

Committee(s): Corporate Services Committee	Dated: 31 May 2023
Subject: Ban the Box Implementation	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	8: We have access to the skills and talent we need.
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Emma Moore, Chief Operating Officer	For Information
Report author: Cindy Vallance, Assistant Director, Organisational Development & Talent	

Summary

“Ban the Box” is a campaign to increase fair access to employment and provide opportunities for people with convictions to enable them to compete for jobs. The Establishment Committee (now the Corporate Services Committee) approved the implementation of the Ban the Box scheme in September 2020 and authorised the then Director of Human Resources to approve the revisions to the relevant policy, procedure and guidance documents cited in the report. Due to staff changes in HR and failure to adequately track the action Ban the Box was not implemented. This error was identified in April 2023 and action taken to prioritise implementation of the Member decision from 2020. Given the significant time lapse, a Task and Finish group has been created to implement Ban the Box as part of a larger review of vetting processes and a paper outlining final recommendations and proposed implementation plan will be shared with the Corporate Services Committee in July 2023 for Member approval.

Recommendation

Members are asked to note the report.

Main Report

Background and current position

1. The Ban the Box campaign was launched in the UK in 2013, led by Business in the Community. Its purpose is to ensure that people do not face unfair discrimination and that criminal records are not used to exclude people from applying for roles, although employers may still ask about convictions at a later stage in the recruitment process and there may be some convictions that cannot be accommodated. Organisations that sign up to Ban the Box commit to:
 - Remove any tick box from job application forms that ask about criminal convictions

- Consider applicants’ skills, experience and ability to do the job before asking about criminal convictions
 - Review employment processes to ensure that when a candidate discloses a criminal conviction, they are given a full opportunity to explain the situation
 - Ensure that the circumstances of any conviction are fairly assessed against their relevance to and risk within the role before a decision is made.
2. The Establishment Committee approved the implementation of the Ban the Box scheme in September 2020, delegating authority to the then Director of Human Resources to approve the revisions to the relevant policy, procedure and guidance documents. On identification in April 2023 this action had been missed, and to ensure prompt progress, an officer Task and Finish group has been created to implement Ban the Box as part of a larger review of vetting processes with a paper outlining final recommendations for CSC in July 2023.
 3. The City of London Corporation must have in place robust vetting procedures to reduce any risks which may exist when employing staff in accordance with the Ban the Box campaign. This will allow the differentiation of roles where Ban the Box is appropriate. Therefore, implementation of Ban the Box needs to incorporate updates from the vetting review.
 4. The T&F Group includes three HR service areas: Operations; Workforce and Resourcing; and Business Partnering, as well as the Strategic Security Director and Counter Terrorism Adviser. Work began in April 2023 to review all data held on all current roles across the Corporation that require vetting and the status of vetting adherence, including the status of re-vetting where required. This covers all parts of the Corporation under the Single Employer model except for teachers.
 5. We do not have clear policies or a framework which determines which roles require vetting and at what level. Therefore, implementation of Ban the Box will take some time to achieve fully, as the policy/framework is completed in consultation with Chief Officers, Heads of Profession and Comptrollers. All job descriptions for new and existing vacancies will then be confirmed for vetting requirement against this. The policy/framework will provide assurance that any legal, statutory or institutional concerns can be identified at later stages post-application through appropriate vetting processes and therefore Ban the Box can be implemented for recruitment to that role. Alternatively, for those roles which are unsuitable for Ban the Box, this step in our process will remain with an explanation provided as to how we differentiate proposed for our website and any job application documents.
 6. It should be noted, that in discussions with the Ban the Box campaign in 2020 they determined that we would only be able to be signatories to the campaign if 80% of our FTE roles were recruited without the criminal record disclosure on the application form. At the time, HR estimated that 83% of our FTE roles would be able to progress on that basis. We will need to test this calculation when the vetting and other policies are updated to ensure we continue to comply with the campaign stipulation.

7. The T&F Group progress and implementation plan for approval will be reported to CSC in July, with the intention that implementation can commence thereafter on a phased basis. Roles which include a need for Disclosure and Barring Service checks and those which are Politically Restricted posts will be within phase 2.

Corporate and Strategic Implications

8. Strategic implications – Adoption of the Ban the Box principles supports the City of London Corporation’s commitment to inclusive recruitment practices, thereby ensuring access to the skills and talent the Corporation needs. A review of vetting will enhance the Corporation’s confidence about its vetting decisions and provide the right foundation for managing risk, which lasts for as long as a person holds a security clearance.
9. Financial implications – None.
10. Resource implications – None.
11. Legal implications – None at this stage. Comptrollers will need to be satisfied with any policy or vetting changes to ensure we continue to meet statutory and other legal requirements.
12. Risk implications – Incomplete vetting carries risks for roles where national security or criminality concerns are a consideration, as well as vetting being used at an inappropriate level. There would be substantial reputational risk should the Corporation not meet its statutory obligations either in vetting or DBS as well as the risk posed by those individuals being employed inappropriately for the role we engage them to undertake.
13. Equalities implications – Ban the Box is intended to help support people with criminal convictions back into work and society groups more likely to have convictions or criminal history. When the policy/framework is complete a Test of Relevance will be able to be completed.
14. Climate implications – None.
15. Security implications – As noted above, vetting helps identify, manage and mitigate risks for roles which includes jobs with access to high-risk sites, highly classified or sensitive information or systems.

Conclusion

16. A report outlining recommendations for adjustments to City of London Corporation Vetting procedures including Ban the Box implementation will be provided in June 2023 to the Senior Security Board and to the Corporate Services Committee in July 2023 following the successful conclusion of Phase 1 of the work of the Task and Finish Group.

Appendices

None.

Background Papers

17. Original committee decision paper from Sep 2020: [Ban the Box -Update paper Final.pdf \(cityoflondon.gov.uk\)](#)

Cindy Vallance

Assistant Director: Organisational Development and Talent

T: 07842 324397

E: cindy.vallance@cityoflondon.gov.uk