

## **Criminal Conviction Guidance**

You need to tell us about any relevant criminal convictions, but you do not need to tell us about all criminal convictions.

The law allows some convictions to become 'spent' (ignored or forgotten) or 'protected':

**Spent Convictions:** A criminal conviction can become spent after a specific length of time has passed.

**Protected Convictions:** Some spent convictions can also become protected after specific periods of time or when certain disposals are issued by the Court or Hearing.

You **must** tell us about the following:

1. You received a conviction, charge or alternative to prosecution where:
  - a. a child and/or vulnerable adult was a victim or was harmed by the offence, or
  - b. the offence was committed in the course of your employment in social services, or in the course of any employment or voluntary work closely linked to social services.

You **must also** tell us about:

2. Unspent convictions or cautions
3. Spent convictions that are listed on the Disclosure Scotland A1 list <https://www.mygov.scot/offences-always-disclosed/>. If the conviction is on this list, it must always be disclosed. These convictions, although spent will never become protected.
4. Unprotected convictions. There are convictions which are spent and are on the Disclosure Scotland B1 list <https://www.mygov.scot/offences-disclosed-rules/>. A conviction for these offences should be disclosed to us UNLESS any of the following rules apply:
  - a. You received the conviction more than 15 years ago, if you were over 18 years or over at the date of the conviction.
  - b. You received the conviction more than 7 ½ years ago and were under 18 years at the date of the conviction.
  - c. The outcome was admonition, absolute discharge or a discharge after a referral to a children's hearing.

Note: This guidance is about what you need to tell the SSSC and may differ from what you need to tell other bodies.