Leeds Mind Policy

For better mental health

Recruitment and Selection

Introduction

Leeds Mind aspires to create an organisation that reflects the richness and diversity of the communities we work in, and as such the selection of applicants for paid and voluntary positions will be based on skills, qualifications and experience.

Basic principles

This policy aims to:

1. enable the selection of the best available candidate to fill any staffing vacancy
2. ensure that candidate selection is carried out within Leeds Mind's equality and diversity policy and is based on a fair selection process related to a person's ability and suitability to perform the job in question
3. ensure the advertising process is open, inclusive and appropriate to the post
4. ensure that selection procedures are fair and transparent, while preserving confidentiality about any individual's personal information;
5. ensure that no-one is appointed to do a job for which they are, for whatever reason, not capable or suitable;
6. enable existing staff to progress and prosper within the organisation insofar as this is compatible with the previous aims;
7. ensure clarity about the nature of any vacant post and the terms and conditions attached to it, in order to avoid misunderstandings and dissatisfaction at a later date;
8. ensure that potential and actual applicants are treated with courtesy and respect, in recognition of the fact that applying for a new job usually involves considerable effort and significance in people's lives.

Who does it apply to?

This policy applies to anyone involved in the recruitment process. All managers within Leeds Mind will be required to take part in Leeds Mind's training on recruitment and selection. Anyone else who wishes to be involved in recruitment (EC members, staff members, volunteers and service users) will also undertake the training. Wherever possible, all members of the panel will have undertaken the training before commencing any recruitment.

This policy sets out the principles on which the recruitment process should be based. It covers the following areas:

Access
Care will be taken to present information in such a way that it will not discourage people with disabilities from applying e.g. if there are access issues – a statement could read " the

present premises occupied by …………project do present access difficulties" and this needs to be openly acknowledged and realistically addressed

Health

1. All applicants will be informed that referees will be asked to comment on their sickness record in the event of a job offer being made. Any concerns will then be discussed with the applicant prior to their taking up the post

2. Health and disability - All candidates for Leeds Mind jobs are shortlisted on merit. The job description and person specification will make it clear what the job involves, including, for instance information about access to buildings, need to lift heavy equipment, need to drive, and evening work. Applicants will be asked on the application form (and/or at interview) about their sickness record but this will not be seen in itself as a reason for refusing an interview. If the candidate is shortlisted on merit, then ways of solving any health problems will be discussed with the applicant if/when a job offer is to be made. Applicants will only be refused a job on grounds of health if it is felt that the matter would significantly impair their work for Leeds Mind

Equal Opportunities
Leeds Mind practises equal opportunity monitoring of applicants. Monitoring sheets sent out with application packs are removed before the applications are read for shortlisting. Monitoring forms will only be used in the context of a clear intention to analyse the applicant profile and review advertising practice.

Criminal Records
Leeds Mind is committed to promoting fair and equal treatment for anyone involved in the organisation, irrespective of their individual differences or any personal characteristics (see Equality and Diversity Policy). We aim not to discriminate unfairly on the basis of conviction or other information revealed, so that having a criminal record will not necessarily stop any individual from working with Leeds Mind and that due consideration is given to the nature of the position together with the circumstances and background of any offences (see appendix 3).

Successful candidates will be requested to apply for a CRB check at Leeds Mind's expense.

Immigration and Asylum Act
All candidates should be informed that, if successful, they will be required to show evidence of their eligibility to work in the UK. Acceptable evidence might be a passport or other documents as required by law under the Immigration and Asylum Act.
New employees who are nationals of the new EEU states (Poland, Lithuania, Estonia, Latvia, Slovenia, Slovakia, Hungary, Czech Republic) who are required to register with the Workers Registration Scheme must do so within a month of starting work for Leeds Mind.

References
These will normally only be taken up for the person to whom the job is to be offered. The purpose of references is to confirm information supplied by the candidate and to check that there are no undisclosed reasons why that person should not be offered the job. Normally, three references will be requested one of which should be from your last employer. Usually referees will be asked to complete a reference request form covering matters such as

honesty, absence/sickness record, experience and performance in previous employment. References are confidential to the selection panel, HR and the Personnel sub committee.

Document confidentiality
All application forms will be stored in a locked filing cabinet and only available to the selection panel or some other person with a valid reason for needing access (egg in order to photocopy them for shortlisting). Photocopied application forms will be shredded as soon as possible after the appointment is made. Original application forms should be kept securely for a period of at least one year.

Selection process
Shortlisting and Interviewing

This will be done in line with the Leeds Mind Recruitment and Selection procedure.

a) If the shortlisting panel agree that there are no applicants that meet the requirements of the person specification, they may decide not to interview and to take alternative action - for instance, to re-commence the recruitment process.
b) Declarations of interest: If any of the selection panel know any of the applicants, personally or professionally, they should declare this to the rest of the panel. It will be for the panel to decide whether this could be prejudicial and whether that member should withdraw. Their decision should be recorded with brief reasons. In general, personal knowledge of a candidate will not exclude a panel member unless the applicant is a close relation or partner. If a panel member wishes to withdraw from the process, however, they should be allowed to do so and a replacement nominated.

Other policies that this policy dovetails with

Accessibility
If you would like a copy of this policy in a larger print, get in touch with us at Leeds Mind Central Admin by phone (0113 230 7608) or email (leeds.mind@leedsmind.org.uk) and we'll be happy to send you one.

This policy will be reviewed every 2 years and in line with any legislative requirements

Date formally approved by Leeds Mind Executive Committee:	**27th September 2006**
Date to be reviewed:	**September 2008**

Leeds Mind Recruitment and Selection Procedure

For better mental health

This paper sets out the procedure for recruiting new employees to Leeds Mind
The following is covered

- Confidentiality
- Exit interview
- Job analysis
- Forming a recruitment panel
- Job description
- Person specification
- Advertising
- Question setting
- Application packs
- Short listing
- Informal visits
- Interviews
- Group interviews
- Client panels
- Administration tasks
- Presentation
- Selection
- Giving feedback
- Post selection administration

Confidentiality

All aspects of the recruitment process are confidential. Personnel are responsible for each stage of the recruitment process. In the interests of confidentiality, papers relating to the recruitment process must not be taken from Grove Villa. When a panel wish to short list or interview at another venue, Personnel must ensure provision is made for the safe transport and storage of documents.

Stages of the Recruitment Process

1. Exit Interview

If a vacancy arises due to someone leaving the organisation, an exit interview will be offered. This would normally be done by personnel, as an alternative or in addition staff can request to have an exit interview with their manager, a member of the Senior Management team or Executive Committee. Feedback will be given to the Senior Management Team and may be shared if appropriate / necessary to do so (in an annonymised form) with other people e.g. project managers or the Personnel Sub Committee.

2. Job Analysis

The line manager of the vacant post will discuss, with their line manager and Personnel if there is a vacancy. They will consider if the post needs to be replaced and if so what is the best way of doing this e.g. recruitment, a secondment from another project, previous candidates on file etc.

Job descriptions and person specifications will be reviewed to ensure it accurately reflects the requirements of the project and the post to be filled. It will be updated if necessary.

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a. Job Description

- The Job Description will be a comprehensive, succinct and accurate description of the job. Standard formats will be used of the job descriptions and Personnel will ensure that it fits the format. There will be an introduction with information about the project, why the post exists and information about the post, project and team, including the size of the team. It will also include:-information about the responsibilities and tasks of the role
- the statement; “It is Leeds Mind’s policy to make reasonable adjustments to enable workers with disabilities to undertake the above tasks”.

b. Person Specification

This will be a clear and objective picture of the skills, experience and knowledge needed to do the job, based on the job description. The person specification will be under four headings:-

- Experience
- Skills
- Knowledge & Attitude
- Qualifications

It will indicate which points are essential and which are desirable. When short-listing, only essential criteria will usually be scored. Desirable criteria will only be assessed if a decision cannot be made based on essential criteria. Occasionally it may be necessary to identify only which elements of the person specification can be assessed via the application form and these will be used to shortlist. This method will be agreed by the panel.

The person specification is a key document and will:-

- Form the basis of the advertisement wording
- Provide short listing criteria
- Provide a basis for interview questioning and skill testing.
- It may indicate where criteria will be tested, e.g. application form/interview/test.

The Person Specification will not specify:-

- Gender – unless gender is a genuine occupational requirement and therefore permissible under the sex discrimination act.
- Race including colour, national or ethnic origin, unless it is an occupational qualification and therefore permissible under the race relations act.
- Age
- Sexual Orientation

- Ex-offenders

3. Advertising

All permanent posts will be publicly advertised, even if the post has previously been filled on a temporary basis. Personnel will keep an up to date list of possible places to advertise. The Advert will be agreed by the lead manager and personnel and they will decide where it will be placed. In the interests of Equal Opportunities and with a view to attracting suitable candidates for the post. Attention to be given to any genuine occupational qualifications (GOQ) requirements for the post. Personnel will take responsibility for placing the advert. The response to the adverts, both enquiries and completed applications will be evaluated to determine the most productive methods of advertising in the future

All posts will be also advertised on Leeds Minds Web site and circulated internally to all projects. Internal candidates will be able to apply on the same basis as any other candidates

The Advertisement will include:

- The organisation name and/or logo – company & charity numbers
- Title of the post
- Information about the team – e.g. size
- Summary of essential criteria from person spec
- Salary – incl. actual salary if pro rata
- Hours to be worked FT/PT
- Any special terms and conditions e.g. un-social hours
- Where the project is based
- Equal Opportunities Statement (see below)
- Statement CRB checks
- That the post is open to job share – (all full time posts are open to job share. If the panel decides this is not appropriate they must make a case to the Personnel Sub Committee.)
- Closing date
- Interview date
- Information about how to apply

All Job descriptions, person specs and adverts are kept centrally and reviewed /updated on a regular basis.

The lead manager and personnel will also agree in line with the availability of the panel (see below) the:-

- Date for advert to be placed in publications
- Closing date for applications
- Date for short listing
- Interview date

The Senior Manger who is recruiting to post has overall responsibility for the process and they must check all recruitment paperwork before it goes out. This includes:

- Job description

- Person specification
- Advertisement
- All information sent out in application packs
- All information sent out to short listed candidates.

4. Forming a Recruitment Panel

The recruitment panel will be formed by the lead manager and Personnel. The recruitment panel will aim to have a broad representation in terms of gender and race. Whenever possible, users of the service will be on the panel, or represented somewhere in the recruitment process.

Ideally the following people will be on recruitment panels –

- Project workers, administration posts & Deputy Managers: -
  - a member of the Senior Management Team
  - the project manager
  - a service user
  - Personnel

- Project managers: -
  - a member of the Senior Management team
  - the Chief Executive
  - a service user
  - Personnel

- Members of the Senior management team: -
  - the Chief Executive
  - two Executive committee members at least one of whom is a service user
  - Personnel

- Chief Executive – to be determined by the Executive committee.

Each panel will have a nominated Chair.

There may be circumstances where it is advisable to have a person from an external agency as one of the panel members. This would be decided at the time of forming the panel. Panel members should not recruit to posts at a senior level to themselves, with the exception of Personnel.

Service users on panels may be recruiting for posts which form part of their support. They may gain personal knowledge of prospective employees, which is disclosed in their application form at interview. Managers need to be aware of the implications of this and stress to service users on panels the confidential nature of recruitment.

Service users are entitled to be paid £30 per day; £15 per half day for their involvement in recruitment. ***See appendix 1***

5. Application Packs

Once a post has been advertised, those people interested will be asked to write in for application packs, or they can be downloaded from the Website. Personnel and

Central Admin will be responsible for collating, sending out and monitoring the return of completed applications
Application packs to include:

- Covering letter
- Information on how to make application
- Information sheet for the post *
- Project leaflet
- Job Description and Person Specification
- Application form
- Equal Opportunities monitoring form
- Leeds Mind Information leaflet
- Organisation Structure
- Core Values

Application forms should always include a statement of Leeds Mind's equality and diversity policy and information about how to make a complaint

**Information sheet to contain the following information*
Title of post
Hours FT/PT
Grade salary range – pro rata for part time posts (actual salary to be given)
Who accountable to
Annual leave entitlement - pro rata for part time posts
Sickness Pay/Pension - % of salary to be stated
Probationary period

6. Recruitment Panel's first Meeting
a) Short listing applications:-

- Before short listing begins the criteria from the Person Specification will be clarified so that the panel are clear about the requirements of the post and the interpretation of the Person Specification.

- The short listing will be completed using ratings forms, which will list each point from the person spec to be considered and what it means. Each candidate will be given a rating on how they meet the criteria on a scale from 1 to 4 – with 1 scoring low and 4 scoring high.

- A summary sheet will be completed at the end of the process with overall scores given to each candidate by each panel member. The chair of the panel will sign the summary sheet. A list of candidates to be interviewed will be drawn up. Letters will then be sent to short listed candidates with the following details:-

  - Interview time and place (map) and information about claiming expenses
  - Who is on the panel and their role within Leeds Mind.
  - Details of how the interview is to be conducted
  - Details of additional task, presentation or group exercise
  - Appropriate length of time that candidate will be with the panel.

- Details of how to make an informal visit to the project - Short listed candidates will be invited to visit the project and informally meet the line manager of the post they have applied for. Informal visits must be conducted by the line manager, who will preferably arrange a time to meet all short listed candidates in a group. If candidates are being met separately, the line manager, will ensure that they are consistent in their approach to short listed candidates and in the information they give.
- Information regarding compulsory enhanced CRB check.

b. Task and Question Setting

The panel will determine how they wish to test the short listed candidates. This will be via a formal interview and usually one of the following (if applicable to the role):

- Skills test e.g. admin or finance
- Group discussion
- Presentation
- Scenario
- Client Panel
- Another exercise, as agreed by the panel

Descriptions of each exercise and how this can be scored can be found in Appendix 2

The panel will agree which person specification criteria are to be tested by which method. All interview questions and exercises will be kept centrally by Personnel to be used on future occasions.

A number of "warm up" questions will asked to allow candidates to ease themselves into the interview. When setting the job specific questions, the panel will decide on the order of questions and questions will be grouped sequentially – e.g. all questions to do with client work together, followed by questions about teamwork. Questions must not discriminate, directly or indirectly, on ground of gender, race, sexual orientation, disability or age, unless there is a genuine occupational qualification and therefore permissible under the relevant discrimination act.

All candidates will be asked a question about their own support needs, such as, "what do you think the impact would be on you of undertaking this role and how would you go about getting your support needs met"?

7. Tasks after shortlisting

Interviews

Special arrangements for interview may be needed for people with disabilities and these should be accommodated wherever possible. Candidates are asked in the "invitation to interview" letter to let us know if they need anything to enable them to attend the interview

Interviews should be supportive and professional for all involved. Attention must be paid to the layout of the room to make the interview as comfortable as possible for the candidates e.g. having refreshments available, access to relevant equipment etc. Attention will be paid to the support needs of any disabled candidates.

Scoring will be guided by the ‘rating scale’ guidelines – on a score of 0-4

Prior to candidates arriving, the panel will meet to decide who will ask each question and to re read application forms.

The role of the Chair of the Panel is to:-

- Collect the candidate and bring them to the room.
- Introduce themselves and invite other panel members to introduce themselves
- Explain that the panel members will take notes throughout the process in order to have an accurate record of interviewing at the end of the day
- Ask the “warm up” questions
- At the end of the interview, invite the candidate to ask any questions
- Inform the candidate of when a decision will be made and how they will be contacted.
- Inform the candidate that they will be subject to CRB & Reference checking if appointed
- Telephone successful candidates to inform them of the outcome of the process
- Provide detailed feedback on request (see below).

During the interview, panel members will take notes of answers. This should be as brief as possible in order to maintain eye contact. In the first instance prompting should be done by the person asking the question, followed by other panel members. Prompting after a question will only happen when the candidate clearly has not understood the question, or has given a very brief answer and may be necessary when candidates are very nervous. It is **not** to ask new, or follow up questions or to lead candidates into new areas. The purpose of prompting is to encourage the candidate to say more, to clarify their answer, or to ensure that they have understood the question. Examples of prompts are: -

Repeating or rephrasing the question, or parts of the question, for example: -
“Do you want to say more about ……….”
“Can you explain what you meant by……..”

8. Selection process

Once all tasks have been completed and candidates have left the panel will make a decision on whether to appoint, and then who to appoint based on the candidates’ performance in the interview and other task(s). The preferred candidate will almost always be the person who is offered the post. The panel will also agree a second candidate if the first choice offer turns it down.

Feedback will be offered to all candidates and the panel will agree this and who is going to give it, if requested.

The panel will also agree questions which worked particularly well to add to a “question bank” to be kept centrally by the personnel officer.

The panel will also decide if there are any appointable candidates and whether to keep them "on file" This is for two reasons: -

1. If the candidate resigns from their post within 6 months the post can be offered to any of the appointable candidates on file.

2. If an identical post comes up within the organisation within **6 months** this could be offered to any of the appointable candidates on file. This would be at the discretion of the members of the senior management team responsible for the project.

If the panel has decided to make an appointment, the successful candidate will be telephoned by the chair of the panel. They will be offered the post, followed by a written offer and given a reasonable amount of time to consider the offer.

Unsuccessful candidates will also be contacted by letter. They will be informed of the outcome of the interview and offered the opportunity to telephone for feedback at a later date.

If a suitable candidate cannot be found, the post will be reviewed in terms of job description, person specification and salary range. It is better to re advertise, than make an unsuccessful appointment

9. Interview Feedback

At the interview a 'feedback form' will be completed by the chair of the panel – with contributions from all panel members, covering strengths and areas for development for each candidate interviewed. Feedback will usually be given by the chair of the panel or Personnel. Candidates will be written to after the interview and will be asked to telephone and ask for feedback on their performance and this will be constructive with a balance of positive and negative feedback and tips for future interviews based on the feedback form completed at interview.

10. Post Selection Administration

If the panel chooses to appoint and the successful candidate accepts the post, the Personnel Officer will be responsible for the following:

1. Sending for references and arranging a CRB check
2. Letters to unsuccessful candidates
3. Sending an offer letter to successful candidate, subject to the receipt of acceptable references and satisfactory CRB check
4. Sending out Contract of Employment with offer letter
5. Sending relevant forms to successful candidate before they commence in post.
6. Liaising with project manager on start date
7. Asking for copies of relevant certificates

All notes and documentation connected with short listing, interviewing and selection will be retained for a minimum of 6 months, as unsuccessful candidates may wish for further feedback, or there may be a legal challenge to the appointment.

August 2006

Appendix 1. Payment to Service Users form

LEEDS MIND **PAYMENTS TO SERVICE USERS FORM**

Project ………………………………..

Name of Person making claim…………………………………………….

Payments for

Delivering Training	☐
Participating in Recruitment	☐
Other	☐

Please tick as appropriate and give details below

………………………………………………………………………………

………………………………………………………………………………

Payment is made at the rate of £30/day, £15 half day

Dates of activity being claimed for

1) ……………………………………….

2) ……………………………………….

Total amount claimed ……………………….

Disclaimer

I recognize that it is my responsibility to inform the Benefits Agency of any monies received as this may affect my benefits

Signed ………………………………………….. Date …………………………

Authorised by ………………………………… Date ………………………….

Appendix 2 – Recruitment Exercises

1. Administration Exercise

Personnel hold a file of administration ‘tests and exercises’ to be used for the purposes of selecting for posts where administration skills are an essential part of the post.

These can include:

a) Pc skills test
b) Prioritising exercise
c) Database exercise

Candidates will be scored as outlined in the test/exercise.

2. Presentation Exercise

The panel may decide to set a presentation when delivering presentations or tasks requiring other skills form part of the role. The panel will devise a presentation topic at the same time as question setting and decided which person specification points the presentation will test and the length of the presentation. Candidates will have be sent details of what to prepare for

The chair will have responsibility for:

- Ensuring that candidates have the equipment they need
- Inviting the candidate to begin their presentation and how long they have for the presentation
- Informing the candidate when they have two minutes remaining
- Bringing the presentation to a close if the candidate is running significantly over time
- Thanking the candidate for their presentation
- Allowing the opportunity for the panel to ask questions or clarify any issues brought up at the presentation
- Giving the candidate time to prepare for the interview

The presentation will be scored against the person specification points being tested. Each panel member will give the candidate a score of 1 – 4 for each person specification point being tested.

3. Client Panel Exercise

The chair of the recruitment panel will liaise with the manager of the project where there is a vacancy to form an interview panel of 2 – 4 clients. When selecting clients for a panel, the project manager will ensure that clients are able to take part in a full day of interviewing – potentially interviewing up to six candidates and later attending a meeting with the recruitment panel. Whenever possible, clients on panels will have attended Leeds Mind’s recruitment and selection training *(must have at least been briefed by HR).*

The client panel will meet and come up with a question they wish to ask for each point of person specification points they are testing. These will then be submitted to the recruitment panel who will look at the questions at their second meeting.

- Client panels will see each candidate for no more than 15 – 30 minutes

- Clients will be informed that they cannot ask candidates additional questions, though at the end of the interview there will be a few minutes for informal conversation

- The client panel will meet before the interview to agree who will welcome candidates, who will ask each question, etc.

- A staff member will also be present, though their role is not to take part in the interview but to be in the room to provide support to the clients. They will take notes of answers to questions to assist the panel

- The client panel will each give a score of 1 – 4 according to questions answered

At the end of the day, the client panel and the management panel will meet. The client panel will present their feedback to the management panel, who will use this data to inform their decision.

4. Scenario Exercise

When question setting, the panel will decide on person specification points to be tested through a scenario and will devise the scenario. This will usually be related to client work or an aspect of operational management and is a good way of testing candidates' ability to think on their feet.

The scenario will outline:

- A particular situation – e.g. an issue with a client
- A set of questions
- A list of person specification points being tested

After introductions, an outline of the exercise will be given and the scenario handed to the candidate, who will then be given time to prepare responses to the questions that they will then present to the panel. The chair will then take the candidate to a room set aside for them to prepare their responses to the scenario.

When their preparation time is up, the chair of the panel will collect the candidate and bring them to the interview room. The chair will invite the candidate to present their responses to the panel. At the end of their responses, the chair will thank the candidate and ensure that they have a few moments to have a drink and mentally prepare for the interview.

The panel will give each candidate a score of 1 – 4 for each of the person specification points being tested by the scenario exercise.

Appendix 3. Recruitment of Ex Offenders

Duties of the organisation

Under Section 3 of the Health & Safety at Work Act 1974, Leeds Mind has ‘duty of care’ to anybody who comes into contact with the organisation including staff, clients and volunteers. This means that we are legally bound to do everything reasonable to protect those around us from coming to harm. In order to fulfil this duty, all applications for paid and voluntary positions are ‘screened’ to assess the suitability of applicants.

This process includes:

- Written applications
- Interviews
- References
- Declaration of criminal convictions
- CRB checks

We recognise that our screening process has its limitations, since false references may be given or because offenders do not always have relevant criminal records. We therefore do not assume that by screening applicants that we have done enough. We also provide on-going training and supervision for all staff and volunteers.

Treating ex-offenders fairly

It is estimated that at least 20% of the working population has a criminal record. We recognise that if an organisation shies away from taking on individuals with any kind of criminal record at all, it can result in a huge amount of wasted potential. To decide to rule out all these people when looking for paid and unpaid staff considerably narrows down the available options and means that people with potentially valuable skills and life experience are being ignored.

Sstatistically, ex-offenders in work are three times less likely to re-offend. We therefore encourage people with criminal convictions to apply for paid and unpaid positions in Leeds Mind, since volunteering can also be a way to build skills and gain a reference that can lead to work.

When should convictions be declared?

Under the Rehabilitation of Offenders Act 1974 (reviewed 2002), after a set amount of time (the rehabilitation period) convictions are considered ‘spent’ and do not have to be disclosed to the majority of organisations, even if requested. However under the Exceptions Order 1975, declarations accompanying applications for positions at organisations such as Leeds Mind to work with vulnerable adults must include all convictions and cautions whether ‘spent’ or not.

Not all positions within Leeds Mind will automatically come under the Exceptions Order. Only positions which involve contact with vulnerable adults as a regular part of the role are covered. It will be made clear on the application form whether the position is accepted or not.

In order to decide whether a position is accepted, Leeds Mind will carry out a risk assessment for each new post, taking into consideration:

- What tasks are involved in the post?
- Would the postholder have unsupervised access service-users or vulnerable members of staff?
- Would the postholder be working unsupervised with other workers who might be vulnerable?
- Would the postholder have access to confidential information?
- What support will the post-holder have?

Declaring a conviction will not necessarily stop someone from gaining paid or unpaid work with Leeds Mind

Leeds Mind wants to strike a balance between the need to protect vulnerable individuals and the need allow everybody to have a place and a purpose within the community. We will therefore consider the declaration of criminal convictions very carefully before making a decision on whether the conviction will affect the result of an application.

Other than the Protection of Children Act (2000), there are no set guidelines on which offences would make an individual unsuitable to work with vulnerable people. It is also not possible to create a list of offences that would not be considered, since the context of the offence needs to be considered, not just the conviction.

The majority of convictions will not have any bearing on an applicant's suitability for a position in Leeds Mind. However, if an applicant does not declare convictions on the application form and is offered a post and offences show up on the CRB check, the offer of employment will be withdrawn.

What happens if a conviction is declared?

Declarations of convictions can be made in the relevant space on the application form or on a separate attached piece of paper, where applicants can give more details (see 'points to be considered' below). If done separately from the actual application form, it will enable the organisation to destroy the details of conviction while keeping the actual application form on file.

The people directly involved in the recruitment process for the position will decide whether the conviction is relevant to the post.

For applications for paid work, shortlisting and interviewing is done by a recruitment panel. Criminal records declarations will only be considered after shortlisting criteria. This will help us to protect the confidentiality of the people who haven't been shortlisted and ensure equal opportunities.

For applications for voluntary positions, recruitment and selection is undertaken by a member of staff who has responsibility for co-ordinating volunteers in their project. As all prospective volunteers are interviewed, disclosure of convictions will be considered before interview so that details can be discussed at interview where necessary.

When deciding whether the conviction is relevant to the position, the following will be taken into consideration:

- Seriousness of the crime – what was the offence and the sentence (offence categories cover a wide range of behaviours from the minor to the very serious)

- Context of the offence – mitigating or aggravating

- Length of time since the offence occurred

- Circumstances at the time – have these changed?

- What the applicant has been doing since the conviction

- What the applicant has learned from the experience of offending

If the conviction is considered relevant, the applicant will be informed and given reasons why they have not been accepted for the position.

If the conviction is not considered relevant, the application will be put forward to the next stage of the recruitment process (normally interview). If this decision is made, then details of the conviction will be destroyed and no-one else will be informed.

People already in a paid or voluntary position in Leeds Mind

If an existing employee or volunteer is charged with an offence or knows that they are being investigated for an offence, they have a responsibility to inform the Personnel. Using the risk assessment undertaken for each post, Personnel (with a member of the senior management team where appropriate and/or Executive Committee members if it is a senior member of staff) will decide whether the conviction is relevant to the post. This will depend on the above criteria and will also consider if the offence brings the organisation into disrepute.

As with convictions declared during the application process, the majority of offences will not have any bearing on the post holder's suitability for their position in Leeds Mind. If this is the case, the details of conviction will be destroyed and no-one else will be informed of it.

If the offence is considered relevant, the post-holder's line manager will be informed and appropriate action taken. This may include Disciplinary proceedings.

Where convictions are not declared

If an employee or volunteer deliberately withholds information about convictions, Leeds Mind may instigate Disciplinary proceedings.

At the time of writing this policy, all paid staff and volunteers will retrospectively be subject to CRB checks. If offences show up, the above criteria will be used to determine if this affects their employment. This will usually not be the case, but may involve meeting with the line manager and department head to discuss any offences which need further explanation and may lead to Disciplinary procedures. All staff will be given the opportunity to inform their manager of any convictions before the CRB checks are carried out.

Confidentiality and Data Protection

Leeds Mind recognises that ex-offenders are often discriminated against and may well be wary about discussing convictions. We have procedures in place to ensure that we deal with disclosures in a safe and confidential manner.

In line with the Data Protection Act and Article 8 of the Human Rights Act (stating the right to respect for private and family life), Leeds Mind has a Confidentiality policy outlining how information will be stored and whom it will be shared with. Conviction details are included in this legislation.

In Leeds Mind, only the following people will have access to disclosures:

- The recruitment panel (the people directly involved in the recruitment process for that specific position)
- Personnel, senior manager responsible for personnel and line manager of project and department head.

Everyone involved in recruitment processes has received training to ensure they understand and are able to adhere to requirements and good practice in recruitment/selection and confidentiality.

Once a decision has been reached on whether to take on an individual into a paid or voluntary position, the information contained within the disclosure becomes irrelevant and will be destroyed. No-one else in the organisation will be informed of the declaration or details of conviction.

References

- Rehabilitation of offenders act 1974 (reviewed 2002)
- Exceptions order 1975, Schedule 1, Article II.12

> “Any employment or other work which is concerned with the provision of care services to vulnerable adults and which is of such a kind as to enable the holder of that employment or the person engaged in that work to have access to vulnerable adults in receipt of such services in the course of his normal duties.”
>
> “ ‘vulnerable adult’ means a person aged 18 or over who has a condition of the following type:
> (i) a substantial learning or physical disability;
> (ii) a physical or mental illness or mental disorder, chronic or otherwise, including an addiction to alcohol or drugs; or
> (iii) a significant reduction in physical or mental capacity”