

AVPB Recruitment of Ex-Offenders policy

The work of AVP Britain is to support people to handle conflict, respond to violence constructively and build more positive relationships. AVP was first developed in prisons to work with offenders and ex-offenders. We now deliver workshops in the community as well as in prisons. Our priority groups are those we believe benefit most from AVP, being adults whose lives are affected by violence or abuse, this can include:

- People in the criminal justice system, at risk of offending, or who are ex-offenders.
- People who are affected by domestic abuse, as victims or perpetrators.
- People who are affected by violence or abuse which undermines their mental health.

Volunteers and paid staff work together to encourage the development of an ethos that embraces difference and diversity and respects the rights and dignity of all people. This policy applies to the recruitment of both staff and volunteers.

AVPB aims to make its workshops as inclusive and welcoming as possible. However we recognise that neglect and physical, sexual and emotional abuse exist and affect those in both the receiving and perpetrator positions, and that the organisation must be vigilant in its endeavours to recognise and prevent this in our work.

Our values:

We believe that people can change and desist from offending behaviour, and that AVP may contribute to this process. A criminal record does not necessarily preclude involvement in AVP.

We recognise our duty of care to participants, staff and volunteers, and are committed to taking appropriate action to prevent harm and distress to those working with us.

On very rare occasions, where an applicant's past offending behaviour may cause serious concern and we do not yet have sufficient evidence of long-standing behaviour change, we may limit an applicant's participation in AVP following a risk assessment.

Policy Statement

- As an organisation assessing 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 – PVG in Scotland), AVPB complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. AVPB undertakes not to discriminate unfairly against anyone subject to a criminal record check on the basis of a conviction or other information revealed.
- AVPB can only ask an individual to provide details of convictions and cautions that AVPB is legally entitled to know about. Where a DBS/PVG 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), AVPB can only ask an individual about convictions and cautions that are not protected.
- AVPB is committed to the fair treatment of its staff, potential staff, volunteers, potential volunteers and participants, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- AVPB has a written policy on the recruitment of ex-offenders, which is made available to all DBS/PVG applicants at the outset of the recruitment process.
- AVPB actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. AVPB selects all candidates for interview based on their skills, qualifications and experience.
- For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS/PVG certificate will be submitted in the event of the individual being offered the position.
- AVPB ensures that all those in AVPB who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. AVPB also ensures 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.

- At interview, or in a separate discussion, AVPB ensures that an open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to the withdrawal of an offer of employment.
- AVPB makes every subject of a criminal record check submitted to DBS/PVG aware of the existence of the DBS Code of Practice and makes a copy available on request.
- AVPB undertakes to discuss any matter revealed on a DBS/PVG certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Aims

In accordance with our Safeguarding Policy, we aim to appropriately safeguard the health and well-being of all our participants, staff and volunteers as well as partner organisation staff and volunteers.

Recruitment procedures

Recruitment advertisements will state that all posts are subject to DBS/PVG checks, and that AVPB is willing to consider applications from ex-offenders. Two references (not from friends or family) will also be required.

Details about convictions (not a Disclosure) will be requested only from people invited to interview. This is to be done confidentially, in a separate letter (not in the application form).

Where Probationary Services are involved, they will be consulted at all stages of recruitment of staff or volunteers. All communication with Probationary Services shall be confirmed in writing (emails are acceptable).

A Disclosure will be required before any final recruitment decision. Job offers can be made subject to references and Disclosure.

Risk assessment

Risk-assessments shall be carried out on an individual basis. Procedures for risk assessment can be found in Appendix.

Confidentiality

In accordance with guidance from the Chartered Institute of Personnel and Development's *Employing Ex-Offenders: A Practical Guide* (p.8), we will ensure that:

1. Information regarding offences is kept confidential. Applicants need to feel confident that information about their convictions will not be disclosed to anyone unless there is a specific reason for doing so.
2. Only the people directly responsible for recruitment, whether or not in the personnel department, should be informed of an applicant's criminal record.
3. The successful applicant should be informed who in the organisation is told about the conviction and the reasons why the information has been disclosed to those people. If the individual's line manager was not directly involved in the recruitment process, they should only be informed of the offence if it is directly connected with the job.
4. Offence information must be kept securely in lockable filing cabinets. Access to keys should be restricted to individuals responsible for recruitment and those in personnel who need access to the files.

Support and supervision

All staff and volunteers, including ex-offenders who are recruited, shall be assigned a mentor. New recruits will be consulted about who they would like to have as mentor. Mentoring is a requirement for all AVP staff and volunteers.

Date approved by Board of Trustees: 1 June 2018

Date for next review: June 2021

Appendix: Procedures for risk assessment

Disclosures will be received by the Safeguarding Officer. When there is a criminal record, it will be risk-assessed by the Safeguarding Officer in consultation with one or two Trustees designated by the Board and trained for this purpose.

The following guidance is taken from the Chartered Institute of Personnel and Development's *Employing Ex-Offenders: A Practical Guide* (p.6).

'The suitability for employment of a person with a criminal record will vary, depending on the nature of the assigned tasks and the details and circumstances of any convictions. Deciding on the relevance of convictions to specific posts is not an exact science. An assessment of an applicant's skills, experience and conviction circumstances should be weighed up against the risk assessment criteria for the job or role. An applicant's criminal record should be assessed in relation to tasks they will be required to perform and the circumstances in which the work is to be carried out. We should consider these points when deciding on the relevance of offences to particular posts:

1. Does the post/role involve one-to-one contact with children or other vulnerable groups as employees, customers or clients?
2. What level of supervision will the post holder receive?
3. Does the post involve any direct responsibility for finance or items of value?
4. Does the post involve direct contact with the public?
5. Will the nature of the job/role present any opportunities for the post holder to reoffend in the course of work?

In some cases, the relationship between the offence and the post will be clear enough for us to decide easily on the suitability of the applicant for the job. For shortlisted applicants who have met the requirements of the person specification and then disclose a criminal record that is not related directly to the post, you should discuss the relevance of each offence with the applicant. We need to take these issues into account:

1. The seriousness of the offence and its relevance to the safety of other employees, volunteers, participants or property
2. The length of time since the offence occurred
3. Any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example, the influence of domestic or financial difficulties
4. Whether the offence was a one-off, or part of a history of offending
5. Whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely
6. Whether the offence has been decriminalised by Parliament
7. The country in which the offence was committed. Some activities are offences in Scotland and not in England and Wales, and vice versa
8. The degree of remorse, or otherwise, expressed by the applicant and their motivation to change.'

Facilitators will also be asked to supply referees, and these will be followed up before a new Facilitator can start.