

Background Checks Policy

1.0 Aim & Scope

The aim of this policy is to ensure a robust approach to recruitment when assessing applicants' suitability for positions through conducting appropriate background checks.

Hope for Justice is committed to attracting and selecting the right people from diverse backgrounds in order to ensure the successful delivery of our work. Background checks for prospective employees are important to ensure we recruit the right people in terms of skills, competencies, behaviours, attitudes and beliefs. Hope for Justice also has a duty to protect the communities and people we work with, staff, partners and stakeholders from those individuals who may misuse their position for their own benefit.

This policy applies to all prospective, employees, interns, volunteers, trustees, advisors and consultants.

This policy is Hope for Justice's global standard, but we recognise that in different contexts programmes may not be able to achieve everything set out in this policy. Each country is required to assess how they can meet these standards and where it is not possible, this will be documented in writing. Each work location is expected to have procedures in place that are as close to this global standard as possible in the country context. Each case where either issues are raised through references or through police / criminal background checks will be assessed fairly on a case by case basis.

2.0 Application

When any offer of employment/engagement with Hope for Justice is made, successful candidates will go through a robust background check, the offer remains conditional, and start date dependent, on satisfactory completion of the relevant checks. Hope for Justice is a member of the Misconduct Disclosure Scheme. The Scheme strives to improve current referencing practices and build confidence that requesting data related to sexual misconduct is possible both practically and legally. [Introduction — The Misconduct Disclosure Scheme \(misconduct-disclosure-scheme.org\)](https://www.misconduct-disclosure-scheme.org/)

Background checks completed include the following:

Proof of identity: Appropriate documentary evidence of identity including full name will be submitted. In some locations this document will be run through a checking system required by law for confirming Right to Work. Where an appropriate document is not available, a birth certificate or appropriate alternative should be obtained. Where legally necessary, evidence of right to work will also be required.

Copies of proof of identity documents will be taken and kept on the individuals' HR file. Unless this contravenes local legislation, in which case the local process will be followed.

Proof of relevant qualifications Where required for the post, the relevant educational and/or professional qualifications will be requested. This will require an original or a certified copy of a certificate, diploma, or a letter of confirmation from the awarding body.

References Any offer will be conditional on the receipt of two satisfactory references that meet Hope for Justice's standards for references, as set out below. Their purpose is to obtain objective and factual information to support appointment decisions.

Hope for Justice's standards for references, are:

- Two references will be obtained in writing, using the Hope for Justice standard format. Using this form will ensure that all reference requests include questions about conduct, safeguarding, past performance as a minimum. **a separate reference request form will be used for consultants, trustees and volunteers.*
- If references are taken verbally, the standard format should still be followed and notes should be taken and recorded. The referee should then be asked to confirm by email or in writing that they are an accurate reflection of what they have said.

References should be from recent employment history and the referee must be able to comment on professional skills, conduct and experience. References must be received before an employee starts work with Hope for Justice and any exception to this must be approved by the Head of HR and Chief Operating Officer (UK, US, Norway and Australia) or Country Director (Ethiopia, Uganda).

Pre-employment/internship references should meet the following standards. To meet these requirements, Hope for Justice may need to request more than two references.

- Organisational references must be obtained covering the previous 5 years' of employment history
- There must be a minimum of two organisational references, one of which should be from the most recent employment.
- Open 'To Whom it May Concern' references and testimonials will not be accepted.

If an employer says it is not their policy to provide references, the HR team will make a request for confirmation of employment dates and reason for leaving will be made, as well as whether there were any safeguarding issues during employment. Where this is the case, and minimal information is received, it should be considered whether a further professional reference should be obtained in order to meet the above standards.

Pre-consultancy / volunteering references, which are important to ensure we engage with the right people in terms of skills, but also to safeguard those who come into contact with Hope for Justice work, should meet the following standards:

- Two references or previous client/work/education testimony received directly to Hope for Justice, with at least one from the last 2 years' as a minimum, from organisational email addresses.
- Open 'To Whom it May Concern' references and testimonials will not be accepted.

The relevant HR team will be responsible for requesting references and administering their return.

Police / criminal records check or equivalent

In order to ensure Hope for Justice is fulfilling its safeguarding obligations, all Hope for Justice work locations are required to carry out a police or criminal records check on all candidates who are offered employment with Hope for Justice. In some locations such as the UK there are differing levels of checks, and Hope for Justice will establish, in line with local laws, what level of check is appropriate for each specific position (In the UK Basic DBS checks will be run, unless an assessment has been made which deems an enhanced

DBS check necessary). Not all consultants and volunteers will be required to have a police/criminal records check, see guidance on Page 5.

A police check will be completed for each country where a candidate has lived for more than 12 months in a continuous period within the last 5 years.

These checks will be renewed every 3 years to ensure Hope for Justice is satisfied this information has not changed over the course of employment.

The availability of criminal background checks will depend on each local legal framework.

Throughout employment with Hope for Justice, an employee must inform their line manager immediately if they receive a formal caution or are convicted of a crime.

Hope for Justice will not discriminate unfairly on the basis of a conviction or other information revealed, and is committed to equal opportunities in employment. Declaration or discovery of a criminal history will not automatically preclude a person from being or remaining employed. Each situation will be objectively reviewed on a case by case basis, looking into the nature of the conviction as well as the role the person is being appointed into. In the case where Hope for Justice is made aware of content on a police / criminal record check report a risk assessment meeting will take place with the individual, their line manager (where applicable), HR and the relevant Executive team member.

At the meeting a risk assessment review will be carried out to assess the following:

- Whether the conviction (or other matter revealed) is relevant to the position in question
- Risk to the organisation, service and client group
- The length of time that has passed since convictions/cautions/other matters revealed took place
- The nature and seriousness of offence(s) committed or any other matters revealed
- The circumstances surrounding the offence (or other matter revealed) and the explanation offered by the applicant.
- The applicant's attitude to the offending behaviour or other matter revealed
- The applicant's employment history since the matters revealed
- The applicant's personal development since the matters revealed and whether the applicant's circumstances have changed since the matters revealed took place.
- Whether there is a pattern of offending or other relevant matters
- Any other relevant consideration in accordance with the nature of the content

On completion of the risk assessment any further actions will be determined. These could include:

- Yearly police / criminal record checks
- Additional checks on an applicant's suitability (such as taking up additional references)
- Further risk assessment regarding job role and responsibility looking at any possible triggers to offending behaviour
- Restriction of duties
- Withdrawal of offer in cases where a decision is reached that the applicant is unsuitable for the position and, for existing employees and volunteers, in serious case, the possibility of dismissal/removal from HOPE FOR JUSTICE. However, a job offer will never be withdrawn without discussing the results of the check with the applicant.

Conflicts of Interest

All staff are required to review our Conflicts of Interest policy when they start with Hope for Justice and complete a declaration form if necessary. Qualifying staff are required to review this annually, or whenever their circumstances change, in line with the policy or local country requirements

Other Background Checks

Where required by local labour regulations, requirements or law, other background checks may be required and conducted. Where these are necessary, it should be made clear to relevant staff or new recruits.

Responding to reference requests for current or former employees

Hope for Justice will ensure to take steps to share reference information about individuals in response to reference requests.

Reference responses should only be provided by HR teams within Hope for Justice. If a line manager receives a request for a reference, this should be forwarded to the relevant HR team.

If line managers choose to complete personal references, it should be made clear in any response that these are not the opinions of Hope for Justice as an organisation, and should not be provided on Hope for Justice letterhead or responded to from a Hope for Justice email address. Anyone unsure of whether they should provide a reference should contact the relevant HR team.

Reference response contents

We will ensure that any information given in a reference is accurate and factual and great care will be taken about not giving any misleading information. As a general rule only comments on an individual's performance or ability that have already been the subject of discussion with them will be included. Hope for Justice will seek to follow local best practice and legal requirements in relation to references.

Where an individual has been dismissed from employment due to a safeguarding issue, this information will be included within a reference (although details of the case will not be shared). This process will be made clear to employees at the point of dismissal. Where relevant, a live disciplinary warning will also be referenced within any reference Hope for Justice gives.

Where relevant, if an individual resigns during the course of an investigation into a serious safeguarding disciplinary issue, Hope for Justice would consider itself obliged to share this information within a reference, as part of our commitment to Safeguarding, should it be felt by the relevant exec member that the probable outcome of the investigation would have been a disciplinary hearing that would likely have led to dismissal for gross misconduct. This process will be made clear in the communications acknowledging their resignation.

References will be stored in line with the relevant data protection rules and regulations.

Guide for application

In summary, the following background checks are required:

	Identity (and where necessary permission to work)	Check on qualifications (if relevant to role)	References x 2	Police check
Employees *	Yes	Yes	Yes	Yes (for UK assessment to be made between Enhanced and Basic DBS)
Consultants****	Yes	Yes	Yes	No**
Interns	Yes	Yes	Yes	Yes
Volunteers	Yes	Yes	Yes***	No**
Trustee Advisor	Yes	Yes	No	Yes
Trustees*****	Yes	Yes	Yes	Yes

* Employees include – open-ended, and fixed term.

** Police checks for consultants/volunteers will only be required if they are working with children, vulnerable adults, beneficiaries or members of a community, unaccompanied by a member of Hope for Justice staff. If they may interact with them unaccompanied, then a police check will be required. AND/OR if they have access to Hope for Justice systems.

***If a volunteer is only engaged for a short term (e.g. single day) task that does not require access to any Hope for Justice systems or contact with children, vulnerable adults, beneficiaries or members of a community, unaccompanied by a member of Hope for Justice staff then references won't be taken. Additional detailed guidance relating to volunteer checks can be found in the 'Volunteer Recruitment Process' document, available on request.

****If a consultant has completed checks with Hope for Justice and completed working for the organisation within the past 12 months, no new checks will be needed. If there has been a break of at least 12 months since any work completed, additional checks will be needed

*****In addition to these checks Hope for Justice will carry out other compulsory compliance checks for trustees prior to their appointment.

Contractors

For staff supplied by contractors Hope for Justice will request the contractor confirm in writing that the following checks have been completed:

- Check of identity, and where necessary permission to work
- Check on qualifications, if relevant to the role
- Reference checks (minimum two references)

- Police check, if the role meets Hope for Justice's standards for requiring a police check

3.0 Data Protection

Our organisation processes information about individuals' background checks in accordance with local data protection legislation. We hold data collected during recruitment and onboarding securely. We will allow only authorised individuals to access and/or disclose personal data for the purposes of completing the recruitment process.

Inappropriate access or disclosure of employee data constitutes a data breach and anyone who becomes aware of such a breach should report it immediately in line with our organisation's Information security policy. A data breach is also likely to constitute a disciplinary offence, which we will deal with under our disciplinary procedure.

4.0 Review of this policy

This policy will be reviewed every two years by the Chief Operating Officer, or sooner if any significant changes. Last updated March 2024.

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