**Durham Diocesan Board of Finance**

**Recruitment of Ex-Offenders Policy**

Date of Approval by Bishop’s Council: 2 December 2024

Next Review Date: December 2026

**Introduction**

The Diocese of Durham welcomes applications for both paid and voluntary positions from interested and suitably qualified people, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience. Applications from ex-offenders will be considered on their merit.

As an organisation using the Disclosure & Barring Service (DBS) to assess applicants’ suitability for eligible posts, the Diocese of Durham undertakes to treat all applicants for positions fairly and not to discriminate on the basis of conviction or other information revealed. An application for a criminal record check is only submitted to the DBS for relevant roles in accordance with legislation and guidance from central government and the Church of England and it is proportionate and relevant to the position concerned. A disclosure is only requested where DBS eligibility criteria is met.

The Durham Diocesan Board of Finance is committed to the fair treatment of its staff (paid and voluntary), potential staff/officers or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background.

**Policy Scope**

The Durham Diocesan Board of Finance will apply this policy to office-holders, employed/paid and volunteer roles.

The Durham Diocesan Board of Finance follows the requirements of the Church of England’s Safer Recruitment and People Management Policy.

Copies of policies and documents referred to in this statement are available on request.

This policy statement sits alongside other Church of England policies and practice guidance relating to recruitment/appointment processes and safeguarding.

**Disclosure and Barring Service**

As an organisation which assesses applicants’ suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the Durham Diocesan Board of Finance complies fully with the [code of practice](https://www.gov.uk/government/publications/dbs-code-of-practice) and undertakes to treat all applicants for positions fairly - <https://www.gov.uk/government/publications/dbs-code-of-practice>

The Durham Diocesan Board of Finance undertakes not to discriminate unfairly against any person subject to a criminal record check on the basis of a conviction or other information revealed.

The Durham Diocesan Board of Finance will only ask an individual to provide details of convictions and cautions that the Durham Diocesan Board of Finance are legally entitled to know about, where a DBS certificate at either Standard or Enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).

Unless the nature of the position allows for questions about an entire criminal record to be asked, the Durham Diocesan Board of Finance will only ask an individual about “unspent” convictions and cautions as defined in the Rehabilitation of Offenders Act 1974.(ii)

The Durham Diocesan Board of Finance makes every person who is the subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](https://www.gov.uk/government/publications/dbs-code-of-practice) and makes a copy available on request

The Durham Diocesan Board of Finance will make this written policy on the recruitment of ex-offenders available to all applicants at the start of the recruitment process.

**Recruitment Process**

The Durham Diocesan Board of Finance selects all candidates for interview based on their skills, qualifications and experience (excepting where there is an ‘occupational requirement’ as laid out under the terms of the Equality Act 2010)

An application for a criminal record check is only submitted to DBS after a thorough assessment has indicated that a DBS check is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, role/job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being considered for the position.

Where a DBS check forms part of the recruitment/appointment process, a Church of England Confidential Declaration form (CDF) must be completed, and this should be referenced in all recruitment documentation from the outset. CDFs will only be viewed by those who need to see it as part of the recruitment and appointment process, including the Diocesan Safeguarding Officer/Adviser who will assess any information disclosed[[1]](#endnote-1).

The Durham Diocesan Board of Finance ensures that those in the Diocese of Durham who are involved in the recruitment process are required to undertake suitable training, including the Church of England Safer Recruitment and People Management training.

Any disclosure of a caution or conviction, whether for a serious violent and/or sexual offence or a conviction resulting in a custodial offence (whether or not suspended), or other intelligence information disclosed, will be referred to the Diocesan Safeguarding Officer/Adviser for an initial assessment. They will consult as appropriate with the individual responsible for the recruitment process as to whether the disclosure may affect suitability for the role. A disclosure is not necessarily a barrier to undertaking the position the individual applied for.

At interview, or in a separate discussion, the Durham Diocesan Board of Finance ensures 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.

Job/role offers are conditional based on satisfactory completion of the DBS check and receipt of satisfactory references.

The Durham Diocesan Board of Finance undertake to discuss any matter revealed in a disclosure with the person seeking the position before withdrawing a conditional offer of work (paid or voluntary).

1. A privacy notice supports the use of the Confidential Declaration Form

   (ii) Employers of occupational groups and professions which involve substantial contact with/or access to children, young people and vulnerable adults have a legal obligation to ask applicants for details of convictions, irrespective of whether they are spent or unspent, under the Exemptions Order of the Rehabilitation of Offenders Act [↑](#endnote-ref-1)