

# Recruitment and Rehabilitation of Offenders Policy

## Introduction - Rehabilitation of Offenders Act 1974

We comply with The Rehabilitation of Offenders Act 1974 and seek to ensure that past offence(s) do not impact on an individual's life after the offence(s), if they have continued to abide by the law. This usually means we do not consider any spent conviction unless someone wants to work with children, young people or adults at risk.

When someone is applying to work with children, young people or adults at risk, regardless of whether a conviction is deemed spent, you are required by law to tell your employer. Failure to disclose this means we can dismiss that person on the grounds of deception or lawfully not employ them.

## Disclosure and Barring Service (DBS) checks

When a DBS application is sent to the Police, they will disclose any spent convictions, cautions, reprimands, warnings. They may also disclose other relevant information based on the position applied for.

The LTA considers the type of conviction, caution, reprimand, warning and any other relevant information when completing a risk assessment of an individual's suitability to work with children, young people or adults at risk.

## General points about the Rehabilitation of Offenders Act 1974

- A spent conviction is usually ignored after a specified period of time or rehabilitation.
- A custodial sentence of more than 2.5 years will never become spent. Those with a sentence less than this become spent after a number of years depending on the sentence imposed.
- A caution, reprimand or warning will usually become spent immediately, unless there is conditional warning which becomes spent after 3 months.
- Someone convicted under the age of 17 usually has a rehabilitation period half that of someone over the age of 18.
- Someone who has had a conditional caution must declare this when asked, regardless of whether it is spent.
- Cautions do not need to be declared.