

Criminal record assessment: template

How to use this template

Use this template **after** you've conducted a formal disclosure discussion with the applicant, so you can be sure you're conducting a fair assessment. Consider the information received during the disclosure discussion for each of the factors listed below. The applicant **will not** be present for this stage of the process

You'll need to work with your HR provider to conduct this assessment. They'll be able to help you assess someone's criminal record against each factor. You can also contact Unlock. You may also need to get advice from legal and/or occupational health experts
Information about an applicant's criminal record is sensitive personal data, so don't share it unless strictly necessary. You'll need to discuss the information with your HR support or other members of the recruitment panel, but you **should not** share any information with other colleagues.

How to store this template

Successful candidates

If you've determined that the convictions listed on the DBS certificate aren't relevant or don't pose a risk, retain this record for no longer than 6 months

If you've determined that convictions listed on the DBS certificate may be relevant, or are manageable with certain safeguards, you can retain this record for as long as it is useful for you to inform ongoing or dynamic risk assessment and mitigation processes

Criminal records information should be stored securely, accessible only to those who need this information. It should be stored separately from the applicant's main personnel file

Unsuccessful candidates

Retain records relating to unsuccessful candidates for 6 months from the date an appointment is made (in case an unsuccessful applicant challenges your decision at an employment tribunal)

Applicant name	
Role applied for	
Date of assessment	
Staff members present	
HR staff present	

FACTORS	THINGS TO CONSIDER	CONVICTION 1	CONVICTION 2
Relevance	<p>Do any of the convictions listed on the DBS certificate relate to, or impact on, the responsibilities of the role?</p> <p>Are the circumstances of the offence relevant to the role?</p>		

FACTORS	THINGS TO CONSIDER	CONVICTION 1	CONVICTION 2
Nature	<p>Consider not just the category of the offence, but what the offence involved and what the applicant's actions were.</p> <p>For instance:</p> <ul style="list-style-type: none"> • Financial offences – was it theft or fraud? • Violent offences – was it against a vulnerable person, what was the level of harm caused? • Drugs offences – was it possession or supply? 		

FACTORS	THINGS TO CONSIDER	CONVICTION 1	CONVICTION 2
Seriousness	<p>The DBS certificate will tell you what an offence is.</p> <p>How serious the offence is, as determined by the charge and sentence set out on the DBS certificate, may help you determine whether an offence is relevant when balanced against other factors. You may need to take advice on how serious an offence is.</p> <p>But consider:</p> <ul style="list-style-type: none"> • Current DBS filtering rules mean that even minor, very old offences will still be disclosed if the person has more than one conviction or caution • Just because something appears on a DBS check doesn't always mean it's very serious • Sentencing is not always uniform or consistent, so don't rely on previous examples of similar convictions to inform your decision, and take into account the circumstances around the offence 		

FACTORS	THINGS TO CONSIDER	CONVICTION 1	CONVICTION 2
Pattern	<p>Consider whether the person committed a single offence, or whether there is/was a pattern of offending.</p> <p>Think about the following:</p> <ul style="list-style-type: none"> • If they committed a number of offences, is there a significant gap between them? • Were the offences committed over a particular period of time? • How much time has elapsed since the last offence? • Have their circumstances or motivation changed? (see below) <p>Those with a pattern of offending up until quite recently may not be able to demonstrate that they have stopped offending.</p> <p>Clear evidence of a break in the pattern of offending can be important, especially for drink and drug-related offences.</p> <p>It may also be true that someone with a single offence (committed quite recently) won't be able to demonstrate sufficient change.</p>		
Age/Time	<p>Look at:</p> <ul style="list-style-type: none"> • The person's age now • Their age when the offence was committed • The length of time since the offence was committed <p>Remember: conviction dates can often be much later than when the offence was committed.</p>		

FACTORS	THINGS TO CONSIDER	CONVICTION 1	CONVICTION 2
Circumstances	<p>You may not need to consider the circumstances around every offence (such as minor offences dealt with by way of a caution or fine).</p> <p>Remember that your job is not to judge the actions but to decide whether the offence and circumstances are relevant to the job applied for.</p> <p>If you do need to understand the circumstances, consider what you learned from the disclosure discussion about:</p> <ul style="list-style-type: none"> • What happened • Who was involved • Why it happened <p>Think about any aggravating or mitigating circumstances, such as issues with:</p> <ul style="list-style-type: none"> • Accommodation • Education or employment • Finances • Lifestyle and associates • Relationships • Drug and alcohol use • Health • Emotional or mental well-being <p>Also take into account:</p> <ul style="list-style-type: none"> • Whether their circumstances have changed • Whether they have addressed the reason for their offending 		

Additional notes or information

Include any reasonable adjustments or safeguards that could be put in place to enable the candidate to take up the post – these will need to be documented and agreed with the candidate.