



NIACRO works to reduce crime and its impact on people and communities

Amelia House  
4 Amelia Street,  
Belfast, BT2 7GS

Tel: (028) 9032 0157  
Fax: 087 0432 1415  
Email: [niacro@niacro.co.uk](mailto:niacro@niacro.co.uk)  
Web: [www.niacro.co.uk](http://www.niacro.co.uk)

HFJ25498

Mr Shane McAteer  
Committee Clerk  
Committee for Finance and Personnel  
Northern Ireland Assembly  
Room 419  
Parliament Buildings  
Ballymiscaw  
Stormont  
BELFAST  
BT4 3XX

22 November 2012

Dear Shane,

**Re Civil Service (Special Advisers) Bill**

Thank you for your letter of 12 November requesting NIACRO's views to the restrictions in the application of the Civil Service Code and vetting procedures.

Since it was established, NIACRO has highlighted its concerns around the lack of opportunity for individuals with convictions wishing to access employment. Most particularly we have voiced our concerns on behalf of individuals seeking employment opportunities within NICS and the application of the Risk Assessment Grid used in making recruitment decisions.

Following NIACRO's first consultation response to the Civil Service Commissioners' Draft Recruitment Code (2005), we met with the Commissioners to explore some of the points we raised in greater detail.

We explained that whilst encouraged by the use of terms such as "merit", "fair" and "open competition", used throughout the draft Recruitment Code, that this was not the reality experienced by applicants with convictions.

Our promotion of best practice and getting the right person for the job was reflected in NICS previously with significant evidence of directing applicants to our advice line for disclosure advice. The extent to which this was considered and fairly and transparently risk assessed by DFP at the time however was questionable. Since the move to an external recruitment provider there has been a noticeable shift with less evidence of transparent processes.

Some examples of applicant experiences are detailed below:

- a. One individual had his job offer rescinded by the DFP, due to his unspent convictions despite the fact that he was initially selected on "Merit". The Department failed to explore details of convictions further with the candidate to assess relevance before taking such action. This clearly goes against the principle of best practice.
- b. Another individual received a phone call the day before his interview to tell him that it had been cancelled as he did not meet "the general entry requirement for character" on the grounds of having a four and half year old conviction for excess alcohol: again not relevant to the duties of the job and an example of failure to comply with the Merit Principle.
- c. One employee with a conviction in a temporary post within the Civil Service applied for a similar permanent position. Notwithstanding the fact that he had been doing the job for a substantial period of time, with his line manager providing an excellent reference, his application was disallowed as did not meet the general entry requirement for character. This evidences inconsistent and inequitable consideration within Departments and as such the Code would need to ensure against such future practices.

The above practices we believe are mainly attributable to the application of the DFP / NICS Risk Assessment Grid which promotes exclusion rather than inclusion which we consider fundamentally flawed.

NIACRO recognises that employers in Northern Ireland need to recruit safely but they must also ensure that such individuals are not permanently excluded from the workforce. We call for a less static instrument that provides greater flexibility.

In the 2005 we recommended that the application process clearly lays out how individuals can make informed decisions about applying for opportunities and be clear about how disclosures will be handled and what it will mean for the individual applicant.

Yet in 2012, seven years on, we note that the NICS Risk Assessment Grid still remains discriminatory and exclusive. The Grid was applied in a recent case to initially reject a Doctor who applied for a Disability Analyst post and who posed minimal risk. NIACRO is concerned about the arbitrary application of the grid used to reject suitable candidates.

NIACRO's fundamental concern lies in the DFP's use of the Risk Assessment Grid. While the Grid appears to have been updated in recent years, we believe that it is still unsuitable and discriminatory and would question fit with the AccessNI Code of Practice. We call for NICS to be more transparent about how it complies with AccessNI requirements when vetting candidates.

In addition, the Grid does not take account of individual circumstances. An example of this relates to an applicant who was refused employment as a Paramedic because he had a (conflict related) conviction for personation which is a dishonesty offence. Despite having provided a disclosure statement the Grid automatically excluded him.

To conclude NIACRO continues to call for a more transparent application of the Recruitment Code that pays closer attention to objective assessment of each individual's circumstances relating to their conviction history.

I hope this provides the Finance and Personnel Committee with some background information regarding our concerns with current risk assessment practices.

Please contact me should you have any further questions.

Yours sincerely



PAT CONWAY  
Director of Services

Northern Ireland Association for the Care and Resettlement of Offenders  
Recognised by the Inland Revenue as a charity XN 48280 Company Limited by Guarantee No. N.I 18121  
Chairman: S McDowell; Chief Executive: O Lyner; Chairman Finance Committee: Patrick L Farry BSc FCC,

