

### **Criminal record declaration form for jobs covered by the Rehabilitation of Offenders Act (ROA)**

You have been asked to complete this form because the role you have applied for is covered by the Rehabilitation of Offenders Act 1974. The information disclosed on this form will not be kept with your application form during the application process.

#### **Policy statement on recruiting applicants with criminal records**

This post is covered by the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare:

- Unspent convictions and/or unspent conditional cautions only

For further information on how long it takes for convictions and conditional cautions to be spent, please refer to Nacro's guide on the Rehabilitation of Offenders Act.

We recognise the contribution that people with criminal records can make as employees and volunteers and welcome applications from them. A person's criminal record will not, in itself, debar that person from being appointed to this post. Any information given will be treated in the strictest confidence. Suitable applicants will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they are applying.

All cases will be examined on an individual basis and will take the following into consideration:

- Whether the conviction is relevant to the position applied for.
- The seriousness of any offence revealed.
- Your age at the time of the offence(s).
- The length of time since the offence(s) occurred.
- Whether the applicant has a pattern of offending behaviour.
- The circumstances surrounding the offence(s), and the explanation(s) provided.
- Whether your circumstances have changed since the offending behaviour.

It is important that applicants understand that deliberate attempts to conceal the information requested in this form could result in disciplinary proceedings or dismissal. Further advice and guidance on disclosing criminal records can be obtained from Nacro's Criminal Record Support Service.

Please turn over this page and complete the declaration.



Rehabilitation Periods table

Sentence or disposal	Rehabilitation period if aged 18 or over when convicted or disposal administered	Rehabilitation period if aged under 18 when convicted or disposal administered
<ul style="list-style-type: none"> <li>• Sentence of imprisonment for life</li> <li>• Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over four years</li> <li>• Sentence of preventive detention</li> <li>• Sentence of detention at Her Majesty’s Pleasure</li> <li>• Sentence of custody for life</li> <li>• Public protection sentences* (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders)</li> </ul>	<p>These sentences are excluded from rehabilitation and so will always be disclosed</p>	<p>These sentences are excluded from rehabilitation and so will always be disclosed</p>
<p>*A public protection sentence (the provisions for which are set out in Part 12 of the Criminal Justice Act 2003 and Part 8 of the Armed Forces Act 2006 means a sentence of imprisonment or detention, as detailed above, imposed for specified sexual and violent offences.</p>		
<p>A custodial sentence of over 2 years 6 months but not exceeding 4 years</p>	<p>7 years from the date on which the sentence (including any licence period) is completed</p>	<p>3 years 6 months from the date on which the sentence (including any licence period) is completed</p>
<p>A custodial sentence of over 6 months but not exceeding 2 years 6 months*</p>	<p>4 years from the date on which the sentence (including any licence period) is completed</p>	<p>2 years from the date on which the sentence (including any licence period) is completed</p>
<p>A custodial sentence of up to 6 months*</p>	<p>2 years from the date on which the sentence (including any licence period) is completed</p>	<p>1 year 6 months from the date on which the sentence (including any licence period) is completed</p>

A sentence of service detention	1 year from the date on which the sentence was completed	6 months from the date on which the sentence was completed
Dismissal from Her Majesty's Service	1 year from the date of conviction	6 months from the date of conviction
Fine	1 year from the date of the conviction in respect of which the fine was imposed	6 months from the date of the conviction in respect of which the fine was imposed
Community order or youth rehabilitation order	1 year from the last day on which the order has effect	6 months from the last day on which the order has effect
Driving endorsements	5 years from the date of conviction	2 years 6 months from the date of conviction
Driving disqualification	When the period of the disqualification has passed	When the period of the disqualification has passed
Simple caution, youth caution	Spent immediately	Spent immediately
Conditional caution, youth conditional caution	3 months or when caution ceases to have effect if earlier	3 months or when caution ceases to have effect if earlier
Compensation order	On discharge of the order (i.e. when it is paid in full). Proof of payment will be required	On discharge of the order (i.e. when it is paid in full). Proof of payment will be required
Absolute discharge	Spent immediately	Spent immediately
Relevant orders** (orders that impose a disqualification, disability, prohibition or other penalty)	The end date given by the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent	The end date given by the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent

\*Suspended custodial sentences are treated the same as custodial sentences for this purpose. It will be the length of the sentence imposed by the court, not the period it is suspended for that dictates when it will become spent.