

Statement on Recruitment of Ex-Offenders

General Statement of Policy regarding fitness to practise proceedings by a licensing/regulatory body and relating to criminal records.

Registration with the professional body imposes a duty on health care professionals to provide a good standard of medical care for, and behave appropriately towards, patients. NHS employers also have a duty to ensure that patients receive a good standard of medical care and to take all practicable steps to ensure the safety of patients and staff.

In order to assess job related risks, Blackpool Teaching Hospitals NHS Foundation Trust needs to establish if applicants who may be offered certain positions have a criminal record in the UK or in another country that they can lawfully be required to disclose.

When recruiting, we inform applicants if criminal record information will be requested from them as part of the appointment process. This will enable applicants to decide whether they wish to apply for the position.

As part of the appointment process, applicants will be asked at the appropriate stage to complete a declaration for this purpose.

If such information is requested, we will inform applicants whether the nature of the position for which they intend to apply means that they will be asked to disclose convictions that would otherwise be “spent” under the provisions of the Rehabilitation of Offenders Act 1974. This will also help applicants to decide whether or not they wish to apply for the position.

Applicants for certain professions and positions concerned with the provision of health services (including but not limited to: medical practitioners, dentists, nurses, and midwives) are exempted from the Rehabilitation of Offenders Act 1974, and can therefore be asked to disclose “spent” convictions that they would otherwise not have to declare.

Applicants for such positions will also be asked if they are “bound over” and whether they have been charged with a criminal offence that is not yet disposed of.

Prior to making such an appointment, we also need to establish if applicants for such positions have ever been disqualified from the practice of a profession or required to practise it subject to specified limitations following fitness to practise proceedings by a regulatory body in the UK or in another country, and whether they are currently the subject of any investigation or proceedings by any body having regulatory functions in relation to health/social care professionals, including such a regulatory body in another country. This is also reflected in the declaration.

Where such a position involves regular care, training, supervision or sole charge of persons aged under 18 or vulnerable adults (as defined by the

Safeguarding Vulnerable Groups Act (2006), applicants will also be asked whether they are the subject of any police investigation in the UK or any other country of which they are aware.

Where the position is a “Regulated Activity” under the terms of the Safeguarding Vulnerable Groups Act (2006), checks will be carried out in accordance with the Act. Anyone whose name is on the ISA Children’s List is legally barred from working with children. Anyone whose name appears on the ISA Adults List is legally barred from working with Adults. It is an offence for such a person to knowingly apply for, offer to do, accept or to do such work. Checks will also be made against police records in accordance with best practice procedures.

If a Disclosure is to be sought from the Criminal Records Bureau, prospective applicants will be informed at the outset. Blackpool Teaching Hospitals NHS Foundation Trust adheres to the standards specified by the Criminal Records Bureau relating to the fair use of criminal record information and the appointment of persons having a criminal record. A copy of the CRB Code of Practice can be obtained from our Employment Services Centre or by visiting www.crb.homeoffice.gov.uk

Applicants are encouraged to declare criminal conviction information and any other matters that are, or that might be, relevant to the position for which they are applying at an early stage in the appointment process.

In cases where criminal record information is deemed necessary to assess a person’s suitability for the position, all applicants are also expected to inform Blackpool Teaching Hospitals NHS Foundation Trust if, before taking up any position offered to them, they are charged with a criminal offence in the UK or another country.

We are an equal opportunities employer, and all applications will be decided fairly and on merit. Information declared will be used to consider the applicant’s suitability for the position. Information supplied will be treated in confidence and will not be used as the sole criteria to decide an applicant’s fitness for the position.

Unless an appointment is prohibited by law, a criminal conviction will not automatically debar the applicant from appointment. Applicants will be given an opportunity to discuss any information supplied before a final decision is taken regarding their appointment.

However, an applicant may not be selected if the selection panel considers that the information declared renders that person unsuitable for the position for which they have applied. In reaching such a decision we will consider the nature of the record/action, its relevance to the position applied for, and any other information the applicant wishes to provide.

The information declared will be treated in compliance with the Data Protection Act 1998.

Please Note : Failure by an applicant to provide accurate and truthful information is considered to be a serious matter.

Where it is found that a person has intentionally or recklessly provided inaccurate information or withheld information relevant to their position, this may disqualify them from appointment. It may also result in dismissal or disciplinary action and referral to the appropriate professional regulatory body.