

1. Introduction

This document sets out the Skemer Community Boxing Club CIC's policy towards the recruitment of people with a criminal record.

The policy will apply to those seeking paid or unpaid work with Skemer Community Boxing Club CIC where a Basic Disclosure certificate (criminal records check) is required to obtain unescorted access to the government buildings where our offices are located.

The principles of this policy will also apply to volunteers and contract workers.

2. Recruitment and offers of employment

All applicants will be told when a basic level of disclosure is required in the job pack or volunteer agreement.

The appointment of the successful candidate will be conditional on receipt of a satisfactory Basic Disclosure certificate. When making the conditional offer of employment Skemer Community Boxing Club CIC will ask the successful candidate to apply online to Disclosure and Barring Service (DBS) for a Basic Disclosure certificate.

The DBS charges applicants a fee for the disclosure check, which may be paid by Skemer Community Boxing Club CIC on production of a receipt.

3. Disclosure information

The Disclosure certificate, once received by the applicant, should be sent to the Human Resources Department within four days of receipt. Human Resources will copy the certificate and return the original to the applicant

The information contained in the Disclosure is considered confidential sensitive personal information and the Skemer Community Boxing Club CIC will restrict access to those who are entitled to see it as part of their duties. The Skemer Community Boxing Club CIC also undertakes to ensure that disclosure information is:

- 3.1. treated fairly;
- 3.2. used solely for the purposes for which it was obtained;

- 3.3. handled and stored securely; and
- 3.4. kept for no longer than necessary – once the Baseline Personnel Security Standard decision has been made the copy of the Disclosure certificate will be destroyed, unless needed to allow for the consideration and resolution of any disputes or complaints.

4. Assessment of the relevance of criminal records

The Skemer Community Boxing Club CIC will only take a criminal record into account when the conviction is relevant. Since questions about criminal records are only asked of the successful candidate, applicants can feel assured that having a criminal record will play no part in the initial selection process.

The successful candidate can discuss any convictions, cautions, reprimands, warnings and final warnings they have, spent or unspent, with the Recruiting Manager and Board of Directors before they apply for a Basic Disclosure certificate.

Where the Disclosure certificate discloses a criminal record, an assessment to decide the relevance of the criminal record will be made. To reach a fair and balanced decision this assessment will involve an evaluation of the associated risks. Protection of the applicant's rights and interests must be weighed against the rights and interests of the organisation, its employees, those bodies or members of the public with whom an employee may come into contact.

The Recruiting Manager, in discussion with the Board of Directors, will consider each case on its individual merits but will take into account the following factors as a minimum:

- 4.1. the relevance of the offence to the duties and responsibilities of the post;
- 4.2. the seriousness of the offence and its relevance to the safety of other people and resources;
- 4.3. the length of time since the offence was committed;
- 4.4. the nature and background of the offence;
- 4.5. details of the circumstances that led to the offence (e.g. domestic or financial problems);
- 4.6. changes to the individual's circumstances that make reoffending less likely,
- 4.7. whether the individual has a history of re-offending; and
- 4.8. the country in which the offence was committed, for example some offences in England are not necessarily offences in Scotland and Wales.

Before a final decision is made the applicant will be given the opportunity to discuss the disclosure information with the Manager and Board of Directors. This will provide the applicant with the opportunity to explain, question and promote their own views.

Once a decision has been made, the Manager will confirm the decision in writing.

5. Starting work pending a disclosure

It is the Skemer Community Boxing Club CIC's policy that no one should be allowed to start paid or voluntary work before the Basic Disclosure certificate is received.

Arrangements should be reviewed on a regular basis, at least every two weeks, until the certificate is received. All other pre-employment checks must also have been completed including identity check and satisfactory references for the whole of the previous three years.

6. Portability

For applicants with a Data and Barring Service (DBS) check, the DBS has an Update Service, which will allow employers to check the status of criminal record checks online.

If an individual subscribes to the DBS Update Service, Skemer Community Boxing Club CIC can, with their consent, go online to check whether or not the individual's DBS certificate is up to date.

If the applicant requiring a Basic Disclosure certificate advises the organisation that they subscribe to the update service the Board of Directors will obtain a copy of the original DBS certificate and make the appropriate check.

7. Complaints

Applicants or staff who are unhappy with any aspect of the application of this policy should initially raise their concerns with the Head of Human Resources. Where this fails to produce a satisfactory resolution, applicants have the right to complain to the Board of Directors.

The above complaints procedure is intended to deal with Skemer Community Boxing Club CIC's own internal processes. Complaints relating to mistaken identity or the nature of the information given in a criminal record disclosure can only be dealt with by the DBS.