

Rehabilitation of Offenders and Disclosures For Employment Purposes

The Rehabilitation of Offenders (Bailiwick of Guernsey) Law, 2002 provides for the rehabilitation of people who have been convicted of a crime. It means that after a certain amount of time, dependant on the sentence and providing no other offences have been committed, a conviction will become “spent”. Such a conviction should no longer appear on criminal records checks for employment purposes and does not have to be disclosed.

This table lists in broad terms the timescales involved. Further convictions may alter the “clear period”. Sentences of over 30 months imprisonment will never become spent.

Sentence	Clear Period	
	Adult	Juvenile
6 – 30 months imprisonment	10 yrs	5 yrs
Up to 6 months imprisonment	7 yrs	3.5 yrs
Fine, community service	5 yrs	2.5 yrs
Probation, bind over	1 yr *	1 yr *
Caution	6 mths	6 mths

* if length of probation order or bind over is longer than 1 year the conviction will not become spent until the end of the sentence

Under the Rehabilitation of Offenders legislation and the associated Code of Practice spent convictions will not usually affect a person’s suitability for employment and need not be mentioned at any point in the recruitment process.

There are jobs that may attract a higher level of vetting and for which spent convictions will be required to be disclosed. These tend to be occupations where a conviction could indicate a need for risk management or elimination by the employer (for example child care) or where a higher degree of integrity is expected (for example law enforcement).

What is a Basic Disclosure?

A Basic Disclosure is a copy of all unspent convictions and cautions recorded on the Police National Computer and local police systems. You may be asked to apply for one by an employer/prospective employer or other party.

How to Obtain a Basic Disclosure

You can attend the Disclosure & Vetting Services counter at the New Jetty in person between the hours of 8.30am and 3.00pm Monday – Friday. A fee of **£20** is payable at the time of making the request. This can be paid by cash, cheque (made payable to the States of Guernsey) or credit/debit card. A receipt will be issued.

You will be required to produce **adequate photographic personal identification** in the form of a Passport, a Channel Island/UK Driving Licence (bearing a computerised photograph), a UK Citizen Card or an EU National Identity Card.

Alternatively completed forms & certified copies of identity documents can be emailed to disclosures@guernsey.pnn.police.uk a member of the team will contact you to take a card payment over the phone.

Your Basic Disclosure will be logged on our system and processed within 4 weeks. It will be dispatched to the Address nominated on the form.

You can then pass the disclosure onto whoever you wish to.

Is Data Incorrect

Care will be taken to ensure that all data included on a Basic Disclosure relates to you. To assist this process it is important that you give as much information as you can when applying for a disclosure, especially relating to other names you use or may have used in the past for example, any maiden name or previous married name.

If you believe that the disclosure you have received is incorrect or that the information is not your own please contact the disclosure staff (contact details on the back of this form).

Efforts will be made to ensure that any error is corrected or that further explanation is given as to why the data is on your disclosure.

For more information about your data protection rights and how we manage your information, please refer to the fair Processing Notice for Guernsey Police which can be found at www.guernsey.police.uk

Other Disclosure Types

Further advice regarding other Disclosure types, guidance can be obtained from the Disclosure & Vetting Unit
Email: Disclosures@guernsey.pnn.police.uk

The Right Type of Disclosure

A Basic Disclosure is the right disclosure for most jobs within the Bailiwick. It provides details of convictions and/or cautions that are either relatively recent or of a serious nature and is suitable for most employment related criminal record checks.

However, there are some jobs (whether paid or voluntary) that require a higher level of disclosure. These tend to be jobs focused around the caring for or contact with children and vulnerable adults.

Alternatively, contact the Disclosure & Vetting Unit of Guernsey Police to discuss whether a higher level of disclosure would be appropriate.



GUERNSEY POLICE DISCLOSURE and VETTING UNIT

BASIC DISCLOSURE

CONTACT

Disclosure & Vetting
New Jetty
White Rock
St Peter Port
Guernsey
GY1 2LL
Telephone – 01481 221462

Opening hours :- 8.30 – 3.00PM

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