

Criminal Offence

Under the Rehabilitation of Offenders Act 1974 the Council as a prospective employer is entitled to ask if applicants have any convictions for criminal offences

You are requested to detail below any convictions that you have, including motoring offences, except where these convictions have become 'spent'.

A spent conviction need not be disclosed on this form or at interview.

Guidelines on spent convictions are provided on the reverse of this form.

Having a criminal record will not necessarily bar you from working with the Council. This will depend on the nature of the position and the circumstances and background of the offences.

In the event of employment, any failure to disclose such convictions could result in dismissal or disciplinary action by the Council.

Have you been convicted of a criminal offence or are you at present the subject of criminal charges?

YES NO (Tick as appropriate)

If yes please give details which will be treated sensitively and in confidence

| Nature of offence | Date | Sentence | Court |
|-------------------|------|----------|-------|
| | | | |
| | | | |
| | | | |

Signed: _____ Date: _____

Print name: _____ Post Applying for: _____

Please return this with application form.

EMPLOYEES WITH CONVICTIONS

Under the Rehabilitation of offenders Act 1974, an individual who has had a conviction (or convictions) for an offence may, with certain exceptions, be rehabilitated and allowed to treat the

conviction as if it had never occurred. The conviction will become 'spent' where the individual has not, after a period of time, committed another serious offence.

Rehabilitation period - Rehabilitation periods vary depending on the length of conviction originally incurred.

| TYPE OF SENTENCE IMPOSED on adults aged 18 years and over at the time | NUMBER OF YEARS from date of conviction BEFORE CONVICTION BECOMES SPENT |
|--|--|
| Imprisonment or detention in a young offender institution (previously known as youth custody) between six months and two and a half years | 10 years |
| Imprisonment or detention in a young offender institution (previously known as youth custody) of six months or less | 7 years |
| A fine or any other sentence for which a different rehabilitation period is not provided (e.g. a compensation or community service order, or a probation order received on or after 3 February 1995) | 5 years |
| An absolute discharge | 6 months |

Except an absolute discharge, all of the periods above are halved if the person convicted was under 18 at the time. If you are under 18 and received a probation order on or after 3 February 1995, the rehabilitation period is two and a half years or until the order expires – whichever is longer.

In the past there were sentences that could be imposed only on young people. The rehabilitation periods for sentences like this are as follows.

| TYPE OF SENTENCE IMPOSED on adults aged 18 years and over at the time | NUMBER OF YEARS from date of conviction BEFORE CONVICTION BECOMES SPENT |
|--|--|
| Borstal | 7 years |
| Detention Centre | 3 years |
| An order for custody in a Remand Home or an Approved School order | 1 year after the order expires |

Some sentences like this carry variable rehabilitation periods.

| TYPE OF SENTENCE IMPOSED on adults aged 18 years and over at the time | NUMBER OF YEARS from date of conviction BEFORE CONVICTION BECOMES SPENT |
|--|--|
| | |

| | |
|--|--|
| A probationary order received before 3 February 1995, a conditional discharge or a bind over | 1 year, or until the order expires (whichever is longer) |
| An Attendance Centre order | 1 year after the order expires |
| A Hospital order (with or without a restriction order) | 5 years, or two and a half after the order expires (whichever is longer) |

In Scotland, supervision requirements made by Children's Hearings have the same rehabilitation periods as care or supervision orders.

Armed Services.

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 imposed on adults aged 18 years and over at the time | 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 service | 10 years |
| A sentence of dismissal from her Majesty's service | 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 six months. | 7 years |
| A sentence of detention in respect of a conviction in Service disciplinary proceedings | 5 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 six months or less | 3 years |

These periods are halved if the offender was under 18 at the time.