

 TARASIS ENTERPRISES	POLICY TITLE: Employing People with Criminal Records	
Last Updated by: J Garvey	Approved By: C Rafferty	Ratified By: M Mackle
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Registration Requirements (RQIA) Paragraph 17

Policy

As an organisation placing considerable trust and confidence in its employees Tarasis Enterprises are entitled to ask questions about a job applicant’s criminal record and seeks this information at an early stage in the recruitment process.

Those involved in recruitment receive direction in assessing the relevance and circumstances of offences, as well as appropriate guidance in the relevant legislation relating to the employment of ex-offenders, e.g. The Rehabilitation of Offenders Bill 2007 (ROI); the Rehabilitation of Offenders (NI) Order 1978 and Rehabilitation of offender (Exceptions) Order (NI) 1979 and as Tarasis Enterprises uses the Access NI, Garda clearance or equivalent, disclosure service to assess applicants' suitability for positions of trust, Tarasis Enterprises complies fully with and undertakes to treat all applicants for positions fairly.

Tarasis Enterprises.’s employment policy regarding **equal opportunities** commits to the fair treatment of its employees or potential employees and embraces the principle that all people shall be treated equally, regardless of their gender, ethnic origin, nationality, colour, religion, marital status, sexual orientation, disability or offending background, unless unequal, or different treatment can be shown to be justified and is appropriate.

All candidates are selected on the basis of their skills, qualifications and experience in relation to the needs of our employment vacancies.

This policy on the recruitment of ex-offenders is available to all disclosure applicants at the outset of the recruitment process.

Procedure

A disclosure certificate will be requested for all positions where there is direct contact with Service Users, hence all application forms and job adverts will contain a statement that a disclosure certificate will be requested in the event of the individual being offered the position. In addition, we ask all applicants to provide details of any criminal record on Tarasis Enterprises.'s employment application form. This information will be seen **only** by those who need to see it as part of the recruitment process. The co-operation of all applicants in the voluntary provision of this information (including information about all convictions, including those which otherwise would be considered as "spent", together with information relating to any cautions, reprimands and final warnings) will assist in there being "no surprises" when full formal disclosure is requested from Access NI, Garda clearance or equivalent.

Usually after convictions are spent, the applicant would not have to disclose these convictions. Under the Rehabilitation of Offenders (exceptions) Order (NI) 1979 applicants must disclose information on both 'spent' and 'unspent' convictions if they are applying for work that involves contact with children or young people or vulnerable adult groups. As working for Tarasis Enterprises requires such contact, the applicant must disclose both spent and unspent convictions.

At interview, or in a separate discussion, we ensure that an open and measured dialogue takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. We undertake to discuss any matter revealed in a formal disclosure with the person seeking the position before withdrawing a conditional offer of employment.

According to the registration standards, paragraph 17, Tarasis Enterprises provide a 'Risk Assessment' statement signed by two designated senior managers covering the following:

- Whether in their view the offence is relevant to their suitability to care for, train, supervise or be in sole charge
- Why they consider the candidate suitable to perform the work in which they are to be employed
- Details of any criminal offences in respect of which they have been cautioned by a constable and which at the time the caution was given, of which they admitted.

Typically, the assessment of the relevance of a criminal record will take into account:

- The seriousness of the offence and its relevance to the safety of Service Users, other employees and of property;
- The length of time since the offence occurred;
- Any relevant information offered by the applicant about the circumstances which led to the offence being committed e.g. the influence of domestic or financial difficulties;
- Whether the offence was a one-off, or part of a history of offending;
- Whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely;
- The country in which the offence was committed;
- Whether the offence has since been decriminalised by Parliament;
- The degree of remorse, or otherwise, expressed by the applicant and their motivation to change.

Having a criminal record will not necessarily bar an applicant from working with us. This will depend on the nature of the position and the circumstances and background of your offences. For further guidance please speak with our HR Manager. 'An employing people with criminal records risk assessment' is carried out to ascertain the level of risk associated with the applicant. This must be co-signed by two designated senior managers.