (for example, from a solicitor). When this is necessary, we will not share any information which will identify you, only the information which we require support or guidance on.

Where information has been detailed on the self-disclosure form but is not shared on the disclosure certificate, we must always disregard this information as this means that you have provided information that you were not required to share.

We do, however, need to risk assess any conviction or vetting information carefully to ensure there is no risk to our organisation or those who use our services. In order to ensure we carry out a fair and consistent practice when we assess any conviction or vetting information, we will take into account the following criteria:-

- Is the conviction relevant to the position being offered?
- How serious was the offence?
- How long is it since the offence took place?
- Is there a pattern of offending behaviour?
- Have the personal circumstances changed since the time of the offending behaviour?
- How has the person become rehabilitated?
- Is the person barred from the type of regulated work we need them to do?

If we determine that the disclosed information is relevant to the role, we will withdraw the job or volunteering role offer. For those already in post, this may result in disciplinary action and could ultimately result in staff dismissal or being asked to cease volunteering. The reason(s) for our decision will be fully explained.

We will ensure that all our staff involved in the recruitment process are aware of this policy and have received relevant training and support.

We undertake to make a copy of this policy available to any applicant for a position with Lead Scotland that requires a disclosure. Having a criminal record will not necessarily debar you from working or volunteering with Lead Scotland. It will depend on the nature of the position, together with the circumstances and background of your offences or other information contained on a disclosure certificate or provided directly to us by a police force.

Appeals

If you feel that the risk assessment has not been carried out appropriately or that our decision is unfair, you have the right to appeal. Appeals can be made to our Chief Executive Officer in any format eg. by letter, email ewhitelock@lead.org.uk, telephone 0131 228 9441 or by video.

Approved by Lead Scotland Board of Directors November 2020