

## National Spiritual Assembly of the Bahá'ís of the UK

### Policy on the Recruitment of Individuals Who Have a Criminal Record

Adopted March 2004: Reviewed April 2017

- ❖ As an organisation using the Disclosure and Barring Service (DBS) to assess 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 National Spiritual Assembly of the Bahá'ís of the UK and its agents (henceforth the National Assembly) complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. They undertake not to discriminate unfairly against any subject of a certificate on the basis of conviction or other information revealed.
- ❖ The National Spiritual Assembly and those acting on its behalf use the DBS to ensure that all those applying for posts, whether paid or voluntary, are suitable candidates. All candidates will be treated fairly in the light of any information disclosed by this process and a conviction will not automatically bar them from employment in any capacity.
- ❖ The National Assembly is committed to the fair treatment of its staff, potential staff or users of its services regardless of race, gender, religion, responsibilities for dependants, age, physical/mental disability or offending background.
- ❖ We have this written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.
- ❖ 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.
- ❖ We will request a DBS check only if the work involved in a post has been proved to require it because of the potential risks involved. **For those positions where a DBS check is required**, all application forms, job adverts and recruitment briefs and requests for volunteers will contain a statement that **a DBS check will be requested in the event of the individual being offered the position.**
- ❖ Where a DBS certificate is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential, cover to a designated person working for the National Assembly and we guarantee that this information is only seen by those who need to see it as part of the recruitment process.
- ❖ We can only ask a person to provide details of convictions and cautions that the National Assembly are legally entitled to know about. When making decisions we will no longer be able to take an individual's old and minor cautions and convictions into account if these are 'filtered' and 'protected'. Filtering is the term that the DBS uses to describe the process which will identify and remove

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protected convictions and cautions so that they are no longer disclosed on a criminal record certificate issued by the DBS.<sup>1</sup>

- ❖ Where a DBS certificate at either standard or enhanced can be legally 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), **the National Assembly can only ask a person about convictions and cautions that are not protected.**
- ❖ We make sure that all those working for the National Assembly or its agencies have been trained to assess whether or not an offence is relevant to the post. 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.
- ❖ We will create an appropriate opportunity to discuss any offences or relevant considerations that might impact upon the interview outcome. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment/a volunteer post.
- ❖ We make every subject of a DBS certificate aware of the existence of the DBS Code of Practice and make a copy available on request.<sup>2</sup>
- ❖ We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment/a volunteer post.
- ❖ **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.

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<sup>1</sup> <https://www.gov.uk/government/collections/dbs-filtering-guidance>

The website directs applicants to the guidance and criteria which explains the [filtering of old and minor cautions and convictions](#) which are now 'protected' so not subject to disclosure to employers

<sup>2</sup> DBS Code of Practice: <https://www.gov.uk/government/publications/dbs-code-of-practice>