

**Additional Information For Job Applicants**

**Rehabilitation of Offenders Act (1974) and Exceptions Order (1979)  
– Additional Information**

The Rehabilitation of Offenders Act 1974 makes it unlawful for employers, or prospective employers, to take into account offences deemed rehabilitated. This means that after a certain period of time (which depends on the seriousness of the punishment) the individual concerned is to be assessed on their suitability for employment as if the conviction had never taken place. A definition of the term 'conviction' is detailed below.

Applicants may omit to give details of spent convictions to prospective employers, both on application forms and if directly asked. The employer must not discriminate against the individual in these circumstances. The relevant periods for determining spent convictions are detailed on the reverse of this form. However, please note, there are particular jobs where all offences must be disclosed (details of these jobs can be found below).

All job applicants are asked to answer rehabilitation related questions. Information obtained from successful applicants will be held confidentially in the Personnel Section. Information for unsuccessful applicants will be destroyed.

Failure to disclose a conviction or disciplinary action that has been taken against you will disqualify you from your appointment will result in instant dismissal.

Please note, for certain posts it is necessary to undertake a Criminal Records Bureau 'Disclosure' check prior to the successful applicant commencing their employment. Posts requiring a disclosure check will specify this in the job details.

**Definition of the Term 'Conviction'**

For the purposes of this form the term 'conviction' includes:

- A sentence of imprisonment, youth custody or borstal training
- An absolute discharge, probation order, conditional discharge, bind over, fit person order, supervision order or care order
- Dismissal from the Armed Forces, cashiering, discharge with ignominy, dismissal with disgrace or detention by the Armed Forces
- Detention centre, remand home, approved school or attendance centre orders
- A suspended sentence
- A fine or any other sentence not mentioned above

**Periods For Rehabilitation of Offences**

<b>Sentence</b>	<b>Rehabilitation Period</b>
Sentence or suspended sentence of imprisonment between six months and two and a half years	Ten years
Cashiering, discharge with ignominy or dismissal with disgrace from the Armed Forces	Ten years
Sentence or suspended of six months or less	Seven years
Borstal Training or dismissal from the Armed Forces	Seven years
Detention, fine or other sentences (eg. community service order) for which no other rehabilitation period is prescribed	Five years
Detention Centre Order	Three years
Remand home, attendance centre or approved school order	The period of the order plus a year after it expires
Hospital order under the Mental Health Act	The period of the order and plus 2 years after it expires

Probation Order, conditional discharge or bind over

One year (or until the order Expires)

Absolute discharge

Six months

- NB.
1. A sentence of more than 2½ years' imprisonment can never become spent
  2. If you were under 17 years of age on the date of conviction, please halve the period shown

**However**, there are exceptions where all previous offences must be disclosed. These exceptions cover those employed as Lawyers, Accountants, the Medical Profession, Teachers and anyone whose job brings them into contact with children and young people under the age of 18. Please note, under legislation for the protection of children you will be asked to agree to a check being made by the police about the existence and content of a criminal record.

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## **DATA PROTECTION**

The Borough Council of King's Lynn and West Norfolk will use the information provided on this form to process your application for employment. We may share, exchange or disclose the information provided on this form as necessary with other agencies, such as Social Services and the Police to confirm, expand or clarify the information provided. By returning this form you consent to the Borough Council processing sensitive date information where this is necessary. You have the right to apply for a copy of your information (for which we will charge a fee) and to have any inaccuracies corrected.

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## **Queries**

If you would like any further information on the disclosure of offences please contact Personnel Services on 01553 616316.