

Finding out about your criminal record

Disclosing to employers - Information series

Why is this important?

- There are over 9.2 million people with a criminal record
- You will probably have a criminal record if you have ever accepted an official police caution, pleaded guilty or been found guilty in a criminal court
- Employers, insurers, and others might ask you about details of your criminal record
- If the information you disclose is not accurate, this could cause you problems at a later stage
- Many people don't realise what *might* be on their criminal record
- Yet over a third of convictions are for 'non-recordable' offences, there was previously a process of 'weeding' and 'stepping down', and there is currently a process of 'filtering' – all of these processes mean that your current criminal record *might* be different to what you *think* it is.

Introduction

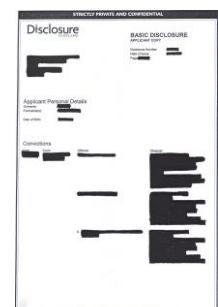
- Before you start thinking about how and when to disclose, you need to know what to disclose
- It's a good idea to know this as soon as possible, and before applying for a particular role.
- There are various 'types' of criminal record check. The most common are relating to employment – basic, standard and enhanced checks.
- However, you cannot apply for your own standard or enhanced check
- All these checks use the Police National Computer (PNC) to get details of convictions and cautions

Ways of finding out your criminal record

Depending on what type of job you're applying for, there's two different ways to find out your criminal record for disclosure purposes:

1. Basic check


- If you're applying for a job that is covered by the Rehabilitation of Offenders Act 1974, the employer may carry out a basic check. You can apply for this yourself through Disclosure Scotland.
- It costs £25, and will show any unspent criminal convictions.
- For more details, [search for 'basic disclosures' on hub.unlock.org.uk](https://hub.unlock.org.uk).



2. 'Subject access request' from the police

- If you're applying for a job that is not covered by the Rehabilitation of Offenders Act 1974, the employer may carry out a standard or enhanced criminal record check.
- You're unable to apply for your own standard or enhanced criminal record check in advance.
- However, under the Data Protection Act, you're able to ask the police for a copy of your criminal record. This is known as a 'subject access request' (SAR).
- There is a £10 fee for this, and the police have up to 40 days to supply it (although many do it quite quickly). For more details on how to apply, [search for 'police records' on hub.unlock.org.uk](http://search%20for%20%27police%20records%27%20on%20hub.unlock.org.uk).

Application form



Section 1 – About Yourself (tick small boxes [] where appropriate)

Title: Mr [] Mrs [] Miss [] Other (specify) []

Surname / Family Name: []

Forename (s) / Given name(s): []

Previous / Former Name(s):
NB. Include any other names you have used or by which you have been known in any country. Include all married names, names prior to and after change by Deed Poll, and name at birth if different from above. Failure to answer this question will delay your application.
[]

I have not been known by any other name: []

Date of Birth (dd/mm/yyyy): []

Place of Birth: []

Town: [] County: [] Country: []

Gender: Male [] Female []

Height: []

Sample of results

Disposal (Court)

Court/Caution Reference: [REDACTED]
 Adjudication Date: [REDACTED]
 Court Name: [REDACTED]
 Name: [REDACTED]
 Offence Count: [REDACTED]
 Taken into Consideration: [REDACTED]
 Owner: [REDACTED]
 Last Updated: [REDACTED]

Offence

Arrest/Summons Ref: [REDACTED]
 Crime Reference: [REDACTED]
 Offence Number: [REDACTED]
 Court/Caution/Force Reference: [REDACTED]
 Court Offence Number: [REDACTED]
 Adjudication: [REDACTED]
 Plea Description: [REDACTED]
 Originator: [REDACTED]
 Offence Description: [REDACTED]
 Offence Date(s): [REDACTED]
 Location: [REDACTED]
 Disposal: [REDACTED]

- When you apply for your SAR, you should request to see :
 - A copy of national PNC (Police National Computer) records if the criminal record check you think you'll end up having to do is a 'standard' one. This will show all convictions and cautions that are held on the PNC.
 - A copy of both national PNC, and local police, records if the criminal record check you think you'll end up having to do is an 'enhanced' one. This will show all convictions and cautions that are held on the PNC, as well as any information held locally by the police.
- This document should only be used to help you understand your criminal record. If you're using it to work out what will be disclosed on a standard or enhanced check, you'll need to use these results to work out if anything will be [filtered](#). Local police records might also indicate what might be considered 'relevant' by the police force to disclose as '[police intelligence](#)'
- You should not be required to provide the SAR report to an employer, insurer or other organisation. That is known as an 'enforced subject access' and is a criminal offence.

There are also other ways of finding out about your criminal record, such as a police certificate (used for travel purposes). For more information, [search for 'ways to find out about your criminal record' on hub.unlock.org.uk](http://search%20for%20%27ways%20to%20find%20out%20about%20your%20criminal%20record%27%20on%20hub.unlock.org.uk).