

In the United Kingdom, once the rehabilitation period has ended, the criminal offense is considered “spent.” While the matrix is specific to criminal offenses in the United Kingdom, it can be a useful tool to develop adjudication guidelines for non-US screening programs.

For non-regulated hires in the UK where a Basic Disclosure criminal check would be conducted, spent convictions would not appear on the disclosure certificate, as the offender would be deemed “rehabilitated.” In general, for regulated hires or those working with vulnerable populations where a Standard or Enhanced criminal check would be conducted, both spent and unspent convictions would appear on the certificate. Below is the rehabilitation matrix for England and Wales:

Sentence	Rehabilitation period		Notes
	People aged over 18	People aged under 18	
Prison – more than 30 months and less than 4 years	Sentence + 7 years	Sentence + 3.5 years	From the day on which the sentence (including any licence period) is completed.
Prison – more than 6 months and less than 30 months	Sentence + 4 years	Sentence + 2 years	From the day on which the sentence (including any licence period) is completed.
Prison – less than 6 months	Sentence + 2 years	Sentence + 18 months	From the day on which the sentence (including any licence period) is completed.
Sentence of detention -between 6-30 months	Sentence + 4 years	Sentence + 2 years	Passed under s91 of the Criminal Courts Sentencing Act 2000 or s206 of the Criminal Procedure (Scotland) Act 1975.
Sentence of detention – less than 6 months	Sentence + 2 years	Sentence + 18 months	
Community order	12 months	6 months	From the end of the order.
Fine	1 year	6 months	From the date of conviction.
Service detention	1 year	6 months	Starting from the date on which the sentence is completed.
Sentence	Rehabilitation period		Notes
	People aged over 18	People aged under 18	
Detention and Training Order (over 6 months)	As prison sentences	As prison sentences	For those under 18.
Detention and Training Order (less than 6 months)	As prison sentences	As prison sentences	For those under 18.
Youth Rehabilitation Order	6 months	6 months	From the last day the order has effect.
Caution, warning, reprimand	None	None	
Conditional caution	Once conditions end	Once conditions end	
Absolute discharge	Spent immediately	Spent immediately	
Conditional discharge, binding over, care order, supervision order, reception order	End of the order	End of the order	The day provided for by or under the order as the last day on which the order has effect.
Disqualification	End of disqualification	End of disqualification	

Hospital order	End of the order	End of the order	Under the Mental Health Act 1983. The day provided for by or under the order as the last day on which the order has effect.
Relevant order	End of the order	End of the order	The day provided for by or under the order as the last day on which the order has effect.
Compensation order	Once paid in full	Once paid in full	The date on which the payment is made in full.

The following sentences are exempt from the 1974 Rehabilitation of Offenders Act and can never become spent:

- a. Sentence of imprisonment for life;
- b. Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over 4 years;
- c. Sentence of preventive detention;
- d. Sentence of detention during Her Majesty's pleasure or for life;
- e. Sentence of custody for life;
- f. 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).

Link to guidance on Rehabilitation of Offenders Act:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/299916/rehabilitation-of-offenders-guidance.pdf

Guidance on hiring ex-offenders from the link above:

“Each employer is best placed to consider whether a person’s convictions (either before they have become spent, or, in the case of activities listed on the Exceptions Order, when they are spent) make him or her unsuitable for a particular job. But it is important that you should reach a balanced judgement, having regard to such factors as:

- a. the person’s age at the time of the offence;*
- b. how long ago the offence took place;*
- c. whether it was an isolated offence or part of a pattern of offending;*
- d. the nature of the offence;*
- e. its relevance to the post or position in question; and*
- f. what else is known about the person’s conduct before and since the offence.*

The Disclosure and Barring Service Code of Practice requires registered employers to have a fair and clear policy towards ex-offenders and not to discriminate automatically on the basis of an unprotected conviction or caution.