

Criminal Convictions SPS Scottish Prison Service

Under the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003 (as amended), the SPS is listed as an exempted employment. The SPS is therefore entitled to ask prospective candidates to reveal spent convictions during the recruitment and/or vetting process. During the application process, we ask for details on any criminal convictions you have, including spent and admonished convictions within the UK or abroad. It is important that you tell us about all convictions and offences, including motoring offences, regardless of the outcome. Having a criminal record will not necessarily be a barrier to employment with the SPS; however failure to disclose a conviction or offence, will lead to your application being rejected, regardless of the nature of the offence or conviction.

Your application will be rejected at the application stage if you have been convicted for a serious offence such as:

- Murder
- Attempted murder
- Manslaughter
- Rape
- Kidnapping
- Gross Indecency
- Death by reckless driving
- Firearms Offences
- Violence Offences i.e. offences involving violence or injury, relating to:
 - Unlawful possession of weapons or firearms
 - Acts of indecency
 - Abuse or neglect of children
 - Public order offences
 - Racially motivated or homophobic offences
 - Assault
- Dishonesty:
 - Burglary
 - Fraud
 - Theft
 - Deception
- General:
 - Any offence committed as an adult or young offender, which resulted in a prison sentence
 - Cautions for recordable offences within the last 5 years
 - Any recordable offence

Convictions which will also lead to rejection, unless there are very compelling circumstances, include:

- Drugs i.e. involvement in drugs including possession of a Class A drug or more than one Class B drug and/or supplying drugs of any kind
- Reckless or dangerous driving within the last ten years
- One offence of drink driving or drunk in charge or drugs driving within the last ten years
- More than one offence of drink driving or drunk in charge or drugs driving

- Other serious motoring offences within the last five years (i.e. failing to stop after an accident or driving whilst disqualified)
- More than three endorseable driving convictions within the last five years
- Two or more convictions of regulatory offences within the last five years

An applicant's age at the time of an offence and the aggravating circumstances surrounding the offence may be considered in the following cases:

- Drunk and disorderly - no more than one offence and only after three years from conviction
- Breach of the Peace - not more than one offence in the last five years
- Driving offences - driving without insurance/MOT when a reasonable explanation can be provided

This is not an exhaustive list. There may be circumstances where an individual's suspected involvement in crime, or criminal associations make an offer of employment inappropriate.

During the vetting process the SPS will undertake a Disclosure Scotland application on your behalf to verify your eligibility for employment in relation to our Criminal Conviction criteria.