

CRIMINAL RECORDS DISCLOSURE INFORMATION FOR JOB APPLICANTS

Clean Break welcomes applications from women with lived experience of the criminal justice system for all posts. Criminal records will only be taken into account for recruitment purposes when the conviction is relevant.

For each role, we decide the level of disclosure verification we consider to be necessary from the Disclosure & Barring Service (DBS), depending on the specific nature of the role. For some roles, this will be a Basic check; for others, Enhanced check or Enhanced Check for Regulated Activity.

We make it clear in each Recruitment Pack which level of check we will carry out for that role.

A **Basic Check** contains details of an individual's convictions and conditional cautions considered to be **unspent** under the terms of the Rehabilitation of Offenders Act 1974. Under the Act, eligible convictions or cautions become spent after a specified period of time known as the rehabilitation period, the length of which varies depending on how the individual was dealt with.

An **Enhanced Check** is for roles exempt from the Rehabilitation of Offenders Act and included in the Police Act Regulations. It details all spent and unspent convictions and cautions held on the Police National Computer (PNC) unless they are eligible for removal (often referred to as 'filtered' or 'protected').

An **Enhanced Check for Regulated Activity** involves an Enhanced Check as above but also provides barred list information. The barred lists contain information on individuals who are barred from engaging in regulated activity with Children (the Children's Barred List) or Adults (the Adults' Barred List). An employer is breaking the law if they knowingly employ an individual in regulated activity with a group that they are barred from working or volunteering with. Individuals are breaking the law if they seek, offer or engage in regulated activity with a group that they are barred from working or volunteering with. For some roles, we must carry out a check of one or both lists.

For further information on levels of checks, we recommend the Information Hub provided by charity Unlock [Stages of a criminal record](#) and Nacro's guide on the

Rehabilitation of Offenders Act: <https://www.nacro.org.uk/wp-content/uploads/2018/07/Rehabilitation-of-Offenders-Act-1974-Guide-2018.pdf>

With the exception of the Barred Lists, even where a Check discloses relevant information, this information will not necessarily bar you from employment. This will depend on the circumstances and background to your offence(s). Disclosure information **will be interpreted fairly** and discussed openly with you in order to assess job-related risks.

At application stage

Because Clean Break has a policy of actively encouraging applications from women with lived experience of the criminal justice system, we do give applicants the opportunity to tell us if they have lived experience at application stage.

We ask a simple yes/no question during the application submission process, in order to fulfil our commitment to offer an interview to all candidates disclosing lived experience of the criminal justice system who demonstrate in their application that they meet our minimum criteria. Each candidate's answer to this question is therefore made available to the shortlisting team as well as being available to a small number of staff members with designated HR responsibilities.

It is important that we give you the opportunity to disclose any information you wish to draw attention to that may improve our understanding of your situation and support fair decision-making.

If you would like to discuss a disclosure with the relevant manager before an interview or following a provisional offer of work, please contact recruitment@cleanbreak.org.uk or 020 7482 8600 and ask to be arrange a time to speak with the Hiring Lead for this position. Alternatively, written details can be submitted in confidence to the Hiring Lead in an envelope marked 'Private and Confidential' – in person, or sent by post to our registered address (found on our website home page (<https://www.cleanbreak.org.uk/>))

The interview stage in the selection process will always be focused on assessing each applicant's relevant skills, experience, knowledge and qualities - their ability

to do the job. Applicants will be judged on merit, with reference to the Job Description and Person Specification.

Following a job offer

Clean Break currently uses Disclosure Services (disclosureservices.com) to carry out DBS checks following a conditional offer of employment.

Information provided by Disclosure Services will be given directly to a staff member with designated HR responsibilities. If the information disclosed is considered to be relevant to the offer of employment, the HR staff member will bring it to the attention to of the Line Manager for the role and the Executive Director, for further discussion, and we will inform you.

In line with the DBS code of practice, during any further discussion we will take into account the seriousness and nature of any offence, the length of time since the offence was committed, the circumstances surrounding the offence and any explanation offered by you.

Under the Data Protection Act, specific safeguards apply to personal data relating to criminal convictions and offences, which are factored into Clean Break's Data Protection and Confidentiality Policies and Procedures.

If you have questions about our approach, please contact us by emailing recruitment@cleanbreak.org.uk

Last updated: May 2021

Updates made: additional link to useful information about Rehabilitation of Offenders Act; updated wording around opportunity to disclose at application stage (this is up to the applicant)