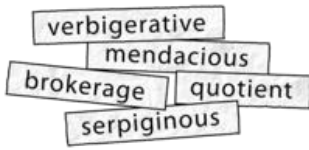


How to support people into work, volunteering or education.

A guide for occupational therapists

Easy Read Version





There are some hard words in this guide. When you see them first, they will be in **bold**. Then it will explain the word.

There is also a word list at the end of the paper.



This guide is for occupational therapists who support people into work, volunteering or education. They include:



- people who have been found guilty of a crime
- people who have poor mental health
- people with learning disabilities



When you are found guilty of a crime it is called a **conviction**



In March 2019 there was a review of **forensic mental health services**.

Forensic mental health services means care and treatment for people with a mental health disorder who have come to the attention of the criminal justice system.



1 important thing from the report showed the need-to-know what information can be given about people.



Occupational therapists and the Scottish Government worked on the guide together.



Occupational therapists will work with people with mental health and or learning disability.



This will help them to see how it will affect their chances of getting a job.



It will also help them to decide if they need extra help from something like a supported employment service.



Disclosure Scotland checks and shares information about crimes people have been found guilty of.



This information helps organisations make sure people are right for the job.



For example, people who apply to work with children or protected adults.



Anyone applying for a job must tell the employer about any **unspent conviction**.

This is called **disclosure**.



An **unspent conviction** is one where the time limit on **disclosure** has not ended.



The [Rehabilitation of Offenders Act 1974](#)
Says you do not have to tell an employer
about a **spent conviction**.

A spent conviction is one where the time
limit on **disclosure** has ended.



An employer can only ask about an
unspent conviction.

They cannot use a **spent conviction** as a
reason not to give someone a job.



There are some kinds of employment where
spent convictions must be **disclosed**.

They are:



- working in finance
- working with children
- working in care

- working in health and hospitals
- working in the law
- working in security
- working in teaching



Disclosure Scotland manage and decide if a **spent conviction** should be **disclosed**.

Disclosure information asked for can include:



- details of a criminal record
- information about a person being on an adults' or children's lists
- other information held by the police
- or state there is no information

There are 4 kinds of **disclosure**.

Basic disclosure is the most common. It will show any **unspent convictions**.



Most people have to apply for these themselves.



Standard disclosure is for people doing certain kinds of work like solicitors and accountants.



Enhanced disclosures are for things like people who are looking at adoption or applying for a gambling licence.

Standard and enhanced disclosures are known as **higher level disclosures**.

Higher level disclosures will show:



- all **unspent convictions**
- some **spent convictions** that must always be disclosed
- other **spent convictions** that must be disclosed
- an unlisted **spent conviction**
- if the person needs to register as a sex offender



Protecting Vulnerable Groups the (PVG) scheme is for people working with children or protected adults.



Children are those under 18.



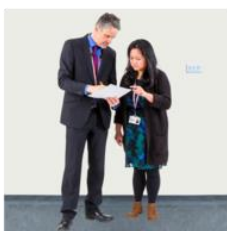
Protected adults are those over 16 and who are:



- in registered care services
- in health care services
- in community care services
- in welfare services



Employers of these kinds of work must apply for the **PVG** for the new employee.



PVG members are regularly checked.



If new information is found that means they are not suitable, **Disclosure Scotland** will tell the employer.



There are 2 ways to decide whether a **spent conviction** should be **disclosed**.



Some offences must be disclosed no matter how old the conviction is.



Rules apply to other offences.

If a conviction on this list is **spent**, then before **disclosure** they will think about:

- how old the conviction is

- the age the person was at the time of conviction



A person can apply to a sheriff to have a conviction removed.



Disclosures hold personal and private information.

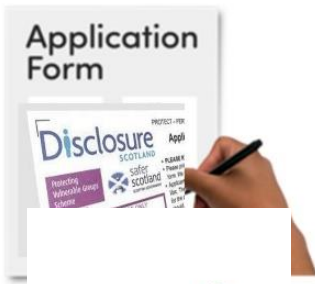
There are rules about how they can be used.

Using this information in the wrong way is a crime.



Anyone can apply for a **basic disclosure** in their own name and for their own use.

It can be for things like a new job or for volunteering.



Employers must apply for **standard or enhanced disclosure** or the **PVG** scheme.



People can apply for a **PVG** membership statement without needing someone else to sign the form with them.



A person can get a copy of their criminal record.



They should ask for a **Subject Access Request (SAR)** on the Police Scotland website.



People do not have to disclose if they have a mental health illness or learning disability.



The Equality Act 2010 gives people some rights and benefits if they **disclose** these.

What the words mean.

Conviction **When you are found guilty of a crime it is called conviction**

Conviction - spent **One where the time limit on disclosure has ended.**

Conviction - unspent **One where the time limit on disclosure has not ended.**

Disclosure **When you tell someone about a conviction.**

Disclosure - Basic **The most common kind of disclosure**

Disclosure - standard **For people doing certain kinds of work like solicitors and accountants .**

Disclosure - enhanced Checks and shares information about crimes people have been found guilty of.

Disclosure – higher level What standard and enhanced disclosures are sometimes called.

Disclosure Scotland The organisation who manage disclosures.

Forensic mental health services Care and treatment for people with a mental health disorder who have come to the attention of the criminal justice system.

Protection of Vulnerable Groups (PVG) A scheme is for people working with children or protected adults.

Subject access Request (SAR) Where you apply to for a copy of your criminal record



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