

## LANCASHIRE COUNTY COUNCIL

## REHABILITATION OF OFFENDERS ACT 1974

**Note of Guidance for Applicants**

The Rehabilitation of Offenders Act (1974) is a piece of legislation protecting ex-offenders employment opportunities, although if you have convictions, you must disclose these until a certain length of time passes, and the conviction becomes 'spent'.

	Aged 17 or over on conviction	Aged under 17 on conviction
Prison (immediate or suspended sentence) or young offender institution: more than 6 months but less than 2.5 years	10 years	5 years
Prison (immediate or suspended sentence) or young offender institution: 6 months or less	7 years	3.5 years
Fine or community service order	5 years	2.5 years
Absolute discharge	6 months	6 months
Probation, supervision, care order, conditional discharge or bind-over	1 year or until order expires (whichever is longer)	
Attendance Centre Order	1 year after the order expires	
Hospital Order (with or without restriction order)	5 years, or 2 years after the order expires (whichever is longer)	

If you have been sentenced for any offence and the above periods of time have not passed you must declare the offence. If the period of time **has** passed you do not need to mention it on your application form.

There nevertheless remain certain job categories and classes of employment which are exempt from such time limitations. This means that convictions never become 'spent' if you are looking for work in certain job categories.

Exempted categories include employment connected with the provision of services for persons under 18 years of age or vulnerable adults.

Accordingly, if you are applying for a position which falls into one of these categories, you must declare any convictions you have had, regardless of whether or not any time limit has elapsed, unless these convictions have been filtered from your criminal record by the DBS. It does not mean that you cannot apply for the position. All appointments are considered on merit and individual consideration of the conviction and the circumstances. Further information on which offences need to be declared as part of your application will be forwarded to you if you are shortlisted for this position.

The information you provide will be treated in the strictest confidence. Having a conviction will not necessarily bar you from employment. However, failure to disclose convictions may result in the offer of employment being withdrawn, or if already appointed, you could be dismissed without notice.

Please bear in mind; you may be subject to a Disclosure and Barring Service Disclosure for posts working with children or vulnerable adults.