

Offploy

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What We Will Cover

- Who we are
- Rehabilitation periods
- Disclosure
- DBS Checks and the different levels



Our Story

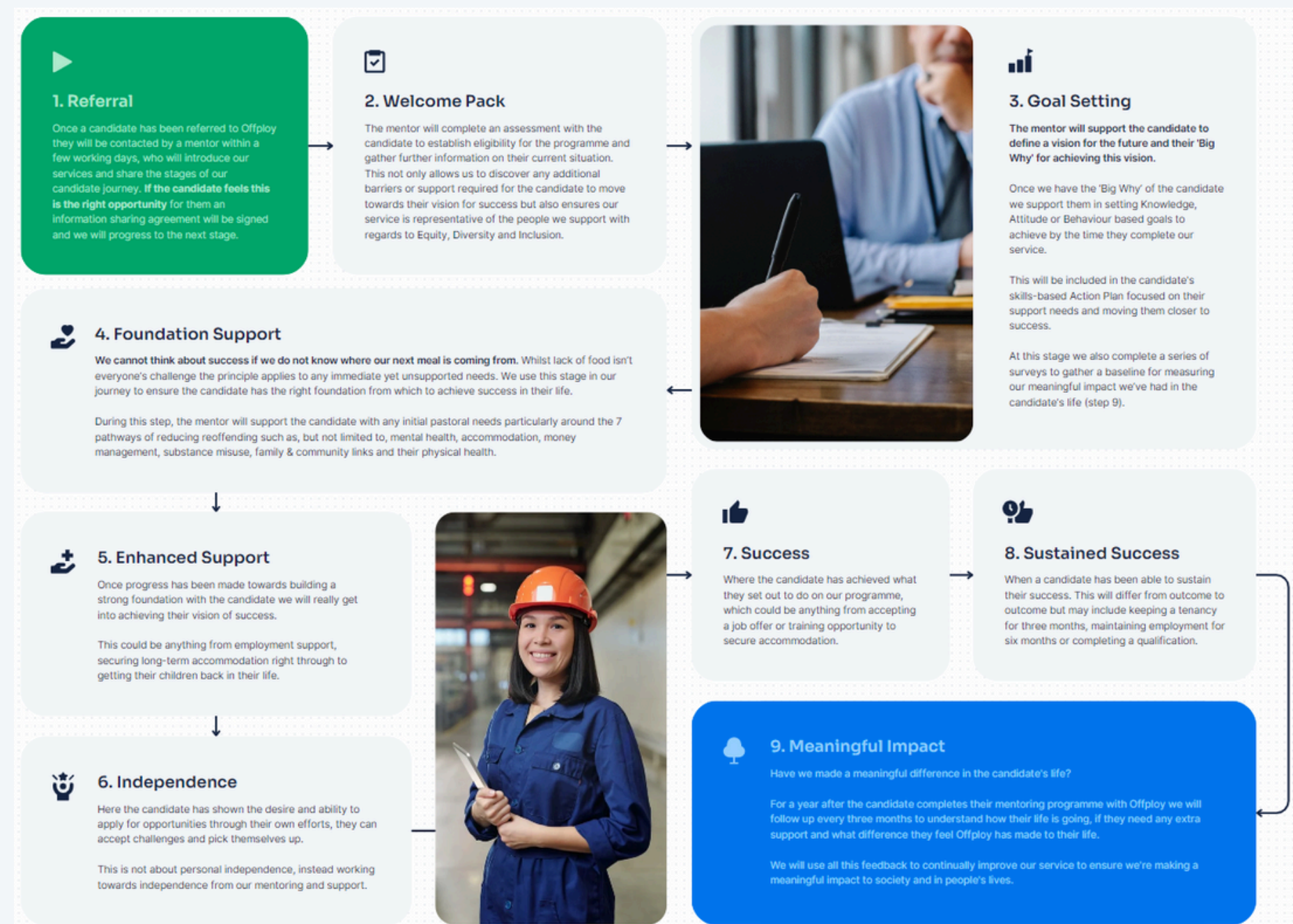
- Formed in 2016
- A peer-led service with around 70% lived experience
- Supported over 4000 candidates
- Worked in custody and the community
- Delivered services across the country
- DWP
- MoJ
- ESF
- Grant Funded



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What we do

Offploy supports people to make informed choices about work, including self-employment, through practical, person-centred advice.



Vision A world where every person is safe from crime

Mission To make the world a safer place by supporting people at risk of offending; empowering them to access greater opportunities and achieve their full potential.

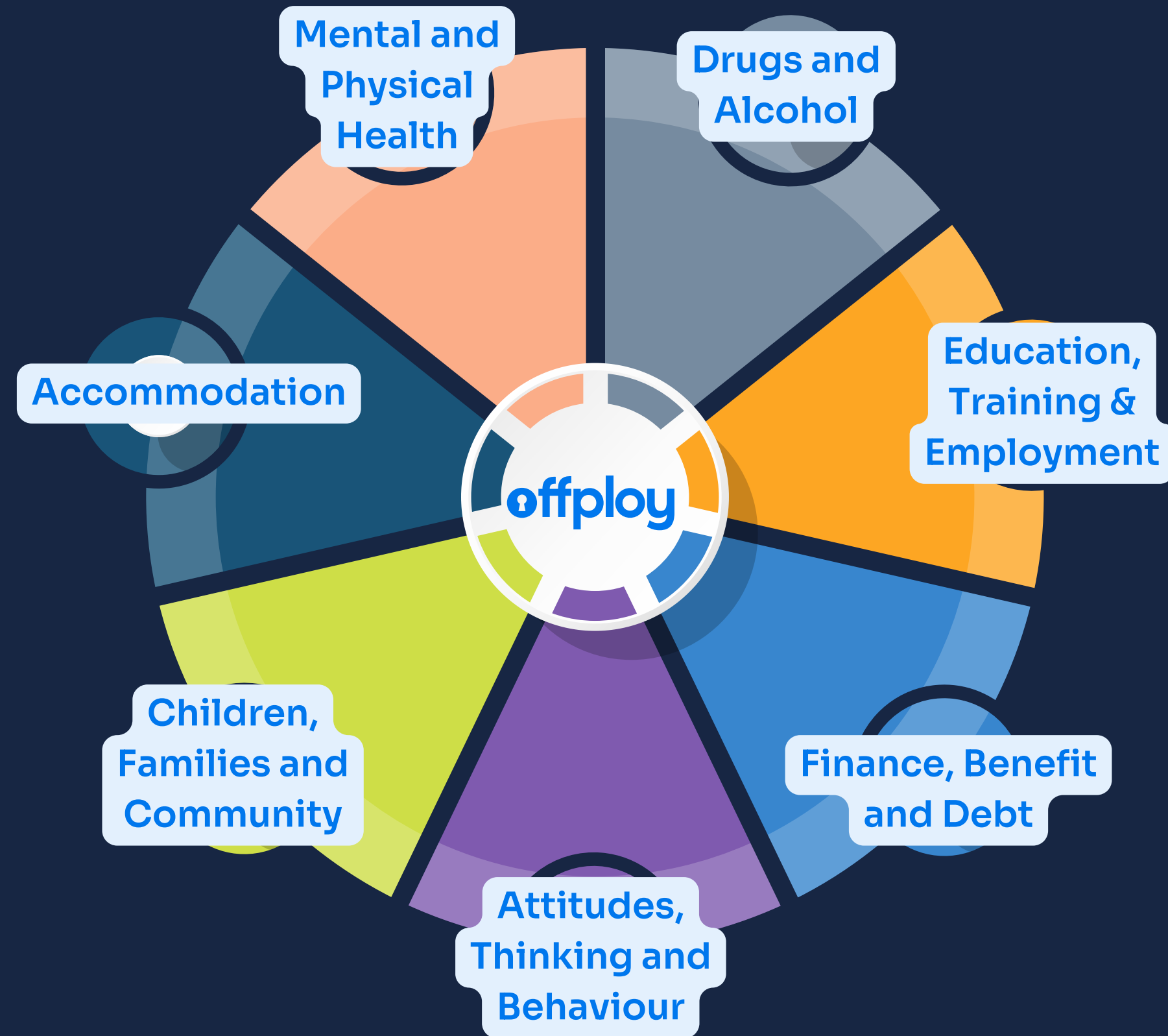
Mentoring: Information,
Advice and Guidance

Goals: Knowledge,
Attitudes and Behaviours

Seven pathways of
reducing reoffending

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The Seven Pathways of Reducing Reoffending



Why Hire Ex-Offenders?

- The right thing to do
- To attract the widest range of talent
- Reduce re-offending and make society safer
- UK Recruitment crisis
- Tapping into overlooked talent
- Resilience, retention, creativity, loyalty
- Making a difference to individuals, their families and society
- **It's good sense!**



What does an ex-offender look like in the United Kingdom?

Over 12.6
million

people in the UK
have a conviction



Over 50%

of convictions are for
driving offences

1 in 4



of the UK's eligible
workforce have a
conviction

1 in 10



people sentenced go
to prison every year



No!

distinguishing
marks





4000+

socially excluded
people mentored
throughout the UK



70%

of team Offploy
have lived experience
of the Justice System



LinkedIn

Top Voice Status for
employers exploring
criminal justice
recruitment



INSTITUTE FOR
SOCIAL VALUE

£12m+

Generated in Social
Return on Investment
in 2024. (£1: £14.13)

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For every **100 people**
Offploy supports **55 fewer**
offences are committed

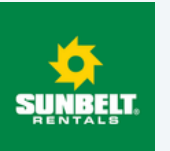
- MoJ Data Labs



Our clients



HM Prison &
Probation Service

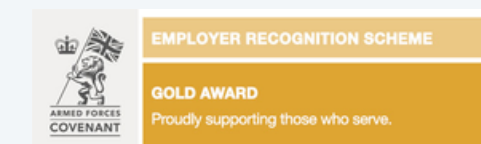


TRAFNIDIAETH CYMRU
TRANSPORT FOR WALES

Balfour Beatty

serco

Our accreditations





Hearts

Why employ people with convictions?

- Personal connection to someone with a conviction
- It's the right thing to do
- Everyone deserves a fair chance



Social Value and Business Development

- **£24,527** in Social Value
- **92%** of employers said inclusive recruitment helped win more contracts

Why now?

- Procurement Act 2023 (PPN002)
- Major brands are winning business due to inclusive practices



Recruitment and Retention

- Timpson retention 75%
- 1 in 4 adults has a conviction

Why now?

- This is becoming mainstream
- UK Unemployment
- Brexit & Pandemic



Legal and Compliance

- Illegal levels of DBS checks conducted
- Asking the incorrect question
- Data storage and destruction policy

Why now?

- ICO Fines 4% / £17.5m
- Employment Tribunal
- RoA Oct 2023

Barriers and Obstacles Faced by Ex-Offenders

- **Varies hugely**, dependent on personal background and whether in prison
- For some they will be unfamiliar with work routine:
 - Getting up in time for work
 - Dressing appropriately
 - Personal hygiene
- Travel Methods / Time / Costs – use of public transport
- Lack of bank account, email account or current CV
- Poor literacy and numeracy

Motivations

- Motivation will tell you quite a bit about someone's risk and commitment
- Many want a better life and to be a better person
- For some it is to support their family or to be a good role model
- A lot are just fed up with going to prison and the loss of freedom



Introduction to Disclosure

- What does Spent / Unspent mean?
- Based on Rehabilitation of Offenders Act 1974 (amended)
- A conviction becomes spent after a specified period of time (dependent on the sentence)
- When spent, does not have to be disclosed for most jobs, insurance, and college courses etc and is unlawful for employers to take into account
- Unspent are convictions which are not yet spent or which will never become spent – no legal protection against discrimination

[Rehabilitation of Offenders Act 1974 – Unlock](#)



Who Should Know?

Information about an applicant's criminal record **should only be disclosed** to those in the organisation who have a genuine need to know.

This may include people directly responsible for the decision about recruitment or the applicant's line manager, but **only if the offence is relevant to the applicant's role** and only where the line manager, for example, may be responsible for implementing any safeguards deemed necessary and appropriate to manage any identified risks.

The applicant should **always be told who knows about their criminal record**, as they need confidence that their very personal and sensitive information will only be disclosed to those who have a specific reason for knowing.

Maintaining Confidentiality

Who Should Have Access to Disclosure Information?

- Keep colleagues who have access to disclosed information to a minimum and make candidates aware of who knows

Secure Storage and Disposal of Disclosure Forms

- Hold criminal record info separate from routine HR records
- Consider destroying or returning a disclosure when the offence(s) become spent

Legal Consequences of Mishandling Information

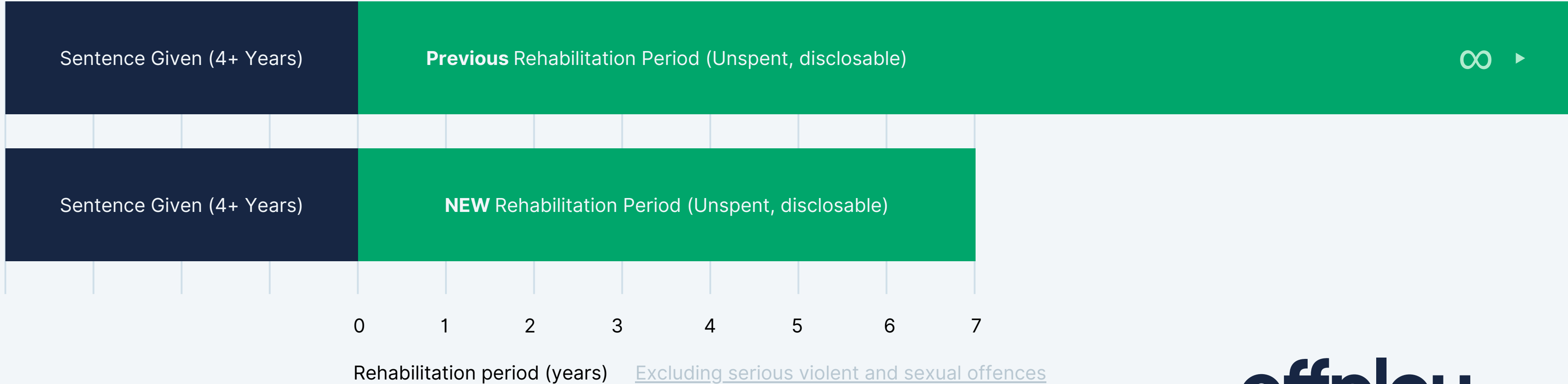
- Data Protection Act and GDPR detail that you need a lawful basis to gather and hold sensitive personal info
- Mishandling sensitive info could lead to an investigation or even prosecution by the Information Commissioner's Office

How to wrap up a disclosure

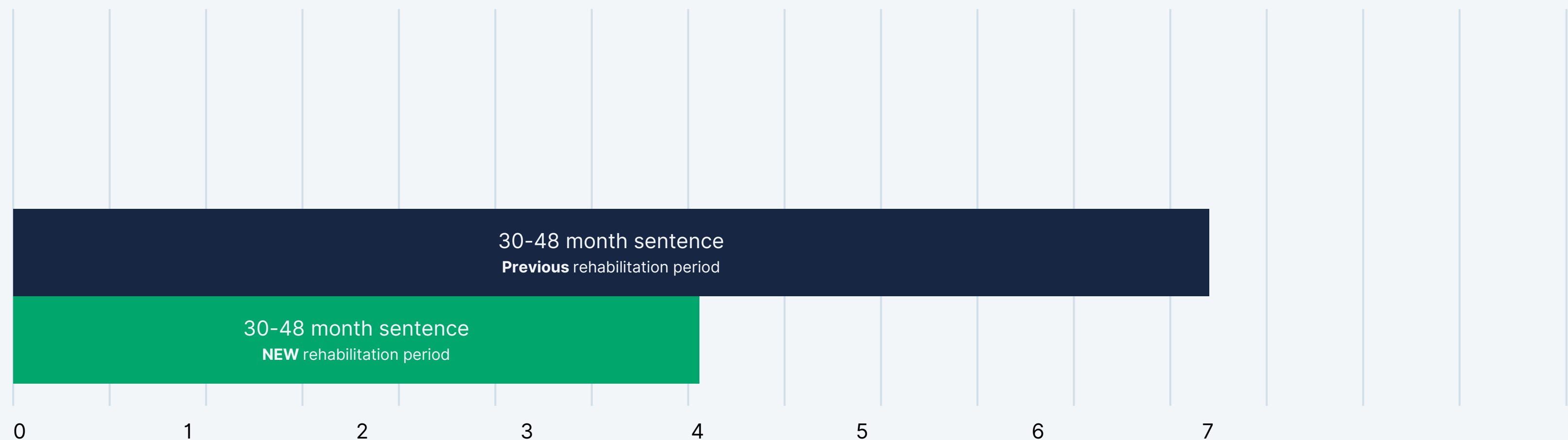
- Thank the candidate for their honesty
- Acknowledge how difficult this must be to share
- Let them know if and how you will assess the risk
- Let them know who will know about their information
- Let them know the next steps on the support you will give them or move onto another topic before wrapping up the interview



Significant changes in the rules around rehabilitation in England & Wales from 28 Oct 2023



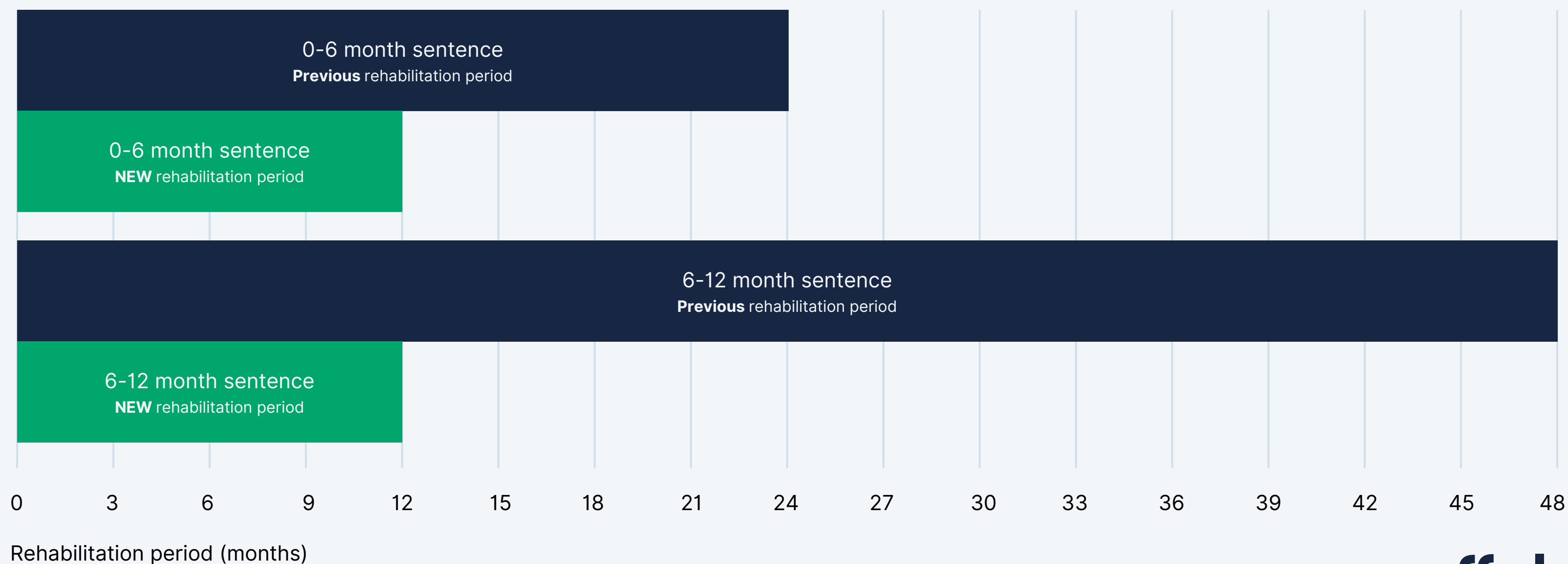
Longer Sentences



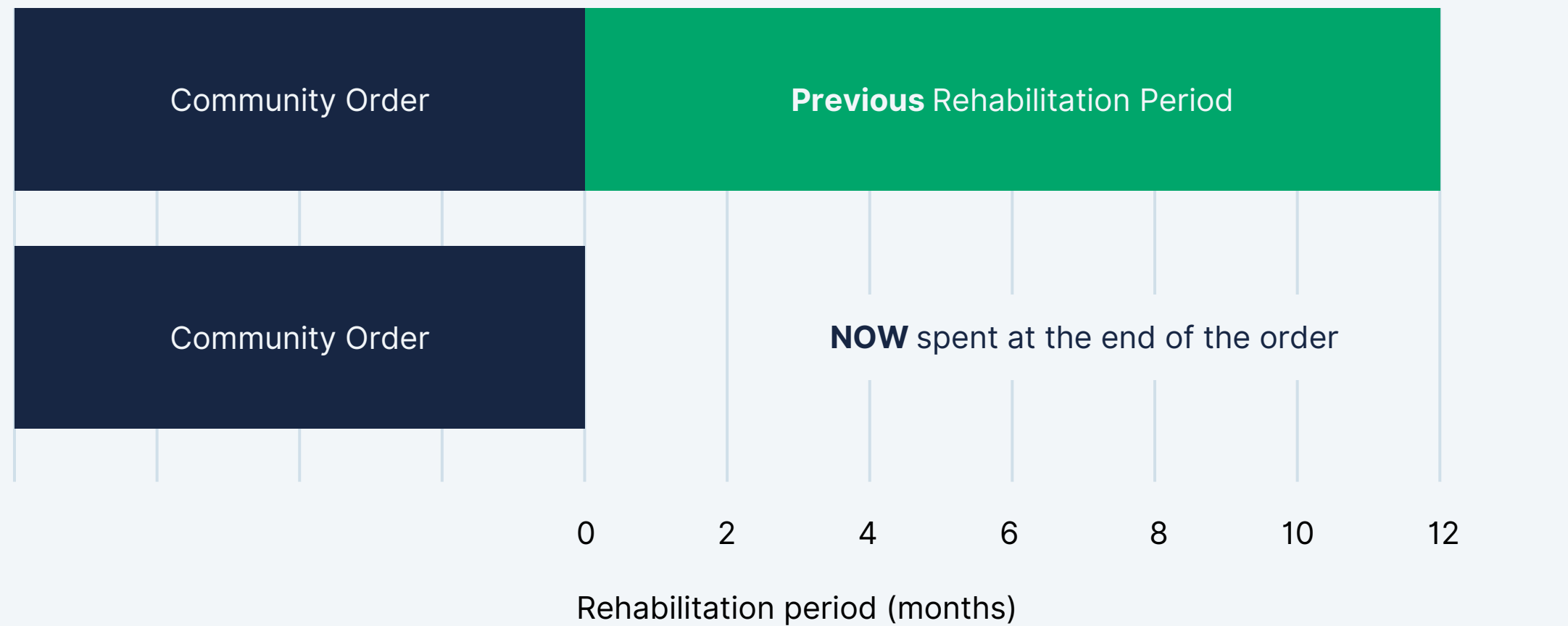
Rehabilitation period (years)



Shorter Sentences



Community Orders



Police, Crime, Sentencing and
Courts Act 2022: factsheets -
GOV.UK (www.gov.uk)

Advanced Disclosure

Excluded offences set out in Schedule 18 of the [Sentencing Act 2020](#):

- Murder
- Manslaughter
- Kidnapping
- False imprisonment
- Some violent offences including ABH, GBH
- Some theft offences including robbery, aggravated burglary
- Most sexual offences including rape, sexual assault, indecent assault
- Terrorism offences

		Adult (18+) at conviction / disposal	Young person at conviction / disposal
Sentence		Time it takes to become spent	
Prison including suspended prison sentences	Public protection sentence	Never spent **	Never spent **
	More than 4 years	Full sentence + 7 years *	Full sentence + 3.5 years *
	More than 12 months and less than or equal to 4 years	Full sentence + 4 years	Full sentence + 2 years
	Less than or equal to 12 months	Full sentence + 1 year	Full sentence + 6 months
Community order / youth rehabilitation order		At the end of the order	

* Depending on offence type. Some offences remain excluded from rehabilitation.

** Unless conditions are removed.

Advanced Disclosure

Sentence / disposal	Adult (18+) at conviction / disposal		Young person at conviction / disposal	
	Time it takes to become spent			
Fine	1 year		6 months	
Conditional discharge	Length of the order			
Absolute discharge	Spent immediately			
Conditional caution / youth caution	3 months or when it ends if earlier		3 months	
Simple caution / youth caution	Spent immediately			
Compensation order	Once paid in full			
Bind over	Length of the order			
Hospital order with or without restrictions	Length of the order			
Reparation order	Length of the order			
Referral order	Spent immediately			
Endorsement imposed by a court	5 years		2.5 years	
Court-imposed motoring disqualification	Length of disqualification			
Relevant order	Length of the order			

Advanced Disclosure

- Employers ask in different ways:
 - “Do you have any unspent criminal convictions?”
 - “Do you have any criminal convictions?”
- Legal duty to disclose if unspent and asked
- Probation can mandate that a person on licence discloses



Job Searching & Disclosure

In England & Wales three main types of DBS check:

- **Basic**
- **Standard**
- **Enhanced** (plus Barring Lists check, dependent on role)
- Level of check depends on the specific role
- Standard / Enhanced checks can only be done if role is eligible
- Knowingly requesting a check at a higher level than necessary is a **criminal offence**

[Find out which DBS check is right for your employee - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/how-to-get-a-db-s-check)

Find Out If You Need to Disclose a Conviction

Instantly, Privately and for Free

Spent Conviction

A conviction that has completed its rehabilitation period. Once spent, it is treated as though it never occurred for most purposes.

Unspent Conviction

A conviction that has not yet reached the end of its rehabilitation period as specified by the ROA. It must usually be disclosed when asked.

Unsure if your
conviction is spent?

Use the Calculator



Need help writing your
disclosure statement?

Ask the Chatbot



[Access Offploy's Disclosure Toolkit here](#)

Empathetic Interviews, Disclosure and Vetting

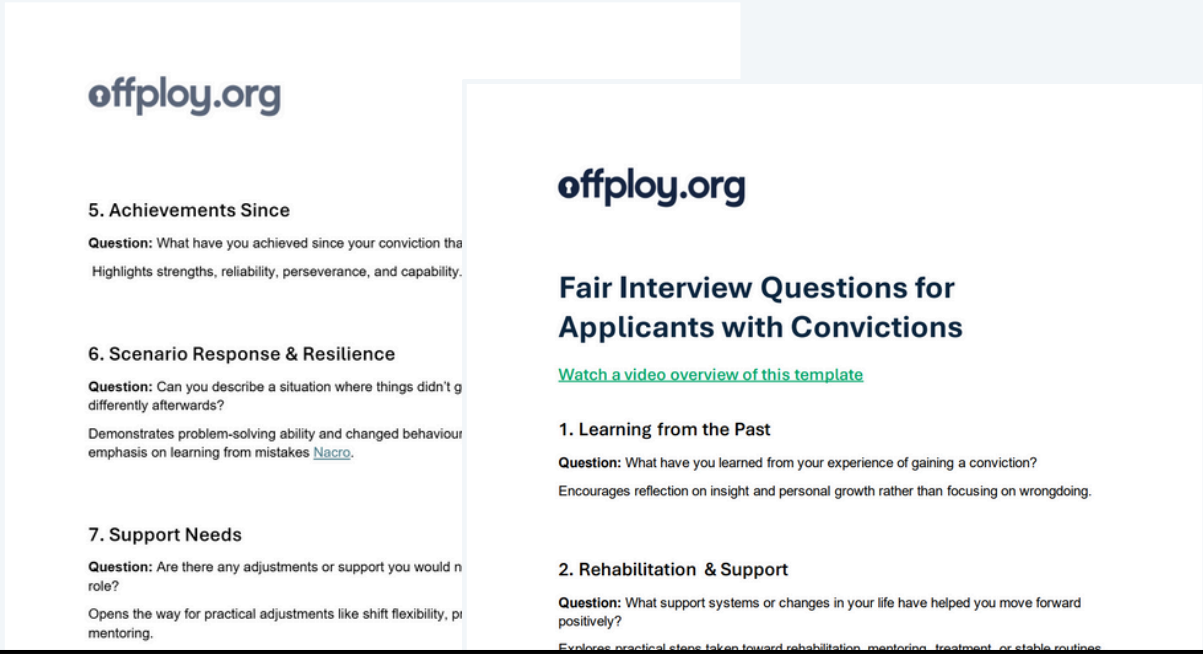
Considerations

- Character + Circumstances > Conviction
- You don't have to always ask the question, be prepared if the candidate discloses to you
- Prevent Over-disclosure by communicating if and when you will ask the question, point all applicants to the disclosure toolkit to calculate spent dates
- You can mitigate risk and reject people due to their unspent conviction (spent in regulated roles), it is not a protected characteristic

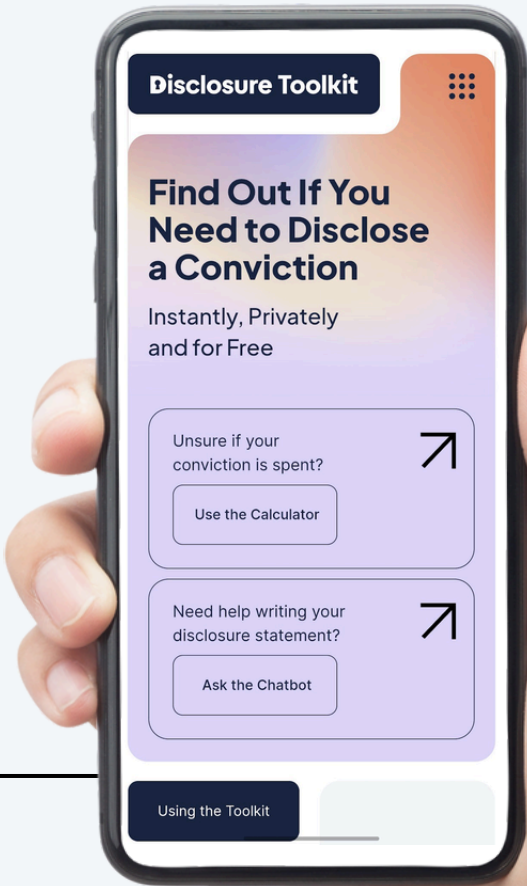


Key Tools

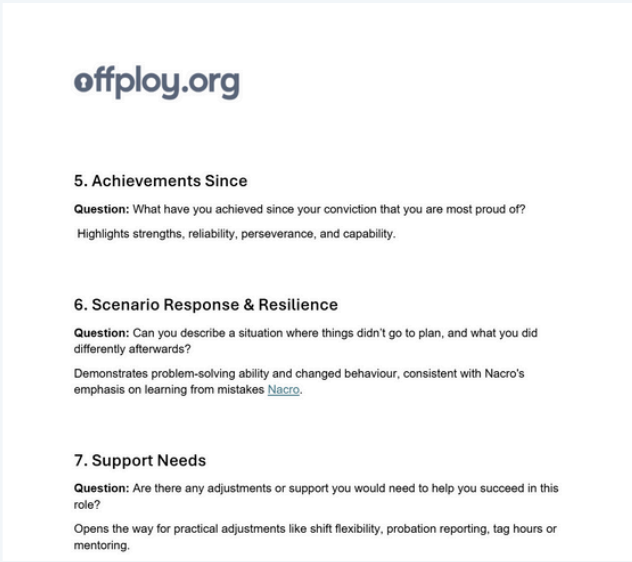
Interview Scoring Template



DisclosureToolkit.org



Rejection Template



Join Offploy's Free Webinar: “Getting Started in Employing People with Convictions”

- Every Thursday Morning
- 09:15 AM Start
- 45-minute run-time
- Q&A throughout & at the end
- Provide more context for the 7 steps
- Easy introductory step



Thank You

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