

Second Chance



How to find employment with a conviction





The five youth offending services across Merseyside, which include Liverpool, St Helens, Sefton, Wirral and Knowsley, have collaborated with the Youth Justice Board's 'Keeping Young People Engaged' project to improve your prospects of getting into training and/or employment.

We hope this booklet will answer many questions that you may have about applying for a job and help you understand what you are obliged and not obliged to tell prospective employers about your convictions.

In addition to this booklet, your case manager will ensure you are provided with the right support to further assist you in trying to find and apply for a suitable job, training or education course.

We wish you well in your future.



Knowsley Youth Offending Service (YOS)

Head Office:
The Faircough Centre
193 Liverpool Road
Liverpool L36 3RD
Tel: 0151 443 5495
0151 443 3079

Liverpool Youth Offending Service (YOS)

Edge Hill CFC
80-82 Wavertree Rd
L7 1PH
Tel: 0151 225 8606

Sefton Youth Offending Service (YOS)

Hornby Centre
0151 330 5701
Marsh Lane
0151 285 5130

Sefton Youth Service

Tel: 0151 934 4949

St Helens Youth Offending Service (YOS)

Tickle Avenue
Parr
St Helens
Tel: 01744 677 990

Wirral Youth Offending Service (YOS)

Tel: 0151 670 5900

Business Resource Centre

Admin Road
Kirkby L33 7TX
Tel: 0151 443 3079

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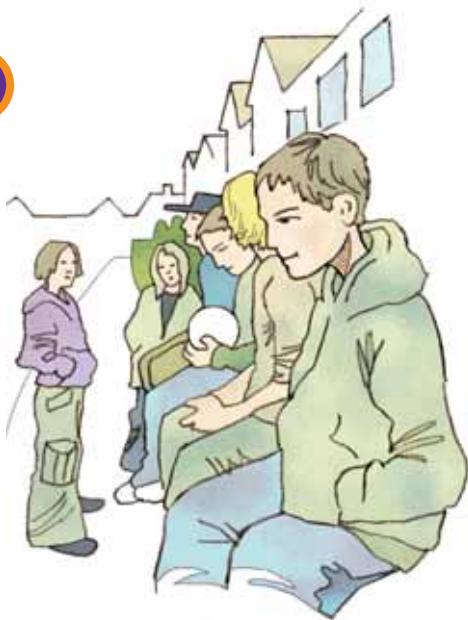
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Introduction

Young people who have access to education training and employment, and take advantage of it, are more likely to avoid social exclusion and economic disadvantage.

We hope that, by using this booklet during or after your programme, it will help you successfully gain employment and that this in turn will help you obtain financial independence.


The booklet has a number of useful tips for you to prepare for an interview and it also contains a number of telephone numbers for other organisations who are able to help.



Commonly Asked Questions

- **If I have a criminal record can I get a job?**
Yes you can, but there are rules you should follow and this booklet will explain them to you.
- **Do I have to tell the employer I have a criminal record?**
If your conviction is still to be taken into consideration it is said not to be 'spent'.
If your conviction is not 'spent' you do, but generally if your conviction is 'spent' you do not have to tell them about your conviction, however, there are some jobs you might apply for where you have to tell them about your conviction.
- **How do I know if my conviction is 'spent'?**
The general rules for the rehabilitation of offenders are set out later in this booklet.

Applying for a Job

An organisation called the Criminal Records Bureau **CRB**  holds the criminal records and convictions of all people in the United Kingdom. Criminal record checks are called Standard Disclosures and Enhanced Disclosures. Standard Disclosures and Enhanced Disclosures cover those areas of work that are exempt from the Rehabilitation of Offenders Act (see page 3).



exempt
means if the job
you apply for is one
where you have to
tell the employer
about the offence.



These areas of work include health work, private security work, the law, accountancy, work with children and the old, sick or disabled adults. If your conviction is of a serious nature, or you have several convictions, you may have a greater problem in finding work in these exempt areas.



What jobs will require me to always declare my convictions?

There are some key jobs exempt from the Act and these are:

Main Occupations

- Care services to vulnerable adults
- Health service appointments
- Judicial appointments
- Justices' chief executives, justices' clerks and their assistants
- Police officers
- Prison staff
- Probation officers
- Traffic wardens
- Work with under 18 year olds (Child care and youth work)

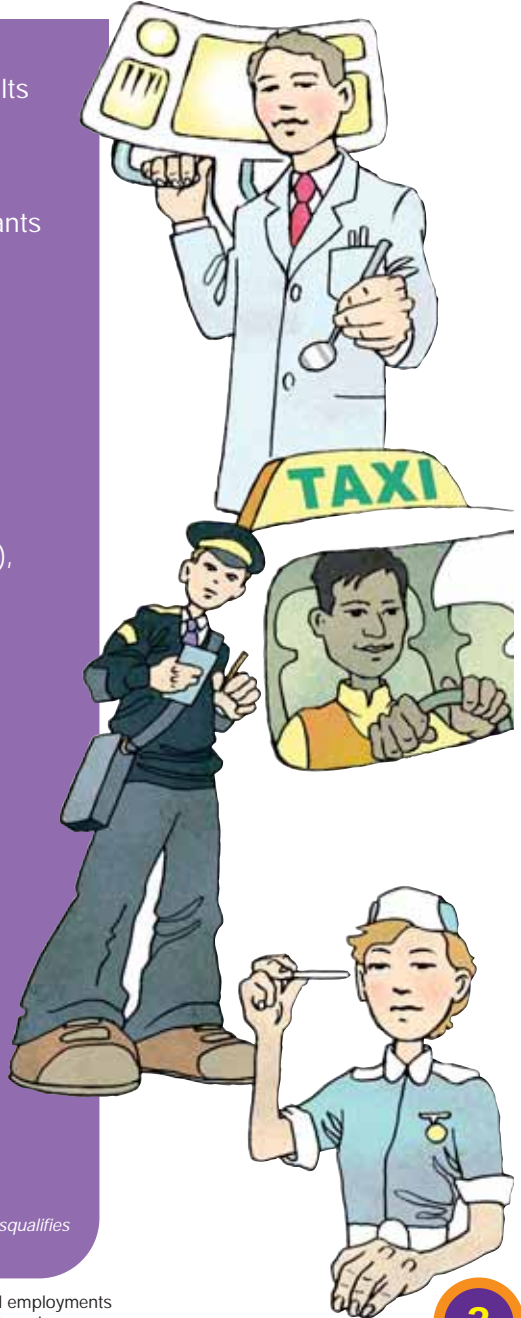
Professions

- Actuary
- Barrister (in England and Wales), advocate (in Scotland), solicitor
- Chartered accountant, certified accountant
- Chartered psychologist
- Dentist, dental hygienist, dental auxiliary
- Legal executive
- Medical practitioner
- Nurse, midwife
- Ophthalmic optician, dispensing optician
- Pharmaceutical chemist
- Registered chiropractor
- Registered osteopath
- Registered teacher
- Veterinary surgeon

Regulated occupations

- Taxi driver

It is an offence for anyone subject to an order that disqualifies them from work with children to apply for such a job.



The above list of exempted professions, occupations and employments may be the subject of changing government legislation. If you have any questions about this please contact the Nacro helpline on 020 7840 6464.

How do I disclose my conviction?

Some employers will still employ you if they do not think your conviction is relevant to the work you will be doing. However, some employers will turn you down if you disclose any record.

You should approach any application for work by trying to reassure the employer that you are not a risk, and that your criminal behaviour is now in the past.

If your criminal record is old, you should make sure you tell them it was a long time ago and that you have changed and that the chances of it happening again are very unlikely.

If your circumstances have changed and you have 'grown up' and taken on other commitments, such as your own house or flat, a stable relationship and continued with your education or training which show you have too much to lose by getting into trouble again, you should make sure you tell the employer.



You should make sure that any explanation you give for your past offending does not sound like an excuse, or employers will not want to know you. Try to think of yourself as the 'boss' and think how you might react if someone you don't know makes excuses for their previous bad behaviour.

If you mean it you should tell them that you regret your offending and that you will not re-offend as you are keen to obtain and keep a job. You should also try to show the employer that you will be trustworthy and hardworking. Do not let your explanation for your offending take over your application. You must ensure that you put across the message that you are applying for the job because you are able to do it.

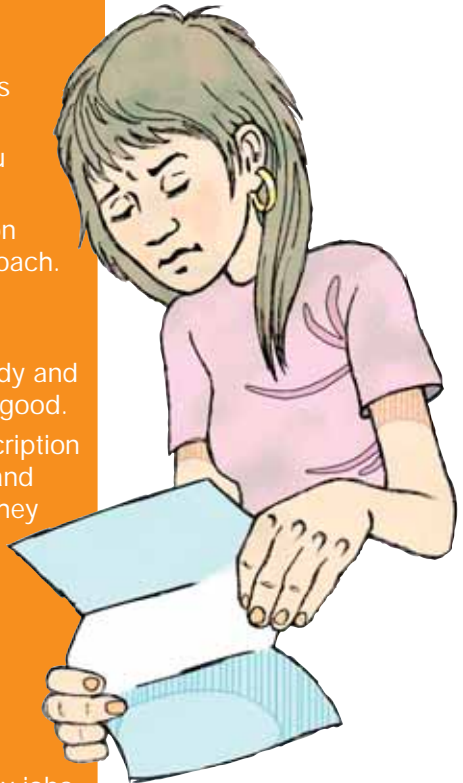


When do I disclose my conviction?

An employer will probably ask you about your conviction on the application form. A lot of application forms ask you if you have a criminal conviction and it is often best to say "please see covering letter" and in the letter give some detail of your offence and your current attitude towards it. You may want to say you will discuss this at the interview (see covering letter on page 9). Talking about your conviction at the interview, will allow the employer to see you and not the conviction and you will have the opportunity to sell yourself as yourself and not as an ex offender. Remember that it takes a lot of confidence and courage to discuss this at an interview and you should therefore practice well before you get to the interview.

Remember that an application for a job is not just about disclosing your convictions in the correct way, you should also:

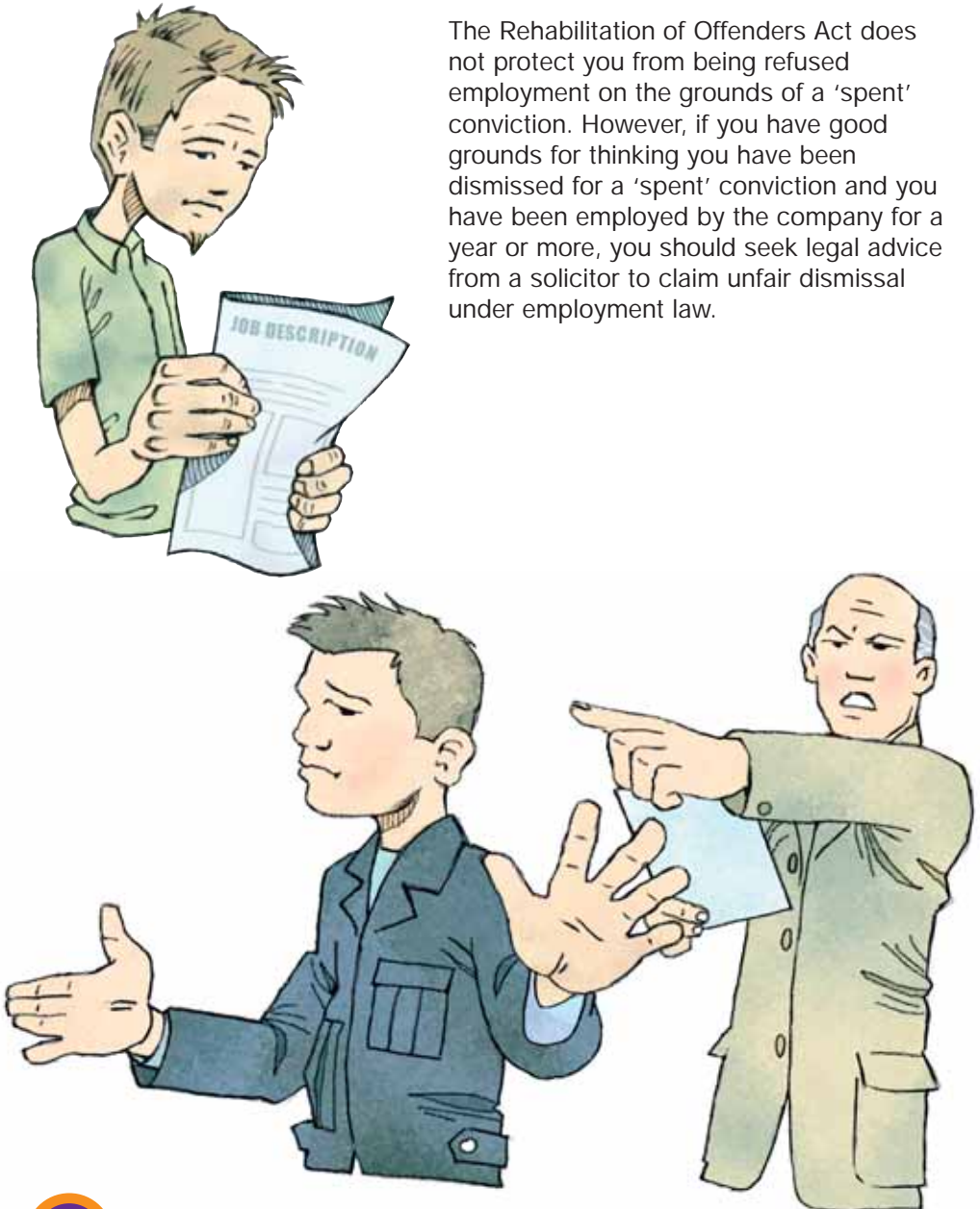
- Spend a lot of time applying for a few jobs rather than a little time trying for a lot.
- Concentrate on applying for jobs that you are more likely to get.
- Make every word count in your application form and always be positive in your approach.
- Explain and convince the employer in the application that you can do the job.
- Make sure that your writing is neat and tidy and set out well so that the application looks good.
- Pay attention to detail - read the job description and the person specification thoroughly and ensure that you give the employer what they are looking for.
- Ensure that you prepare for the interview and if possible get someone to practice with you.
- If possible find out as much as you can about the organisation from such things as the internet or local business papers.
- Make sure you get out and about as many jobs are not advertised and recruitment sometimes takes place informally.



Remember that if your convictions are not 'spent' and you fail to disclose them if asked by an employer and they find out, they may dismiss you on the grounds of you having deceived them and you may possibly be prosecuted.

What if my convictions are 'spent' and I am refused the job or later on get sacked by my employer?

The Rehabilitation of Offenders Act does not protect you from being refused employment on the grounds of a 'spent' conviction. However, if you have good grounds for thinking you have been dismissed for a 'spent' conviction and you have been employed by the company for a year or more, you should seek legal advice from a solicitor to claim unfair dismissal under employment law.



The Rehabilitation of Offenders Act 1974

Some sentences become spent after a fixed period while others the rehabilitation period varies.

	Pre-court disposals
Reprimand or final warning ¹	At the time the reprimand or final warning is given
Youth conditional caution ²	Three months from the date that the youth conditional caution is delivered

¹For young people below the age of 18, cautions were replaced by reprimands and warnings from April 2000.
²Youth conditional cautions will be piloted in a small number of areas during 2010.

	First tier penalties
Absolute discharge	Six months
Conditional discharge / bindover	One year or when the order expires (whichever is the longer)
Financial penalty - fine or compensation order	Two and a half years
Reparation order	Two and a half years
Referral order	When the order expires

	Community Sentences
Action plan order	Two and a half years
Attendance centre order	One year after the order expires
Supervision order	One year or when the order expires (whichever is the longer)
Community rehabilitation order, ³ community punishment order, ⁴ community punishment and rehabilitation order ⁵	Two and a half years
Curfew order or drug treatment and testing order	Two and a half years
Youth rehabilitation order ⁶	One year or when the order expires (whichever is the longer)

³Previously known as probation order.
⁴Previously known as a community service order.
⁵Previously known as a combination order.
⁶The Youth rehabilitation order replaces all the other community Sentences for young people below the age of 18 years from the end of November 2009.

Custodial Sentences	Aged 12-14 years at conviction	Aged 15-17 years at conviction
Detention and training order of six months or less	One year after the order expires	Three and a half years
Detention and training order of more than six months	One year after the order expires	Five years
Under 18 at conviction		
Detention under section 91 ⁷ - less than six months	Three and a half years	
Detention under section 91 - six months to two and a half years ⁸	Five years	

⁷Sentences under section 91 are imposed in the crown court for 'grave crimes'. Usually such Sentences are for two years or longer since if the court wishes to make a shorter sentence, it should impose a detention and training order. However, it is legally possible for an order to be made for less than two years.

⁸Custodial Sentences of more than two and a half years are never spent.

The Criminal Justice and Immigration Act 2008

The Act was passed in May 2008 and introduces important changes to the youth justice system:

Youth Rehabilitation Order (YRO) - from the end of November 2009

The YRO is the new community sentence for young people who offend and will combine existing sentences (quite a number of different ones) into one sentence. The Government intends YROs to be the community sentence used for most children and young people who offend. It aims to make things simpler when sentencing offenders. It will improve the range of options (interventions) which can be put in the programme.

The following community sentences have been replaced by the YRO:

- Action Plan Order
- Curfew Order
- Supervision Order
- Community Punishment Order
- Supervision Order and Conditions
- Community Punishment and Rehabilitation Order
- Attendance Centre Order
- Drug Treatment and Testing Order
- Exclusion Order
- Community Rehabilitation Order
- Community Rehabilitation Order and Conditions

These are the sorts of requirements which could be attached to the YRO:

- Activity requirement
- Supervision requirement
- Unpaid work requirement (16/17 years)
- Programme requirement
- Attendance centre requirement
- Prohibited activity requirement
- An exclusion requirement
- A residence requirement (16/17 years)
- A local authority residence requirement
- A mental health treatment requirement
- A drug treatment requirement
- A drug testing requirement
- An intoxicating Substance requirement
- An education requirement

Spent Final Warnings, Reprimands and Cautions

Since December 2008 there have been changes to the Rehabilitation of Offenders Act (ROA) which have affected Final Warnings, Simple Cautions and Reprimands:-

- Final warnings and reprimands become spent at the time they are given.
- Simple cautions become spent at the time they are given.
- Youth conditional cautions will become spent after three months.



The above will, however, be recorded on the Police National Computer (PNC) system and will continue to be disclosed where required for Criminal Record Bureau (CRB) checks.

Application Letter

(Company Address)

(Your Address)

(Date)

Dear

I wish to apply for the post of As you see from my CV, I believe I have all the skills you are looking for. I have experience in all the areas in the job description and have had experience of this work before (or have received training relevant to this post). I believe I will make a good hardworking and conscientious employee and I feel sure that my references will confirm this to you. I have always been a good time-keeper and have not missed any employment/training.

Unfortunately, I have convictions for which are now more than years old and this arose from (financial hardship) at the time the convictions took place. My circumstances at the time the convictions took place now no longer apply. I can also inform you that the convictions are 'spent' under the Rehabilitation of Offenders Act 1974, although I am aware that I have to disclose them for this job. Since this troubled time in my life, I have worked hard to turn my life and circumstances around. Since my last conviction, I have settled down and now have my own flat/house and I am in a long term relationship. I therefore have a lot of positive things in my life, which I believe will prevent any re-occurrence of offending.

As my CV/application shows, I have a good record and hope you will judge me on this rather than my past behaviour, of which I am not proud. I will be of course, prepared to discuss this matter with you at any interview.

Yours faithfully

(Your name)

Covering Letter for a young person with a conviction

(Your Address)

(Company Address)

(Date)

Dear

I am writing to you in connection with the above vacancy, which was advertised recently in Please find enclosed a copy of my Curriculum Vitae.

As you will see from my CV, I have a qualification/experience in and I believe that this has equipped me with valuable knowledge and skills relevant to the above role. In particular, I would like to highlight the following aspects of this experience which I believe would add value to your organisation.

(Insert your communication and interpersonal skills and knowledge regarding the job you are applying for)

You will notice from my CV that there are a few unexplained gaps in my career history. This is due to time I spent in an offenders' institution when I was younger for a number of criminal offences. I would certainly be happy to discuss this with you in more detail at a later stage but would feel that I have learnt a huge amount from my experiences. I particularly return to education and building a new career. I would also hope to bring to your organisation the same qualities of perseverance and determination to succeed that have helped me achieve my degree.

I have a very strong desire to develop a career in and am particularly interested in working for you as I have read about your organisation with great interest.

I am available for interview at any time and would appreciate such an opportunity which would allow me to discuss with you in more detail why I believe I meet the requirements for the position.

I look forward to hearing from you.

Yours faithfully

(Your name)

Curriculum Vitae

(Your Name)
(Your Address)
(Your Postcode)
(Your Contact Number)
(Your Date of Birth)

Personal Profile

(This is about the person you consider yourself to be.)
i.e. I consider myself to be a hard-working individual, who is willing to learn new things. I am also prepared to undertake any further training appropriate to the post.

Education

(This is the last school and/or college you attended.)
If you achieved any GCSE results put them in here, if not, state which subjects you studied instead, remembering to always include Maths and English, then say a few words about which ones you particularly enjoyed –
DO NOT LEAVE IT BLANK.

Training

(Use this heading if you have been on any sort of programme before and anything at all you may have achieved.)

Work Experience

(Don't worry if you have never had a job before, work experience can mean a bit of babysitting you have done for friends and family, any painting and decorating, gardening, anything really that can fit into this category.)

Hobbies and Interests

(This can include any sport you like watching or playing etc.)

Additional Information

(This can include any information relating to a certain job or anything really that you would like to add, that you think might help you to get employment.)

References

(State the names of two people here that have known you for a while, or that you have worked for, together with their address and contact number.)



Commonly Asked Questions

- **How will I know when my conviction becomes spent?**
See the table on Page 7, but if you want to be absolutely sure phone the Nacro helpline on 0207 840 6464.
- **A lot of employers ask if you have conviction, are they entitled to?**
Yes, some will ask, but you only need to disclose spent convictions where they state that the job on offer is 'exempt from the Rehabilitation Of Offenders Act.'
- **Do I always have to tell employers about my conviction?**
You do not have to declare a conviction if it is spent unless you are applying for a job that is listed on page 3. You do have to tell your employer if your conviction is not spent because if your employer finds out you have not told them when asked, they will dismiss you.
- **What if my employer sacks me because I have had a criminal record in the past?**
If you are not in a job, which is exempt from the Rehabilitation Of Offenders Act then the employer will be acting unlawfully if you can prove this is why they have sacked you.

Useful Contacts

CONNEXIONS

Huyton 0151 949 5700

Kirkby 0151 545 5400

Liverpool

The DOOR 0151 709 5400

East 0151 228 2285

North 0151 233 8550

South 0151 336 9400

Merseyside

GMCP Head Office 0151 703 7400

Sefton

Bootle 0151 944 6100

Crosby 0151 928 8952

Southport 01704 504500

St Helens

St Helens 01744 740000

Wirral

Birkenhead 0151 666 4385

Bebington 0151 472 4600

West Kirby 0151 471 6020

Wallasey 0151 638 5625

Job Centre Plus

Edge Hill 0151 708 4725

Everton 0151 801 6600

Norris Green 0151 551 6300

Old Swan 0151 801 6800

St Helen's 01744 698000

Toxteth 0151 801 8200

Walton 0151 801 5500 & 0151 801 6900

Wirral (Birkenhead) 0151 551 8500

Citizen Advice Bureau

Anfield 0151 285 1082

Norris Green 0151 287 1300

St Helen's 0844 8269694

Toxteth 0151 208 8484

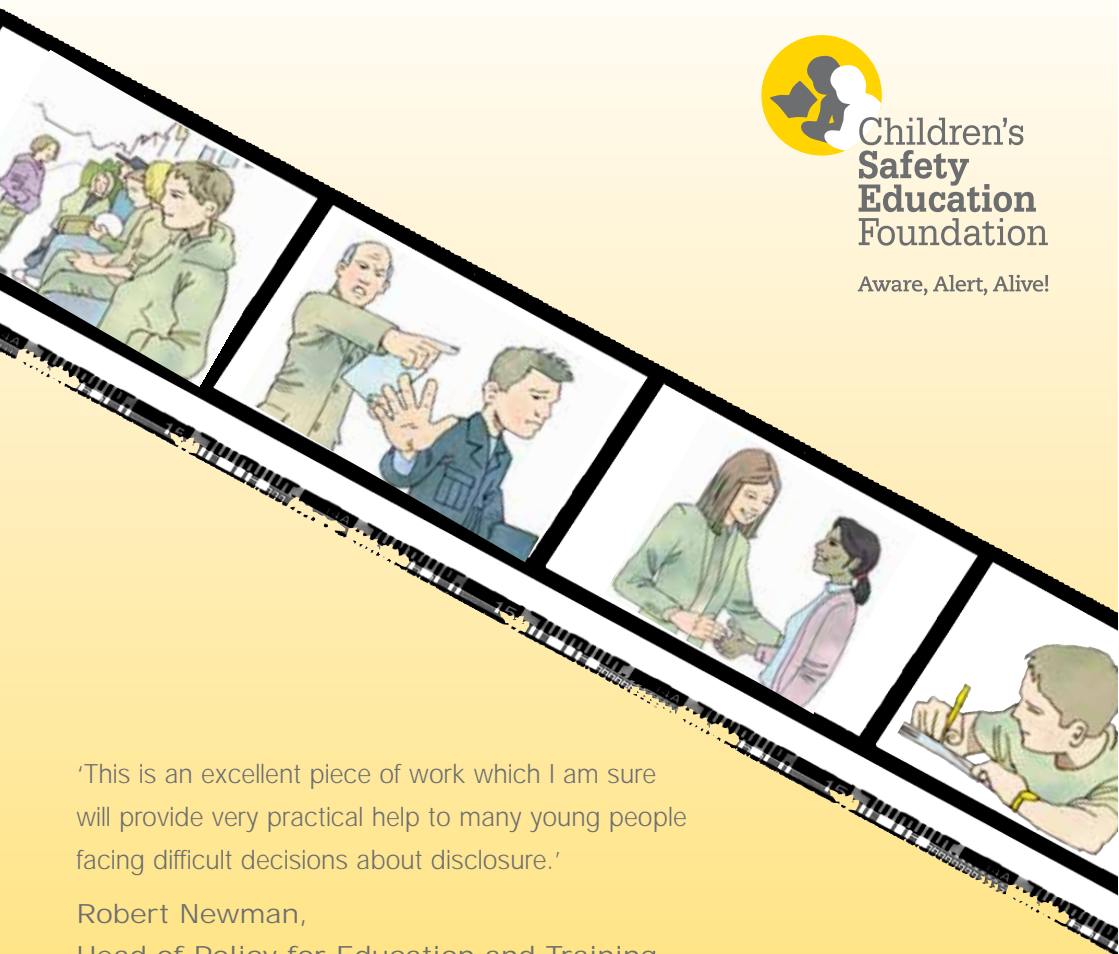
Wirral (Birkenhead) 0151 647 6517





Children's Safety Education Foundation

Aware, Alert, Alive!



'This is an excellent piece of work which I am sure will provide very practical help to many young people facing difficult decisions about disclosure.'

Robert Newman,
Head of Policy for Education and Training
Youth Justice Board for England and Wales

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