

# CANTERBURY COLLEGE

## Policy on the Recruitment of Ex-Offenders

and

## Security of Disclosure Information

### 1. The Requirement for Criminal Record Checks by Canterbury College

Canterbury College is a Registered Body with the Criminal Records Bureau for the purposes of obtaining access to criminal record checks for employment and voluntary appointments. It is of fundamental importance to the College to ensure so far as possible that those who take up appointments do not pose a risk to the children in its care. It is therefore important for the College to apply for and review the past criminal records of all successful applicants for positions, before making a formal offer of appointment. The College considers it also essential that the confidential and personal Disclosure information from the Criminal Records Bureau is used fairly and sensibly in order to avoid unfair discrimination of applicants for appointments at the College.

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. We select all candidates for interview based on their skills, qualifications and experience.

**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.

### 2. Reasons for Requiring Disclosure

In accordance with the Commission of Social Care Inspection requirements, all employees at Canterbury College must have undertaken an Enhanced Disclosure. All job details and formal offers of employment will contain a statement that a Disclosure will be requested.

Prior to a request by the College to undertake a criminal record check, applicants are encouraged to advise the College of details, in confidence, of relevant convictions and other associated information (including police enquiries and pending prosecutions).

### 3. Types of Disclosure

Criminal record checks from the Criminal Records Bureau are referred to as 'Disclosures'. In accordance with the above requirements all Disclosures at the College are undertaken on an Enhanced basis.

Normally, Enhanced Disclosures are required for positions that involve a greater degree of contact with children, including caring for, supervising, training or being in charge of young people, e.g College environment.

Enhanced Disclosures include details of all convictions held on the Police National Computer, including current and 'spent' convictions, as well as details of any cautions, reprimands or final warnings. The Disclosure will also indicate whether information is held on Government department lists held by the Department of Health and the Department for Education and Employment. In addition, Enhanced Disclosures include a check on local police records.

#### **4. Application Procedure**

Applicants will be required to provide proof of their identity to the College, including a birth certificate, one item of photographic evidence (such as a passport or photocard driving licence), plus at least one item of address-related evidence (such as a utility bill). Where an applicant has changed his/her name by deed poll or for other reasons (e.g. marriage, adoption) the College will require evidence of this change of name. The CRB Application Form will be completed and signed by the applicant for the position and countersigned by a registered person at the College.

#### **5. Consideration of Disclosure Information by the College**

On receipt of Disclosure from the Criminal Records Bureau the College shall consider the following:

- i. Whether the conviction or other information disclosed is relevant to the position in question.
- ii. The seriousness of the offence or other matter revealed.
- iii. The length of time since the offence or other matter occurred.
- iv. Whether the applicant has a pattern of offending behaviour or other relevant matters.
- v. Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters.
- vi. The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

#### **6. Criminal Records Bureau Code of Practice**

The College agrees to comply with the provisions of the Criminal Records Bureau Code of Practice, a copy of which can be obtained from the College's Personnel Department or the Criminal Records Bureau.

#### **7. Security of Disclosure Information**

Given the confidential nature of the Disclosure information, the College will ensure that it is stored securely. Documents will be locked away, with restricted access limited to senior members of staff involved in the recruitment. Once a recruitment decision has been made, the College will not retain the Disclosure information for any longer than necessary, which shall normally be not more than 6 months. All disclosure information will be destroyed by secure methods (such as shredding or burning).

For further details, please refer to the College "Security Policy for Handling Disclosure Information".

## **8. Consequences of failure to reveal information**

Failure to reveal information that is directly relevant to the position could lead to withdrawal of an offer of employment, or the termination of the employment if it has commenced.

## **Security Policy for Handling Disclosure Information Received**

### **From the Criminal Records Bureau**

#### **Security of Access**

- a) In accordance with s.124 of the Police Act 1997, Disclosure information will only be accessed by those authorised to receive it in the course of their duties. The subject of the Disclosure information will be given details of the names of those who have access to it.
- b) We recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

#### **Usage**

Disclosure information is only used for the specific purposes for which it was requested and for which the applicant's full consent has been given.

#### **Storage**

- a) All recipients of Disclosure information will store all confidential documents issued by the CRB in secure conditions. Documents will be locked in non-portable storage containers.
- b) Keys for such storage units will be restricted to those named individuals who have access to the Disclosure information and who are engaged in recruitment.

#### **Retention of Disclosure Information**

- a) Once a recruitment decision has been made, the College will not retain the Disclosure information or any associated correspondence for any longer than is necessary. In general, this will not exceed 6 months from the date of the formal offer of appointment being made to the applicant.
- b) In the event of any dispute with the applicant over the content of the Disclosure information, documents may need to be retained for a longer period, but in general this should not be longer than 6 months after resolution of the dispute.
- c) If, in exceptional circumstances, it is considered necessary to retain Disclosure information for a longer period, the CRB will be consulted by the College for their agreement to this.

#### **Destruction of Disclosure Information**

- a) The College will destroy Disclosure information by suitably secure means, i.e shredding. The Disclosure information will not be stored in any insecure receptacle whilst awaiting destruction (such as a waste bin or waste sack).
- b) The College will not retain any photocopies or other notes of the Disclosure information, save for:
  - retaining details of the date of a Disclosure;
  - the name of the subject;
  - the type of Disclosure;
  - the position in question;
  - the unique number issued by the CRB to the Disclosure; and
  - the recruitment decision that was taken.

### **Missing Disclosure Information**

If Disclosure information is lost, the College will inform the CRB and the subject of the information as soon as possible.