



PACTO

Pembrokeshire Association of Community Transport Organisations
Cymdeithas Mudiadau Cludiant Cymunedol Sir Benfro

Criminal Records Policy

Introduction

The purpose of this policy is to set out PACTO's approach to recruitment and selection of volunteers and staff who may have a criminal record. (To be read in conjunction to the volunteering and vulnerable adult protection policy).

Aims of Policy

The aim of the policy is to:

- Select the right person for the role
- Safeguard the vulnerable adults, staff, volunteers and members of the public that the volunteer /staff member may come into contact with.

Selection

The following needs to be considered when deciding whether to recruit someone with a criminal record:

- The person's suitability for the role
- The relevance of the offence
- The level of risk they pose, to the organisation and those that come into contact with it.
- The setting in which the activity will take place.

Suitability for the role

It is important to establish at first the person's suitability for the role they are applying for in the following ways:

- Can the person undertake the task that is required?
- Do they have the essential skills or experience needed for the role?
- If not, do they have the ability to develop them?
- If the answer is yes, only then should criminal convictions be taken into account when weighing up someone's suitability for the role.

The relevance of the offence

In some cases, it may be necessary to hold a second meeting with the person to find out more about the circumstances in which the offence occurred.

Factors to consider when making a recruitment decision will include:

- Whether or not the conviction is relevant to the opportunity
- The nature and seriousness of the offence
- The circumstances surrounding the offence and the explanation offered by the applicant
- How old the applicant was when the offence was committed. The length of time since the offence occurred.
- Whether the behaviour that constituted the offence is still a cause for concern
- Whether the context behind that behaviour is still a cause for concern
- Whether the applicant has a pattern of offending behaviour
- Whether the applicant's circumstances have changed
- The applicant's attitude to the offence. Is it one of remorse? Does the applicant take responsibility for it and recognise the harm they caused?
- Whether the offence has since been decriminalised.
- If the answers to most of these questions are reassuring, then the presumption may be that the person does not pose a risk.
- References can be then taken and referees can be questioned where necessary to aid in the decision-making process.

Managing risk

We will manage risks by:

- Adapting the role to reduce levels of risk and/or providing additional levels of supervision for the person if necessary.
- Identifying if staff or other volunteers need to be aware of any health and safety or personal security issues when working alongside a particular person or a particular type of offender
- Adapting existing risk management policies and procedures to accommodate ex-offenders.

The Activity

Where the activity actually takes place may be another factor in deciding whether or not to recruit an offender or ex-offender as a volunteer for a specific role e.g. it may be more appropriate for a bus buddy volunteer to be a general helper rather than providing one-to-one support with vulnerable adults

Discrepancies

There may be occasions when there is a serious discrepancy between what the applicant states and the disclosure certificate shows. If this happens then a decision should be delayed on recruitment until the situation is clarified by the Disclosure and barring service. A new disclosure certificate should be issued.

Automatic barring

Any applicant who has committed serious crimes against an adult, including murder, rape, GBH and sexual offences shall be prohibited from volunteering/working with any vulnerable adult.

Complaints

Any candidate who considers that they have been unfairly treated or discriminated against should follow PACTO's Compliments and Complaints Policy. Complaints received will be taken seriously and investigated promptly and sensitively, and we will advise of the outcome.

Confidentiality

Only the Recruitment Co-ordinators will have access to DBS records and will discuss with individuals their offences. All notes and files on applicants/volunteers will be kept confidential. (See data protection policy and confidentiality policy)

Signed _____
[Handwritten Signature]

Signed _____
[Handwritten Signature]

Date 10/2/23

