# External Recruitment of People with Criminal Records – Policy Statement

Natural Resources promotes equal opportunity for all with the right mix of talent, skills and potential, including those with criminal records. The selection of candidates for interview will normally be based on skills and/or qualifications and experience.

For the majority of roles in Natural Resources Wales we will only undertake basic disclosure checks[[1]](#footnote-1). This means only “unspent convictions”[[2]](#footnote-2) will be considered[[3]](#footnote-3). The candidate is asked to provide details of any “unspent convictions” on the Character Enquiry form.

However, for some positions we are entitled to ask questions about an individual's entire criminal record. This is called an enhanced disclosure and these will only be undertaken where it is relevant to the particular role.   When an enhanced disclosure is necessary, all recruitment information will state that we will request an enhanced disclosure in the event of the position being offered.

A disclosure forms part of the recruitment process, we will therefore encourage all applicants selected for interview to provide details of any criminal record at an early stage in the application process.  We ask that this information be sent under confidential cover and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

We will discuss any offences or other matters that might be considered relevant to the position concerned with the applicant at interview or at a separate discussion.  Failure of the applicant to disclose relevant information may result in withdrawal of an offer of employment and/or termination of employment.

The existence of a criminal record does not mean that employment will not be offered. The decision will be based on the following criteria:

* How serious the offence was;
* How recently it was committed;
* The age of the applicant at the time of the offence to determine whether it was an act of immaturity;
* Whether it was an isolated incident or part of a series of offences;
* Any deliberate attempt to mislead.

If you have any queries on this policy please contact People Services.

## Relevant Rehabilitation Periods

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|  | Rehabilitation Period | |
| Sentence | People aged 17 or under when convicted | People aged 18 or over when convicted |
| Prison sentences1 of 6 months or less | 3 ½ years | 7 years |
| Prison sentences of more than 6 months to 2 ½ years | 5 years | 10 years |
| Borstal (abolished in 1983) | 7 years | 7 years |
| Detention centres (abolished in 1988) | 3 years | 3 years |
| Fines2, compensation, probation3, community service4, combination5, action plan, drug treatment and testing, and reparation orders | 2 ½ years | 5 years |
| Absolute Discharge | 6 months | 6 months |

Table Footnotes:

1 Including suspended sentences youth custody (abolished 1988) and detention in a young offender institution (abolished for those under 18 in 2000 and for those aged 19-20 in 2001)

2 Even if subsequently imprisoned for fine default

3 People convicted on or after 3 February 1995. These orders are now called community rehabilitation orders

4 These orders are now called community punishment orders

5 These orders are now called community punishment and rehabilitation orders

1. The Rehabilitation of Offenders Act 1974 (ROA), allows Natural Resources Wales to ask about ’unspent’ convictions. [↑](#footnote-ref-1)
2. An unspent conviction is a conviction on a person’s record which hasn’t passed the time of the relevant rehabilitation period. [↑](#footnote-ref-2)
3. A Rehabilitation Period table has been included below [↑](#footnote-ref-3)