

GUIDANCE NOTES FOR APPLICANTS – REHABILITATION OF OFFENDERS ACT 1974

This information has been provided to offer guidance when completing the Miscellaneous Section of the application form ‘Do you have a criminal record?’ You should read this information fully before completing the miscellaneous section of the application form.

Stagecoach has made a commitment not to discriminate against ex-offenders and if you have to disclose any previous convictions this will not automatically exclude you from the selection process. Former convictions will only be considered and taken into account where relevant to the role.

What is a ‘Spent’ Conviction?

The Rehabilitation of Offenders Act 1974 states that a spent conviction need not be disclosed on your application form. If, however, your conviction has not been spent, you must disclose it on your application form.

In the case of PCV Driver applicants **all** convictions and sentences **must** be declared as The Rehabilitation of Offenders Act is exempted with regard PCV Drivers, there are no spent convictions in the case of PCV Driver applicants.

How long are Rehabilitation Periods?

A conviction becomes spent after a certain length of time and this changes with both the sentence and the age at the time of the conviction.

REHABILITATION OF OFFENDERS

Sentence	Rehabilitation period (if over 18 when convicted)	Rehabilitation period (if under 18 when convicted)
A sentence of imprisonment or youth custody for more than six months, but not more than 2.5 years (30 months).	10 years	5 years
A sentence of imprisonment or youth custody for a term not exceeding six months.	7 Years	3.5 Years
Borstal (abolished in 1988)	7 Years	7 Years
Detention Centres (abolished in 1988)	3 Years	3 Years
A fine or any other sentence subject to rehabilitation under the Act, for example community service.	5 Years	2.5 Years
Absolute Discharge	6 Months	6 Months

Note: it is the sentence awarded which is used to assess the period of rehabilitation – not the period of time served.

Exclusion

Certain sentences are excluded from rehabilitation under the Act (Rehabilitation of Offenders Act 1974, section 5) including:

- a sentence of life imprisonment;
- a sentence of preventive detention;
- a sentence of imprisonment, youth custody or corrective training for a term exceeding 30 months.

This means that someone whose sentence exceeded 30 months can never be rehabilitated under the Act and such convictions can therefore never be regarded as “spent”.