

CRIMINAL RECORDS BUREAU DISCLOSURE

Rehabilitation of Offenders Act 1974 (as amended)



Poole Housing Partnership is highly committed to safeguarding the welfare of children, young people and vulnerable adults. We expect all employees to share this commitment.

As part of our recruitment process, Poole Housing Partnership is allowed to ask applicants to declare information about convictions that are **not** 'spent'.

The Rehabilitation of Offenders Act enables many criminal convictions to become spent or ignored after a rehabilitation period. The table overleaf explains what these periods are in particular cases. If your conviction is not spent you are required to declare it. You should forward details confidentially under separate cover to the Chief Executive of Poole Housing Partnership.

A failure to disclose any unspent conviction could lead to the application being rejected, or if discovered after appointment, the employee being dismissed.

Exempt Posts

The Rehabilitation of Offenders Act (Exemptions Order) 1975 also allows Poole Housing Partnership to ask you to declare convictions, which would otherwise be spent, if you are applying for certain types of posts. This includes posts that:

- involve regularly caring for, training supervising or being in sole charge of persons under 18 years of age
- involve unsupervised contact with children under arrangements made by a responsible person
- regularly caring for, training, supervising or being in sole charge of vulnerable adults
- child-minding and day care posts
- social workers and social care workers

This is not an exhaustive list. Further information can be obtained from Poole Housing Partnership. The job details will confirm whether particular posts are being treated as exempt.

Applicants for exempted posts will be required to complete a Criminal Records Bureau disclosure application, and must declare **all** convictions when they submit and application. Applicants will **not** be able to treat any convictions as spent. Disclosure will give details of all previous convictions, cautions, reprimands and warnings.

Referees named in your application form (or others) will be advised that they are liberty to make reference to any relevant police record. You will be asked to verify your identity when submitting a CRB disclosure form.

Poole Housing Partnership observes the requirements of the CRB Code of Practice when dealing with disclosure information. A copy of this code is available on request.

The fact that an individual has a criminal record will not automatically bar an individual from employment.

Each case will be carefully considered on its merits, taking into account the duty to protect vulnerable adults and children. Information about a conviction, which is of direct relevance to the employment, may result in an offer of employment being withdrawn.

Poole Housing Partnership has also adopted a policy statement on the employment of ex-offenders. A copy of which is included within application packs.

If you have any questions or concerns, please contact Poole Housing Partnership.

LENGTH OF TIME BEFORE SENTENCES ARE 'SPENT'

Sentence	Rehabilitation Period People aged 17 or under when convicted	Rehabilitation Period People aged 18 or over when convicted
Prison sentences of 6 months or less	3.5 years	7 years
Prison sentences of more than 6 months to 2.5 years	5 years	10 years
Borstal (abolished in 1983)	7 years	7 years
Prison sentences of more than 2.5 years	never spent	never spent
Detention Centres (abolished in 1988)	3 years	3 years
Fines, compensation, probation, community service, combination, action plan, drug treatment and testing, and reparation orders	2.5 years	5 years
Absolute discharge	6 months	6 months

The Crime & disorder Act 1998 introduced a new custodial sentence for young people with different rehabilitation periods.

Sentence	Rehabilitation Period People aged 12, 13 or 14 when convicted	Rehabilitation Period People aged 15, 16 or 17 when convicted
Detention and training order of 6 months or less	1 year after the order expires	3.5 years
Detention and training order of more than 6 months	1 year after the order expires	5 years

With some sentences, the rehabilitation period varies

Sentence	Rehabilitation Period
Probation, supervision, care order, conditional discharge and bind-over	1 year or until the order expired (whichever is longer)
Secure training (abolished 2000) and attendance centre orders	1 year after the order expired
Hospital order (with or without a restriction order)	5 years or 2 years after the order expired (whichever is longer)
Referral order	Once the order expired

Armed Forces

Rehabilitation periods for imprisonment in the Services are the same as in civilian life. For specific service offences, the periods are as follows:

Type of Sentence On men and women in the Armed Services	Number of years From date of conviction before conviction becomes 'spent'
A sentence of cashiering, discharge with ignominy or dismissal with disgrace from Her Majesty's Services	10 years
A sentence of dismissal from Her Majesty's Services	7 years
A custodial order under the relevant schedules and sections of the Army, Air Force and Naval Discipline Acts - where the maximum period of detention specified in the order is more than 6 months	7 years
A sentence of detention in respect of conviction in Service Disciplinary Hearings	5 years
A custodial order under the relevant schedules and sections of the Army, Air Force and Discipline Acts - where the maximum period of detention specified in the order is 6 months or less	3 years

Applicants for exempted posts are not entitled to withhold details of spent convictions under the Rehabilitation of Offenders Act