



# Merchant Taylors'

## School

### Spent convictions and the DBS filtering rules

#### Spent convictions

Sentence	Rehabilitation period (in all cases the period commences from the date of the conviction)	
	Aged over 18 at the time of the conviction	Aged under 18 at the time of the conviction
<ul style="list-style-type: none"> <li>• Prison sentence of more than 4 years</li> <li>• Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over four years</li> <li>• Sentence of preventive detention</li> <li>• Sentence of detention at Her Majesty's Pleasure</li> <li>• Sentence of custody for life</li> <li>• Public protection sentences* (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders)</li> <li>• A public protection sentence (the provisions for which are set out in Part 12 of the Criminal Justice Act 2003 and Part 8 of the Armed Forces Act 2006 means a sentence of imprisonment or detention, as detailed above, imposed for specified sexual and violent offences.</li> </ul>	Never	Never
Prison sentence of more than 30 months but less than or equal to 4 years	Length of sentence + 7 years	Length of sentence + 3.5 years
Prison sentence, or sentence of detention, of more than 6 months but less than or equal to 30 months	Length of sentence + 4 years	Length of sentence + 2 years

Prison sentence, or sentence of detention, of less than or equal to 6 months	Length of sentence +2 years	Length of sentence + 18 months
Removal from HM Service	1 year	6 months
Service detention	1 year	6 months
Community order or youth rehabilitation order	1 year	6 months
Fine	1 year	6 months
Compensation order	Once paid in full	Once paid in full
Absolute discharge	Spent immediately	Spent immediately
Driving disqualification	End of the disqualification	End of the disqualification
Driving endorsement	5 years from the date of conviction	30 months from the date of conviction
Relevant order (include conditional discharge orders, restraining orders, hospital orders, bind overs, referral orders, care orders and any order imposing a disqualification, disability, prohibition or other penalty not mentioned in this table)	End of the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent	End of the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent
Simple caution, youth caution	Spent immediately	Spent immediately
Conditional cautions youth conditional caution	3 months or when caution ceases to have effect if earlier	3 months or when caution ceases to have effect if earlier

### Filtering rules

Certain spent convictions and cautions are considered 'protected' and the DBS filtering rules mean that they are not included in a DBS certificate. Job applicants are not required to disclose protected convictions or cautions. If a protected conviction or caution is inadvertently disclosed the School will disregard that information when making a recruitment decision.

You are therefore not required to disclose information about a spent criminal conviction imposed for an offence committed in the United Kingdom if you were over 18 years of age at the time of the offence and:

- 11 years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

You are not required to disclose information about a spent caution issued for an offence committed in the United Kingdom if you were over 18 years of age at the time of the offence and:

- six years have elapsed since the date it was issued; and
- it was not issued for a "specified offence".

You are not required to disclose information about a spent criminal conviction imposed for an offence in the United Kingdom if you were under 18 years of age at the time of the offence and:

- five and a half years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

You are not required to disclose information about a caution issued for an offence committed in the United Kingdom if you were under 18 years of age at the time of the offence.

The list of "specified offences" can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>.