

Sport England's Policy on the Recruitment of Ex-Offenders

Scope

The aim of this policy is to outline Sport England's approach towards employing people who have criminal convictions.

Sport England is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their individual skills, abilities, experience, and knowledge and, where appropriate, qualifications and training.

Criminal Record's Bureau Disclosure

A Criminal Records Bureau Disclosure is a document containing information held by both the police and government departments. As an organisation using the Criminal Records Bureau (CRB) Disclosure Service to assess applicants' suitability for positions of trust, Sport England complies fully with the CRB Code of Practice, undertakes to treat all applicants for positions fairly and undertakes not to discriminate unfairly against any subject of a CRB Disclosure on the basis of a conviction or other information revealed.

A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job advertisements and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Sport England will ensure that every subject of a CRB Disclosure is aware of the existence of the CRB Code of Practice and will make a copy available on request.

Employment of Ex-Offenders

Sport England will consider ex-offenders for employment on an individual basis. Sport England's approach towards employing ex-offenders differs depending on whether the role for which they are applying is or is not exempt from the provisions of the Rehabilitation of Offenders Act 1974.

The Rehabilitation of Offenders Act 1974 was introduced to ensure ex-offenders who have not re-offended for a period of time since the date of their conviction are not discriminated against when applying for jobs. If an offender does not re-offend during their rehabilitation period, they become a rehabilitated person and their conviction becomes spent.

Once a conviction is spent the convicted person does not have to reveal it or admit its existence in most circumstances. Sport England will not automatically refuse to employ a particular individual just because he/she has a previous criminal conviction.

Sport England “Designated Roles”

However, notwithstanding the above, there are some exceptions relating to employment, when applicants are required to disclose all convictions, whether spent or unspent. The main exception relates to roles that Sport England has designated as involving working with children. If an individual wishes to apply for a “designated” Sport England position they will be required to reveal **all** convictions, both spent and unspent and undergo a CRB Disclosure.

All offers of employment are made on a “conditional basis”. When a “designated” role is offered Sport England will seek documentary evidence about the person’s criminal convictions, through mutually agreeing to undertake a Criminal Records Bureau (CRB) disclosure.

If an applicant has a conviction and the nature of the offence is relevant to the job for which they have applied, Sport England will review the individual circumstances of the case and may, at its total and absolute discretion, decline to select the individual for employment. Sport England will discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Disclosure Information, Storage and Access

Sport England is committed to ensuring that all information provided about an individual’s criminal convictions, including any information released in a CRB disclosure, is used fairly and stored and handled appropriately in accordance with the Data Protection Act 1998. Disclosure information is not kept on an applicant’s personnel file; it is stored separately and securely and is only used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.

Data held on file about an individual’s criminal conviction will be held only as long as it is required for employment purposes, this is generally for a period of six months and will not be disclosed to any unauthorised person. Once the retention period has elapsed, Sport England will ensure that any Disclosure information is suitably destroyed by secure means. Sport England may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the recruitment decision taken.

Further details on this policy can be obtained from the Human Resources Team.