

## LONDON BOROUGH OF WALTHAM FOREST

### GUIDELINES ON EMPLOYING PEOPLE WITH CRIMINAL RECORDS

The objective of London Borough of Waltham Forest on disclosure information is:

- to ensure that disclosure information is used fairly in the recruitment process to prevent discrimination against **staff, volunteers, service users, potential employees and ex-offenders** on the basis of conviction or other details.
- to maximise the protection for children in Waltham Forest schools and other vulnerable people against those who might wish to harm them.

Our guidelines comply with the Criminal Records Bureau (CRB) Code of Practice under section 122 of the Police Act 1997, which is available on request.

#### Recruitment Process

Waltham Forest will carry out risk assessments for each position and encourage managers to adopt an open mind in recruitment decisions. In making recruitment decisions our managers will:

- Assess the nature and relevance of the offence, the potential risks involved in employing the offender, and how these could be sensibly and effectively managed.
- Recognise that having a criminal record will not necessarily be a bar to obtaining a position
- State that an Enhanced level of Disclosure is applicable to all school based staff.
- Discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- State that applicants for school appointments are required to disclose any criminal conviction as the nature of the post allows questions to be asked about the applicant's entire criminal record.

#### Recruitment of Ex-Offenders

Positions in schools are exempted from the provisions of the Rehabilitation of Offenders Act 1974 and applicants will be required to declare any convictions, cautions or reprimands, warnings or bind-overs which they have incurred, including any that would be regarded as 'spent' under the Act in other circumstances.

All applicants offered employment will be subject to a criminal record check from the Criminal Records Bureau before the appointment is confirmed. This will provide details of any criminal convictions, cautions, reprimands and final warnings, and any other information that may have a bearing on the applicant's suitability for the post.

Having a criminal record will not necessarily bar an applicant from being appointed, this will depend on the nature of the position and the circumstances and background of the offence.

#### Declaration of Convictions

Applicants will be required to declare any convictions, or any other information that may be relevant, at an early stage in the recruitment process. **Failure to declare a conviction, caution or bind-over may, however, disqualify an applicant from appointment, or result in summary dismissal if the discrepancy comes to light.**