

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 exoffenders employment opportunities, although if you have convictions, you must disclose these until a certain length of time passes, and the conviction becomes 'spent'.

There nevertheless remain certain job categories and classes of employment, including positions within schools, 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. This post is exempt from the Rehabilitation of Offenders Act 1974.

If you are shortlisted for this position you will be required to declare any relevant convictions, adult cautions or other matters which may affect your suitability to work with children. All appointments are considered on merit and individual consideration of the conviction and the circumstances.

As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected (filtered) and should not be disclosed to potential employers, and employers cannot take these offences into account. 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 However, failure to disclose convictions may result in the offer of employment being withdrawn, or if already appointed, you could be dismissed without notice.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.

If you are unsure whether you need to disclose criminal information, you should seek legal advice, or you may wish to contact Nacro or Unlock for impartial advice.

<https://www.nacro.org.uk/criminal-record-support-service/>
or email helpline@nacro.org.uk or phone 0300 123 1999

Unlock – <http://hub.unlock.org.uk/contact/> phone 01634 247350 message or WhatsApp 07824 113848 or e-mail using the form on the Unlock website.

Please note that as the post will involve regulated activity with children, it is a criminal offence to apply for this post if you are included on the children's barred list held by the DBS