

Criminal convictions

Rehabilitation of Offenders Act 1974 - Criminal Convictions

When applying for a job with the Council you must tell us about any **unspent** criminal convictions you have, in accordance with the Rehabilitation of Offenders Act 1974.

When applying for jobs where you are likely to be in regular contact with people less than 18 years of age, you will need to declare **spent** convictions.

The information you provide will be treated in the strictest confidence and will only be considered in respect of the job for which you are applying. If you disclose a conviction, you may still be considered for the post.

All information we obtain from a disclosure application to the Disclosure & Barring Service will be processed in accordance with the DBS Code of Practice. You can download a copy of the Code of Practice via <https://www.gov.uk/government/publications/dbs-code-of-practice>

Details of relevant convictions and time periods are as follows:

Sentence Becomes Spent After:

- Imprisonment or youth custody exceeding 6 months but not exceeding 30 months - spent after 10 years.
- Imprisonment or youth custody not exceeding 6 months - spent after 7 years.
- Borstal training - spent after 7 years.
- Fine or other sentence not otherwise covered - spent after 5 years.
- Absolute discharge - spent after 6 months.
- Probation order, conditional discharge, bound over, fit person orders, supervision orders under the Children and Young Persons Acts (and their equivalents in Scotland) - spent after 1 year or until the order expires (whichever is longer).
- For cashiering, discharge with ignominy or dismissal with disgrace from Armed Forces - spent after 10 years.
- Simple dismissal from the Armed Forces - spent after 7 years.
- Detention by Armed Forces - spent after 5 years.
- For detention by direction of the Home Secretary not exceeding 6 months - spent after 3 years.
- For detention by direction of the Home Secretary exceeding 6 months but not exceeding 30 months - spent after 5 years.
- Remand home order, approved school order or attendance centre order - spent after the period of the order plus a further year.
- Detention Centre order - spent after 3 years.
- Hospital order under the Mental Health Acts - spent after the period of the order plus a further 2 years (minimum of 5 years from the date of conviction).

Notes:

- A sentence of more than 30 months imprisonment or youth custody can never become spent.
- Please halve the period shown if you were under 17 years of age on the date of conviction for all sentences, except those under the heading "For detention by direction of the Home Secretary".
- For the purposes of calculating a spent conviction it is immaterial whether a sentence was/is suspended or not.