



Rehabilitation of offenders guide

We are committed to equality of opportunity for all and aim to select people for employment based on their skills, abilities, experience, knowledge and where needed, qualifications and training. We welcome applications from a wide range of candidates, including those with criminal records.

A person's criminal record may have no bearing on the job for which they are applying. Our approach depends on the job and whether it is covered by, or exempt from, the Rehabilitation of Offenders Act (ROA).

What is the Rehabilitation of Offenders Act 1974?

The Rehabilitation of Offenders Act allows people with convictions to be reintegrated into society by having the right to legally ignore their convictions. Cautions, convictions, reprimands, and final warning can be considered 'spent' after a period of time, known as the rehabilitation period in England, Wales and Northern Ireland and Disclosure periods in Scotland. Further information on these periods can be found [here](#).

Once spent, the ROA treats the person as if they never committed an offence.

What jobs are covered by the Act and what does this mean for applicants?

Many of our jobs are covered by the ROA which means that applicants cannot be treated unfavourably if they have a spent conviction.

If conditionally offered the role, applicants will be asked to self-disclose any unspent cautions or convictions. We will ensure that an open and measured discussion takes place about any offences. This is the applicant's opportunity to discuss any details, and a risk assessment would be carried out. We will not refuse to employ someone just because they have a criminal conviction, this will depend on the nature of the role and the circumstances and background of the offences.

What jobs are exempt by the Act and what does this mean for applicants?

Due to the nature of our work with children, young people and vulnerable adults, many positions within The Salvation Army are exempt from the ROA. This means that we are legally able to obtain information about convictions, whether they are spent or unspent (other than protected cautions and protected convictions, which do not need to be disclosed depending on the job concerned).

If conditionally offered the role, applicants will be asked to self-disclose any spent or unspent cautions or convictions. We will also assess their suitability for positions using criminal record checks processed through the below bodies;

- England and Wales, Channel Islands & Isle of Man - Disclosure & Barring Service (DBS)
- Scotland - Disclosure Scotland
- Northern Ireland - Access NI

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We will only apply for a criminal record check after a thorough assessment shows that a disclosure is proportionate and relevant to the role. Where we decide that a criminal record check is necessary for a role, this will be stated on relevant documents such as job adverts.

We will ensure that an open and measured discussion takes place about any offences or other matters that might be relevant to the position. Even in these circumstances, we will not necessarily refuse to employ someone just because they have a criminal record, this will depend on the nature of the role and the circumstances and background of the offences. If the applicant doesn't tell us about disclosure information that is directly relevant to the position, we may need to withdraw an offer of employment. We will discuss any conviction details with the applicant and a risk assessment will be carried out before withdrawing a conditional offer of employment.

We comply fully with relevant bodies Codes of Practice and treat all applicants for positions fairly. Anyone who applies for a criminal record disclosure may request a copy of the relevant Code of Practice in relation to their application. Our Disclosure Policy is also available on request.

When will applicants be asked to disclosure their criminal record?

Applicants will not be asked about their criminal record during the application stage or at interview (except for our employed spiritual leader positions). This is because the applicant will be considered first and foremost on skills, qualifications and ability to do the job. If they are conditionally offered the role, they will be asked to self-disclose any unspent convictions; including spent ones for roles exempt from the ROA.

If the role is exempt from the ROA, then a criminal record check will also be undertaken. Where a disclosure is a requirement for a role, applicants will not be able to start in their role with us until their disclosure has been received, and any cautions or convictions have been risk assessed.

Data protection

The Salvation Army's data protection policy applies whenever we process personal data, including information about criminal records. All staff should familiarise themselves with the policy before handling these types of data.

Recruitment data must be handled securely. We will only allow authorised individuals to access these personal data for the purposes of completing the recruitment process. Inappropriate access or disclosure of employee data constitutes a data breach and anyone who becomes aware of such a breach should report it immediately to Data Protection.

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