

RECRUITING PEOPLE WITH CRIMINAL RECORDS

As an organisation committed to equality and diversity, we recognise the contribution that all people can make as employees or volunteers and so we welcome enquiries of interest from everyone.

We recognise that many potential employees and volunteers may be ex-offenders and/ or have criminal records, and might be reluctant to apply for roles that would involve the disclosure of them. We understand that people are often ashamed and embarrassed about their cautions and convictions, and fear they will not be treated fairly because of them. We also understand that obtaining gainful employment or voluntary work can enable people who have put their criminal past behind them to become productive, financially independent members of society. We would like to reassure all our potential employees and volunteers that we judge everybody first and foremost on their skills, experience and merits.

Macmillan is a supporter of the [Ban the Box campaign](#), which believes that asking applicants about a criminal record at the job or voluntary role offer stage is a more appropriate time in the recruitment process to consider criminal convictions than at the initial application stage. At Macmillan, we do not ask candidates questions about previous convictions at the time that they apply. This ensures that we consider applicants first and foremost on the grounds of their skills, experience and ability to do the job or volunteer role. We only ask applicants about criminal records when we make a job/ voluntary role offer; we then ask them to make a confidential declaration in the form of a written disclosure statement. All information disclosed will be treated in the strictest confidence. We do this at the same time we take references. We reserve the right to withdraw job or volunteer role offers should a disclosure be made that we feel places Macmillan, or those related to the charity, at risk.

Failure to disclose unspent convictions could result in disciplinary proceedings or dismissal and volunteers may be asked to leave their role.

Applying for roles that are covered by the Rehabilitation of Offenders Act (non DBS/ PVG/ Access NI roles)

If you are applying for a role (paid or voluntary) that is covered by the Rehabilitation of Offenders Act 1974, Macmillan will:

- Ask you to complete a confidential declaration (see attached) disclosing any unspent convictions
This declaration needs to be completed by all applicants applying for roles that DON'T require a criminal record check (DBS, PVG, Access NI)
- Further information about which roles are covered by the Act, and when a caution or conviction becomes spent can be found [here](#).



Criminal record declaration form for r

Applying for roles that are exempt from the Rehabilitation of Offenders Act

If you are applying for a role (paid or voluntary) that is exempt from the Rehabilitation of Offenders Act 1974, Macmillan will:

- Ask you to complete a confidential declaration (see attached) in relation to any convictions, cautions, reprimands and final warnings that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.
This declaration needs to be completed by all applicants applying for roles that DO require a criminal record check (DBS, PVG, Access NI)



Criminal record declaration form for r

- Ask you to agree to a criminal record check appropriate to the role applied for. This will be made with the Disclosure and Barring Service (formerly the Criminal Records Bureau) in England and Wales, PVG in Scotland and Access NI in Northern Ireland. If the Disclosure reveals information that we were not previously aware of, we will discuss the matter with you before making a final decision. Help with guidance and criteria on the filtering of cautions and convictions can be found [here](#).

It is important that all applicants understand that it is a criminal offence to apply for a post or volunteer role if you have been disbarred, in law, from applying.

We work on the assumption that people applying for voluntary work in order to help others, to meet new people, to develop new skills, to make a difference, etc., have no ulterior motive in seeking such work. With this in mind, we will wherever possible provide opportunities for people, and do so in ways that will not put you or our service users at risk.

All new paid and volunteer roles will be subject to a risk assessment using the criminal record risk hazard form (attached). Any roles deemed to be high risk will be reconsidered, or brought to the attention of the Health & Safety Manager, or the Safeguarding Manager, and appropriate steps taken.



Criminal record risk hazard form.doc

Policy updated:	October 2015
Review date:	October 2016
Updated by:	Clare Fowler, Deputy Safeguarding Manager
Signed off:	Neil Morter, Andrew Hyland, Volunteering Management Team August 2015
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