



## **Recruitment of Individuals with a Criminal Record Policy**

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### **Policy Statement**

This policy outlines Play Inclusion Project's approach to the use of criminal record checks and the recruitment of individuals with criminal convictions.

It has been developed to:

- Ensure that disclosure information is used fairly in the recruitment process.
- Ensure compliance with the Rehabilitation of Offenders Act 1974.
- Prevent discrimination against staff, volunteers, service users, potential employees, and ex-offenders based on conviction or other details.
- Maximise protection for children, young people, and other vulnerable individuals from those who may wish to cause harm.

### **Scope**

This policy applies to all staff, volunteers, and prospective applicants within Play Inclusion Project.

Play Inclusion Project assesses the suitability of applicants for positions included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS).

All applicants are treated fairly and confidentially, in line with the DBS Code of Practice and the Data Protection Act.

### **Recruitment Process**

#### **Advertisements and Application Forms**

- For positions requiring a DBS check, all adverts, application forms, and supporting documents will state that a DBS check is required if a conditional offer is made.

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- Application forms include a statement clarifying that having a criminal record will not automatically bar employment, depending on the nature of the role and the context of offences.
- Play Inclusion Project's Equal Opportunities Policy and Recruitment Policy for People with Criminal Records will be made available to all applicants upon request.

### Selection, Interviews, and Job Offers

- Candidates are selected for interview based solely on skills, qualifications, and experience.
- Recruitment staff are trained to assess the relevance and circumstances of any offences and understand the legislation relating to the employment of ex-offenders.
- Applicants are only asked to disclose convictions and cautions that PIP is legally entitled to know. Spent convictions and minor cautions ("protected" information) are not requested.
- Applicants have the opportunity to disclose any relevant "unprotected" convictions on a self-disclosure form, along with additional context to ensure fair assessment.
- Disclosure information is treated confidentially.
- Conditional offers will only be withdrawn if a DBS check confirms that the applicant is unsuitable for the role, following discussion with the candidate.

### Suitability of People with Criminal Records

- Roles within Play Inclusion Project involve 1:1 contact with children and vulnerable adults, which are exempt from the Rehabilitation of Offenders Act 1974.
- Offences that are filtered by the DBS are ignored.
- All staff and volunteers undergo enhanced DBS checks, including checks against the Child Workforce Barring Lists, where relevant.
- Staff performing regulated activities, including personal care, are also subject to DBS checks.

### Standing Conditions for Recruitment

- Applicants barred from working with children or vulnerable adults will not be employed.
- Applicants must disclose offences on the self-disclosure form; failure to do so may result in withdrawal of a job offer.
- Certain offences are always considered relevant, including violent or sexual offences, serious drug offences, and serious offences of dishonesty.
- Driving offences may be relevant for roles requiring driving duties.
- Applicants with disclosed offences must discuss these openly and honestly during the recruitment process.

### Assessing Disclosed Criminal Records

When criminal records are disclosed, Play Inclusion Project will consider:

Relevance:

- Whether offences are filtered or exempt from disclosure.
- Whether the offences bar the individual from working with vulnerable children or adults.
- Compliance with Schedule 4 of the Criminal Justice and Courts Service Act 2000, Protection of Children Act 1999, and related legislation regarding barred individuals.

Seriousness:

- Dishonesty/theft (e.g., shoplifting, burglary).
- Violent offences (e.g., affray, grievous bodily harm).
- Criminal damage (e.g., arson, vandalism).
- Sexual offences (e.g., sexual assault, rape).
- Drug offences (e.g., possession, intent to supply).
- Driving offences (e.g., dangerous driving, causing death by dangerous driving).

Pattern:

- Frequency and recency of offences (particularly within the last 3–5 years).
- Circumstances surrounding offences and subsequent behaviour.
- Age at which offences were committed.

Attitude:

- Acceptance of responsibility.
- Expression of remorse.
- Understanding of how past behaviour impacts current work and society.

### **Storage, Access, and Handling of DBS Information**

Certificate information is never stored within an individual's main personnel file.

All DBS certificate data is stored digitally on the Care Check platform, accessible to the Recruitment & Training officer and the Chief Executive Officer (CEO).

A minimal paper record (applicant's name, certificate number, and issue date) is kept in a locked cabinet for audit purposes.

It is a criminal offence to share DBS information with unauthorised individuals.

Certificate information is used solely for the purpose for which it was requested and with the applicant's consent.

### **Retention and Disposal**

Full DBS certificate information will be retained for a maximum of 12 months following receipt. This allows time to resolve disputes, complaints, or recruitment decisions.

In exceptional cases, information may be retained longer only after consultation with the DBS and in accordance with the Data Protection Act 2018 and the individual's rights.

Once the retention period has elapsed, Play Inclusion Project will ensure that any DBS certificate information is immediately destroyed by placing it in the Shred-It bin (further information can be found in the Shred-It Policy).

Play Inclusion Project retains only the following data indefinitely:

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- Applicant's name
- Certificate number
- Date of issue
- Type of check and outcome (clear or information disclosed)

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