

# RECRUITING PEOPLE WITH CONFLICT-RELATED CONVICTIONS

## Employers' Guidance



Office of the  
**First Minister and  
Deputy First Minister**  
[www.ofmdfmi.gov.uk](http://www.ofmdfmi.gov.uk)



























## Annex

### The current legislation

The Rehabilitation of Offenders (Northern Ireland) Order 1978 seeks to ensure that ex-offenders who have not re-offended for a period of time since the date of their conviction are not discriminated against when applying for jobs. The Order enables ex-prisoners to 'wipe the slate clean' of their criminal records at the appropriate time in that they are no longer legally required to disclose to organisations convictions that are 'spent', unless the job they are applying to is covered by the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979. A range of different types of work, occupations, employment and professions are exempted. This includes work that involves access to children, young people and vulnerable people. In such cases organisations are legally entitled to ask applicants for details of convictions, irrespective of whether they are 'spent' or 'unspent' under the Act.

Part V of the Police Act 1997 which is to be enacted in Northern Ireland later in 2007 will allow for the two types of disclosure of criminal records relevant to employers. A Standard Disclosure which applies to posts exempted under the Rehabilitation of Offenders (Northern Ireland) Order 1978 and relates particularly to certain sensitive areas of employment, such as jobs involving regular contact with children and vulnerable adults. The second type, Enhanced Disclosure, applies to posts involving greater contact with children and vulnerable adults. In Northern Ireland this service will be provided by Access Northern Ireland (which will link both to Disclosure Scotland and the Criminal Records Bureau).

The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 is aimed at preventing unsuitable people from working with children and/or vulnerable adults. The Safeguarding Vulnerable Groups Act, which received Royal Assent in November 2006 will extend to Northern Ireland and will introduce a new vetting and barring scheme.