DECLARATION

The post you are applying for meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974. If you are shortlisted for the post you will be asked to reveal any convictions, cautions, final warnings and reprimands, but these will not be looked at unless you are selected for a position. All applicants who are offered employment will be subject to a criminal record check and a check will be made with the Disclosure & Barring Service before the appointment is confirmed.

We recognise that people with criminal convictions face discrimination when seeking employment and so have procedures as part of the recruitment and selection process to guard against further disadvantage. Any information will be treated with the strictest confidence and you will only be prevented from obtaining employment if the council considers you have a criminal record that makes you unsuitable for the post in question.

I understand that if offered this position I will be required to have a Disclosure & Barring check:

Signed: ..................................................................................

Name: .................................................................................. (block capitals)

Date: .....................................................................................

Please return with your completed application form to:

Manchester City Council
Resourcing Team
Shared Service Centre
Manchester City Council
Level 8
Wenlock Way Offices
Wenlock Way
Manchester
M12 5DH
1) EMPLOYMENT OF EX-OFFENDERS POLICY

1. PURPOSE

Manchester City Council is an equal opportunities employer committed to eliminating prejudice in employment and is taking positive steps to counter effects of disadvantage. It believes that people are its more valuable resource and endeavours to create a fair and just workplace for all its employees.

The purpose of this policy is to ensure that ex-offenders are treated fairly in the recruitment process. This policy enables Manchester City Council to fulfil its responsibility of care and be fair to all applicants at the same time.

2. GENERAL PRINCIPLES

The City Council has put in place procedures as part of its recruitment and selection process to guard against any further disadvantage and to ensure that ex-offenders are not barred from employment due to irrelevant offences.

This policy will be made available to all applicants, for positions of trust, at the outset of the recruitment process.

3. MAIN RESPONSIBILITIES

- As an organisation using the Disclosure and Barring Service to assess applicants’ suitability of trust, Manchester City Council will comply fully with the DBS Code of Practice and undertake to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.

- Manchester City Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

- The City Council will actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
A Disclosure is only required 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 information contained within application packs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the City Council and we guarantee that this information is only seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows the City Council to ask questions about your entire criminal record we only ask about “unspent” convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in Manchester City Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that any open and measured discussion takes place on the subject of any offences or other matters 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 make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

**Having a criminal record will not necessarily bar you from working with us.** This will depend on the nature of the position and the circumstances and background of your offences.
2) SECURITY AND INFORMATION HANDLING POLICY

1. PURPOSE

The purpose of this Policy on Security and Information Handling is to ensure the correct handling and safe-keeping of all Disclosure information. Disclosures contain extremely sensitive personal information. Improved access to this confidential data means that there must be safeguards in place protecting human rights and individual confidentiality.

Adherence to this Policy will ensure City Council’s compliance with the Disclosure and Barring Service Code of Practice. This policy will be made available to all those who wish to see it on request.

This Policy provides a broad statement of the City Council’s aims and intentions in the use of Disclosure information and is binding on all users of the Disclosure system, including those operating as separate registered bodies within the City Council.

2. GENERAL PRINCIPLES

As an organisation, Manchester City Council, uses the Disclosure and Barring Service to help assess the suitability of applicants to positions of trust, including work involving children and vulnerable adults. In doing so, the City Council is fully cognizant of the need to comply with the DBS Code of Practice and provisions of the Data Protection Act in relation to the correct handling, use, storage, retention and disposal of Disclosure information.

This policy outlines ongoing responsibility for all aspects of maintaining an effective security policy from effectively defining service needs for the use of Disclosures in recruitment through to the monitoring and maintaining of effective security controls.

3. MAIN RESPONSIBILITIES

- **Storage and Access**
  Disclosure information is never kept on an applicant’s personnel files and is always kept separately and securely, in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

- **Handling**
  In accordance with Section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. All Departments are required to maintain a record of all of those to whom Disclosures or Disclosure information has been revealed in the course of recruitment. All users of Disclosures need to recognise that passing on Disclosure information to anyone who is not entitled to receive it is a criminal offence.

- **Usage**
  Disclosure information is only to be used for the specific purpose for which it is requested and for which the applicant’s full consent has been given.
- **Retention**
  Once a recruitment (or other relevant) decision has been made, Disclosure information should not be retained for any longer than is absolutely necessary. This is generally six months, as recommended by the DBS, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, the CRB needs to be consulted about this and full consideration given to the Data Protection and Human Rights implications before doing so. Throughout this time, the usual conditions regarding safe storage and controlled access need to be adhered to.

- **Disposal**
  Once the retention period has elapsed, Disclosure information needs to be immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information needs to be in a secure environment and not in waste bins or confidential waste sacks.

  No photocopies or any images of the Disclosures nor copies or any representation of the contents of the Disclosure information should be kept or retained. However, a record of the following may be retained for information purposes:

  - Date of a Disclosure
  - Name of the Subject
  - Type of Disclosure requested
  - Position for which Disclosure is requested
  - Unique reference number of the Disclosure
  - Details of recruitment decision taken.

4. **ACTING AS AN UMBRELLA BODY**

Before acting as an Umbrella Body, Departments must take all reasonable steps to ensure that they comply fully with the DBS Code of Practice and with the principles of the City Council’s Security of Information Policy in relation to the handling, use, storage, retention and disposal of Disclosures information.

Departments must also ensure that any body or individual, at whose request applications for Disclosure are countersigned, has such a written policy and, if necessary provide a model policy for that body or individual to use or adapt for this purpose.

5. **UNACCEPTABLE USE GUIDELINES**

Staff found to be involved in actual or attempted breaches of the Code may be subject to disciplinary action. Where an employee’s actions contravene statutory provision, they may in addition be liable to prosecution.

**NB:** The Care Standards Inspection regime, Children’s Family and Social Care, requires some records to be kept for 12 months.