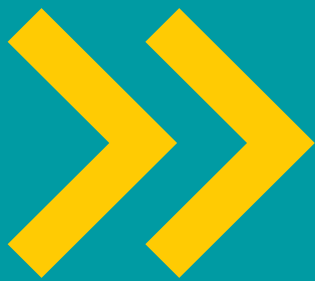


Nacro >

**Criminal Record
Support Service**



How do I disclose my criminal record guide 2024

nacro.org.uk

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Introduction

Disclosing a criminal record is more than just telling someone about an offence that you have committed. It is your opportunity to explain in your own words the circumstances behind your offending, and to demonstrate how you have positively moved on in your life.

This is a practical guide for anyone that has been asked to disclose their criminal record. You may have been asked to disclose your criminal record when applying for a new job, college course, university course or housing. The guide offers a step-by-step process on how to disclose your criminal record in an effective manner and with confidence.

If you are unsure as to whether you need to disclose your criminal record, please read our guides: [Rehabilitation of Offenders Act 1974](#) for roles covered by the ROA 1974 and [What do I need to disclose?](#) for roles subject to the ROA Exceptions Order.

You can also obtain free, confidential advice from Nacro's Criminal Record Support Service on 0300 123 1999 or helpline@nacro.org.uk.

How should I disclose my criminal record?

You may have been asked to disclose your criminal record on an application form or as part of a conversation during the interview or admissions process. Providing a written disclosure statement rather than simply filling out the criminal record declaration box in the application form or simply having a conversation is often more effective. The benefits of preparing a "disclosure statement" are:

- > You have time to prepare your disclosure before applying for a job, which reduces the chances of being caught off guard by a question about your criminal record or gaps in your employment history.
- > You will improve your chances of finding work or being admitted on to a course as it enables the reader to see the person behind the offence and the circumstances. Genuine disclosure statements that accurately reflect your circumstances and attitudes are the best.
- > A disclosure statement also provides evidence to the organisation of what you disclosed upon your original application, so it may be useful in the future.

TOP TIP

Keep your statement as brief and relevant as possible. A disclosure statement, like any other application or CV, must be tailored to the specific vacancy or sector that you are applying for, as different employers may have different concerns.

How do I prepare a good disclosure statement?

A good disclosure reassures the reader about your offences(s). Put yourself in the position of the reader who is receiving this information and attempting to make an informed decision using the information you are providing. As the statement is unique to you, you should avoid copying 'template' statements.

Step 1

Consider the content of your statement. It may be helpful to think about and comment on the following:

When the offence was committed: If your offence(s) happened a long time ago, or you were young at the time of the offence then highlight this. If the conviction is recent but the offence happened a long time ago, explain this as well.

Number of offences: Indicate if the offence was a one-off and out of character. Try to group your offences together if they happened over a period (for example, "between 2011 and 2016, I was convicted on several occasions for offences relating to...").

Relevance: Offence categories cover a wide range of behaviours or offences, making it hard for people to decide whether the offence relates to the position you are looking for. Explaining the exact nature of the conviction, gives the reader a better understanding of the offence. For example, burglary can be breaking into somebody's house and putting somebody in fear of violence, or it could be simply trespassing in a derelict building.

Seriousness: If the offence appears to be more serious than the circumstances were, highlight this. One way of explaining to readers that an offence is not as serious as it might sound is by drawing attention to the penalty or sentence that you received.

Context: Explain if there were any particular circumstances or reasons for the offence(s). For example, if you had an addiction problem or if a relationship broke down at the time of the offence that you have since resolved, you should make them aware of it. It is a good idea to provide a reference to support this.

Responsibility: If you accepted responsibility for the offence(s) at the time, such as pleading guilty at the first opportunity or cooperating with the investigation, you should say this. It is a good idea to express any remorse you feel towards your offence(s) when discussing responsibility.

Changed circumstances: this is the most important part of your disclosure – reassuring the reader that whatever the reasons or causes that led to your offending, you have since addressed them, changed your life for the better, or learnt from them. This can include any positive changes in your life, for example employment, training, volunteering, hobbies, new relationships.

TOP TIP

If you believe you were unfairly convicted, try, and avoid protesting your innocence in your statement. Remember the reader is not able to judge you, only to assess the criminal record information that has been disclosed.

Step 2

Structure your statement so that it is easy to follow.

- > Begin your disclosure on a positive. Explain why you are applying for the position and what you can offer in terms of motivation, experience, knowledge, and skills.
- > Explain your offences(s) in your own words. Include causes and reasons, such as earlier issues with housing, education, employment, financial management or debt management, lifestyle and associates, relationships, substance abuse, mental health, or simply that you made a bad decision. Avoid making these reasons sound like an excuse, as the organisation will be uninterested. Only emphasise the reasons so that you can explain how your circumstances and/or attitudes have changed.
- > Explain how and why your life has changed and improved since the time of your offence(s) and demonstrate how you will not get into trouble again because of any changes. For example, if you were homeless but now have stable accommodation or addiction issues which have been addressed.
- > If possible, suggest that you can provide good character references to the employer. Remember they are deciding about your suitability based on very little information about you, so providing references from others who know you well and can vouch for your suitability will be beneficial.

Step 3

Practice disclosing your criminal record orally and be prepared to answer questions. Although you may have provided a disclosure statement, you will probably be asked questions relating to your criminal record at interview.

TOP TIP

If you are not sure where to start and you need help with the content and structure of your statement you might find it useful to use our Disclosure preparation forms, which you can find in the appendices at the end of this guide.

Do disclosure statements work?

Taylor has a conviction for possession for class A and B drugs in 2017 when they were studying for an education degree at university and received a fine and community order as punishment. Taylor's dream was to become a teacher; however, they were very concerned this conviction would stop them.

Taylor approached Nacro for support with disclosing their criminal record to schools. They began their statement by explaining all the relevant qualifications, skills and experience they had gained to become a teacher. They then moved on to discussing their conviction. Taylor was very upfront and honest in their statement and explained they had been young and influenced by others into taking drugs. They explained in the statement that they cooperated with the police, pled guilty at the earliest opportunity in court and showed regret for their actions. To the employer this demonstrated that Taylor had shown maturity by taking full responsibility by admitting their mistake.

Taylor went on to say that they no longer use illegal substances or associate with people who do and discussed all the positive things they have been doing since the conviction, including voluntary work and hobbies.

Taylor was able to successfully secure a teaching job after they had used Nacro's step-by-step guide on writing a disclosure statement and uses it whenever they need to declare their record.

Top Tip

It is a good idea to have your disclosure statement reviewed by an objective third party. You can receive this support from Nacro's Criminal Record Support Service, should you need it.

FAQs

How do I find out what I need to disclose?

You can apply for a [subject access request](#) if you are unsure about the details of your criminal record, or if you even have one. This is free of charge. Failure to disclose may result in the job or course offer being withdrawn, so if you are unsure on whether you need to declare your criminal record, please contact Nacro's Criminal Record Support Service on 0300 123 1999 or helpline@nacro.org.uk. You can also use the [MoJ Disclosure Checker](#) to work out when/if your cautions and convictions may become 'spent'; and our [self-disclosure rules flowchart](#) to work out when cautions and convictions may become 'protected' (i.e. filtered).

How long should my statement be?

As a disclosure statement is personal this is entirely up to you. However, you want to keep the reader's interest so should avoid making your statement too long. The key thing is to make sure the information you supply is accurate and reflects your situation. If you lie about your record or mislead an employer and they discover it, you may face disciplinary action, which may result in dismissal for breach of trust and confidence. Avoid using template disclosure letters; remember that genuine disclosures are the best and most reassuring.

How much detail relating to my offence(s) should I provide in my statement?

Although you are disclosing a criminal record your statement should focus on the positives. Remember that the organisation should only inquire about your criminal history as part of their evaluation of your suitability for the position. If you are confident that you can perform the required duties and will not pose a risk in the workplace, you should explain this to the organisation.

When should I provide the employer, college, or university with a copy of my statement?

If you are applying for a role via CV and covering letter, then you should be prepared to disclose at interview. If you are applying via an application form, then you can either put the following statement in the criminal record declaration box and be prepared to disclose at interview:

1. "I have a conviction that I would be happy to discuss fully if selected for interview".

OR

2. Prepare a disclosure statement which is sent in a separate envelope marked 'confidential'.

Important note: Do not list a criminal record on an application form, even if asked to provide further details.

How do I find out whether I have been unsuccessful due to my criminal record?

Get feedback. If you make a disclosure during recruitment or admission on to a course and are unsuccessful, it is natural to believe that this is due to your criminal record. If you are unsuccessful, it is always worth asking the employer, university, or college for feedback - it could be for a completely different reason, and the feedback could help you do a stronger application/interview the next time.

Need more help?

Contact our Criminal Record Support Service

Telephone: 0300 123 1999

(Monday–Thursday, 9am–5pm and Friday 1pm–5pm)

Email: helpline@nacro.org.uk

Disclaimer

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Whilst every effort has been taken to ensure the accuracy of the information, the content is naturally subject to change. In no event will Nacro be held liable for any direct, indirect, special incidental or consequential damage arising out of the use of the information in this guide.

Appendix 1

Disclosure Statement Preparation (ROA 1974 roles)

Before answering these questions use the MoJ Disclosure Checker <https://www.gov.uk/tell-employer-or-college-about-criminal-record/check-your-conviction-caution> to find out whether your caution(s) and/or convictions are spent. You can also visit Nacro website www.nacro.org.uk or call their confidential helpline 0300 123 1999 for advice or support.

1.	Why are you applying for these roles?
2.	What makes you think you can do them?
3.	Please detail your unspent caution(s) and/ convictions(s)?
4.	When did you commit the offence(s)?
5.	Why did you commit the offence(s)?
6.	What were the circumstances in your life at the time of the offences?
7.	How did you feel at the time?
8.	How do you feel now?

9.	How have your circumstances changed since the time of offending?
10.	How can we be sure you are not a risk?

DECLARATION: I declare that the information provided on this form is correct. I understand that failure to declare my criminal record could mean a review of my suitability for the role.

Name:

Signature:

Date:

Appendix 2

Disclosure Statement Preparation (ROA exempt roles)

Before answering these questions find out whether your cautions or convictions are spent and protected, you can use the flowchart on our website (<https://www.nacro.org.uk/nacro-services/advice/advice-for-individuals/what-is-filtering/>) to work out which offences you legally need to disclose.

You can also visit the Nacro website www.nacro.org.uk or call the confidential helpline 0300 123 1999 for further advice and support.

1.	Why are you applying for these roles?
2.	What makes you think you can do them?
3.	Please detail all unspent cautions and convictions; and adult cautions and spent convictions that are not protected?
4.	When did you commit the offence(s)?
5.	Why did you commit the offence(s)?
6.	What were the circumstances in your life at the time of the offences?
7.	How did you feel at the time?

8.	How do you feel now?
9.	How have your circumstance changed since the time of offending?
10.	How can we be sure you are not a risk?

DECLARATION: I declare that the information provided on this form is correct. I understand that failure to declare my criminal record will mean a review of my suitability for the role.

Name:

Signature:

Date:
