



## **Devon Rape Crisis & Sexual Abuse Services**

### **Disclosure and Barring Service Checks and Recruitment of Ex-offenders Policy**

#### **Purpose**

This document sets out Devon Rape Crisis and Sexual Abuse Services' (DRCSAS) overall approach to the involvement of ex-offenders in DRCSAS and the accountability for decision-making in the area of ex-offenders involvement in DRCSAS.

#### **1. General**

- 1.1 DRCSAS is committed to the principle that as an employer and a provider of charitable services, it should provide equal opportunities to all members of the community. In particular, it is recognised that there is a responsibility not to discriminate unfairly against ex-offenders who may have valuable experiences to draw on.
- 1.2 It is also recognised that some of the client group with whom DRCSAS works may be vulnerable. Since the primary concern must be the welfare of the people for whom our services are provided it would therefore not be appropriate for DRCSAS to accept potential volunteers, staff or Trustees with certain convictions.

#### **2. DBS Checks**

- 2.1 All staff, Trustees and volunteers are required to undertake an enhanced Disclosure and Barring Service (DBS) check with children's and/or adults' barred list check before they can become a permanent part of DRCSAS.
- 2.2 If a member of staff, Trustee or volunteer has carried out an enhanced DBS check with another organisation after the 17<sup>th</sup> June 2013, and has registered with the DBS update service (which needs to be renewed annually by the applicant), DRCSAS will check their DBS certificate status online.
- 2.3 No employed staff, volunteer or Trustee will be appointed to DRCSAS if they have convictions covered in Schedule 15 of the Criminal Justice Act 2003. Schedule 15 of the 2003 Act lists all violent and sexual offences and incorporates Schedule 1 offences from the Children and Young People Act 1933.
- 2.4 Potential staff, Trustees and volunteers will be told that all previous convictions need to be disclosed on their DBS form, even ones that they consider to be 'spent'.
- 2.5 DRCSAS reserves the right to ask any staff member, volunteer or Trustee to renew their DBS check at any point during their work for DRCSAS.

2.6 All decisions regarding staff, volunteers and Trustees in relation to this document must be recorded.

### **3. Staff**

3.1 If after the DBS check has been completed, it becomes apparent that the potential staff member has not disclosed a previous conviction, a member of the interviewing panel must re-interview the person to discuss fully why disclosure did not take place and report to the Board of Trustees. Non-disclosure will normally result in the potential staff member being rejected, unless the Board of Trustees agree that that the potential staff member's reason for non-disclosure is acceptable.

3.2 A prospective member of staff who has convictions covered in Schedule 15 of the Criminal Justice Act 2003 will be precluded from employment with DRCSAS.

3.3 All final decisions regarding the offer of employment to a person with previous criminal convictions rest with the Board of Trustees.

### **4. Volunteers**

4.1 If after the check has been completed, it becomes apparent that a potential volunteer has not disclosed a previous conviction, the Volunteer and Training Co-ordinator must re-interview the person to discuss fully why disclosure did not take place and report to the Chief Executive Officer. Non-disclosure will normally result in the potential volunteer being rejected unless the Volunteer and Training Co-ordinator and Chief Executive Officer agree that the potential volunteer's reason for non-disclosure is acceptable.

4.2 A prospective volunteer who has convictions covered in Schedule 15 of the Criminal Justice Act 2003 will be precluded from volunteering with DRCSAS.

4.3 In all cases, DRCSAS has discretion to reject potential volunteers based on their evaluation at first interview and during the training course. Where there is any doubt as to how the individual's previous offending will affect her suitability as a volunteer, the individual should not be accepted at DRCSAS. However, it should be stressed that, with the exception of points 3.1 and 3.2 above, no one should be rejected only on the basis of a previous conviction.

### **5. Trustees**

5.1 If after the check has been completed, it becomes apparent that a potential Trustee has not disclosed a previous conviction, the Board of Trustees will nominate a member to meet with the person to discuss fully why disclosure did not take place and report back to the full Board. Non-disclosure will normally result in the potential Trustee being rejected unless the Board of Trustees agree that that the person's reason for non-disclosure is acceptable.

5.2 A prospective Trustee who has convictions covered in Schedule 15 of the Criminal Justice Act 2003 will be precluded from taking on this role.

## **6. Review of DBS Checks**

6.1 The DBS check of all Trustees, staff and volunteers will be undertaken every 3 years.

6.2 Records of DBS checks will be kept.

**Policy Backing Sheet**

**Name of Policy:** Disclosure and Barring Service Checks and Recruitment of offenders Policy Ex-  
**Date Agreed by BoT:** 05/09/2011

**Date Amended**

22/07/2013

05/02/2018

**Date to be Reviewed**

February 2021