

## GUIDANCE NOTES FOR REHABILITATION OF OFFENDERS/CRIMINAL RECORDS DECLARATION FORM

### PLEASE READ THIS CAREFULLY

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. After this period, a person with a conviction is not normally obliged to mention it when applying for a job.

However there are exceptions. Due to the nature of the work some jobs are exempt from the provisions of the Rehabilitation of Offenders Act and applicants are obliged to declare all convictions 'spent' and 'unspent'. In these circumstances the UMC Ltd (University of Manchester Conferences) ("the company") may also require applicants to allow a criminal record check to be undertaken by the Government Disclosure and Barring Service.

1. All applicants must complete sections 1, 2, 3, 4 & 7 whether or not you have a previous conviction.
2. Section 5. If you have applied for a post which is exempt from the Rehabilitation of Offenders Act, you must also declare any 'spent' convictions.
3. Section 6. If you have applied for a post which requires a DBS enhanced disclosure you must complete this section.
4. All information provided on this form will be treated in the strictest of confidence. A criminal record will not necessarily be a bar to obtaining a position.
5. You should complete the form and return it to HR Services.
6. If you have declared a criminal record and we believe this to have a bearing on the requirements of the post a representative from Human Resources and/or the Chair of the interview panel will discuss the matter with you before deciding whether to confirm or withdraw our offer of employment.

### When do convictions become spent?

Custodial sentences of more than 4 years can never become spent. Other sentences become spent after fixed periods depending upon the type and length of sentence imposed, as set out in the following table

<b>Sentence</b>	<b>Rehabilitation period age 18 or over when convicted</b>	<b>Rehabilitation period age under 18 when convicted</b>
A sentence of imprisonment or youth custody for a term not exceeding 6 months. (0 – 6 months)	2 years from end of sentence	18 months from end of sentence
A sentence of imprisonment or youth custody for more than 6 months, but not more than 30 months. (6 – 30 months)	4 years from end of sentence	2 years from end of sentence
A sentence of imprisonment or youth custody for more than 30 months, but not more than 4 years. (30 months – 4 years)	7 years from end of sentence	3 ½ years from end of sentence
A community or youth rehabilitation order	1 year from the date the order ends	6 months from the date the order ends
A relevant order	The date the order ends	The date the order ends
Removal from Her Majesty's service.	1 year from date of conviction	6 months from date of conviction
Any sentence of service detention	1 year from end of sentence	6 months from end of sentence
A fine	1 year from date of conviction	6 months from date of conviction
A compensation order	Date payment made in full	Date payment made in full
An absolute discharge	None required	None required

### **What are Disclosure and Barring Service (DBS) Standard and Enhanced Disclosures?**

Certain occupations, professions and positions are considered by law to be exempt from the provisions of the Rehabilitation of Offenders Act 1974, thus enabling employers to ask applicants to disclose 'spent' convictions and to apply for a criminal record check to be undertaken prior to appointment.

Standard Disclosure – provides details of both spent and unspent convictions, and cautions, formal reprimands and final warnings held on the Police National computer. It also states if there is nothing on record. If the applicant is applying for a post working with either children or vulnerable adults, the disclosure will also show whether a person is banned from working with either group.

Enhanced Disclosure – contains the same details as the Standard disclosure, but may also contain non-conviction information from local police records, which the police may think is relevant to the position being sought. It also states if there is nothing on record. The Enhanced disclosure is available for positions involving regular caring for, or training, supervising or being in sole charge of children or vulnerable adults. This level of disclosure is also available for certain statutory licensing purposes.

All paperwork relating to the criminal record check will be stored in secured conditions and kept in locked, non-portable storage. Only counter signatory, lead signatories or staff in Human Resources will have sight of the disclosure certificate. Once the appointment is made, paperwork on unsuccessful candidates will be destroyed in a secure and timely manner (within a maximum period of six months).