

POLICY STATEMENT ON RECRUITMENT OF EX-OFFENDERS

As an organisation that uses the Disclosure & Barring Service (DBS) to assess applicants' suitability for positions of trust, we comply fully with the DBS Code of Practice and undertake to treat all applicants for positions fairly. Age UK Leicester Shire & Rutland and associated companies undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

Age UK Leicester Shire & Rutland and associated companies are committed to the fair treatment of its staff, potential staff or users of its services, regardless of age, disability, gender, gender reassignment, marital status, pregnancy and maternity, religion or belief, race, religion, belief or sexual orientation, responsibilities for dependants, or offending background.

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.

Certain positions may be exempt from the provisions of the the Rehabilitation of Offenders Act that provide that an employer is not entitled to details of spent convictions. Those positions that are exempt from such provisions are because they involve working with children or other vulnerable individuals. Job applicants for such positions are required to provide details of any criminal record, cautions, reprimands or final warnings, spent or unspent if an enhanced disclosure is required. This will be stated on the job advertisement or recruitment literature. A request for disclosure of criminal record information is only request after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. Such information will only be viewed by those who need to see it as part of the selection process.

We ensure that all those in Age UK Leicester Shire & Rutland and associated companies 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, e.g. the Rehabilitation of offenders Act 1974 (Exceptions) Order 1975.

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 DBS check aware of the existence of the DBS Code of Practice and make a copy available on request.

Where there is any matter revealed in a Disclosure that we consider impacts on an individual's being able to do the role we undertake to discuss this with the person seeking the position before withdrawing a conditional offer of employment.

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 refer to the organisation's GDPR policy as to how we process an individual's personal details.

A Guide to spent and unspent convictions

Prison sentences & Community Orders (with a buffer period):

| Sentence/disposal | Buffer period for adults (18 and over at the time of conviction or the time the disposal is administered). This applies from the end date of the sentence (including the licence period). | Buffer period for young people (under 18 at the time of conviction or the time the disposal is administered). This applies from the end date of the sentence (including the licence period). |
|--|--|---|
| Custodial sentence* of over 4 years, or a public protection sentence | Never spent | Never spent |
| Custodial sentence of over 30 months (2 ½ years) and up to and including 48 months (4 years) | Full sentence + 7 years*** | Full sentence + 3½ years*** |
| Custodial sentence of over 6 months and up to and including 30 months (2 ½ years) | Full sentence + 4 years*** | Full sentence + 2 years*** |
| Custodial sentence of 6 months or less | Full sentence + 2 years** | Full sentence + 18 months** |
| Community order or youth rehabilitation order** | Full length of the order +1 year | Full length of the order + 6 months |

*Custodial sentence includes a sentence of imprisonment (both an immediate custodial sentence and a suspended sentence), a sentence of detention in a young offender institution, a sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000, a detention and training order, a sentence of youth custody, a sentence of corrective training and a sentence of Borstal training.

**In relation to any community or youth rehabilitation order which has no specified end date, the rehabilitation period is 2 years from the date of conviction.

*** Sentence length includes time spent on licence.

Other community sentences (with no buffer period):

| Sentence/disposal | Rehabilitation period for adults (18 and over at the time of conviction or the time the disposal is administered). | Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered). |
|--|---|--|
| Fine | 1 year | 6 months |
| Conditional discharge, | Period of the order | Period of the order |
| Absolute discharge | Spent immediately | Spent immediately |
| Conditional caution and youth conditional caution | 3 months or when the caution ceases to have effect if earlier | 3 months |
| Simple caution, youth caution | Spent immediately | Spent immediately |
| Compensation order | On the discharge of the order (i.e. when it is paid in full) | On the discharge of the order (i.e. when it is paid in full) |
| Binding over order | Period of the order | Period of the order |
| Hospital order (with or without a restriction order) | Period of the order | Period of the order |
| Referral order | Not available for adults | Period of the order |
| Reparation order | Not available for adults | None |
| Endorsement (imposed by a Court | 5 years | 2.5 years |
| Motoring disqualification (imposed by a Court | Length of disqualification | Length of disqualification |
| Relevant Order | Length of order | Length of order |