

WHO CARES? SCOTLAND

Disclosure
SCOTLAND

A guide to Disclosure Scotland for Care Experienced People



EQUALITY | RESPECT | LOVE

Introduction

In your journey through education, work or volunteering – you may at some point apply to work with vulnerable people. The employer or organisation will want to get to know you to make sure that you are suitable for the role. They will do this through interviews and applications, but you may be asked to undergo a criminal record check with [Disclosure Scotland](#).

Disclosure Scotland checks and shares information about people's criminal records with employers. These checks are designed to make things safer for vulnerable people. Disclosure Scotland doesn't decide who is suitable for certain jobs, but they may state that a person is unsuitable due to the information found in the checks.

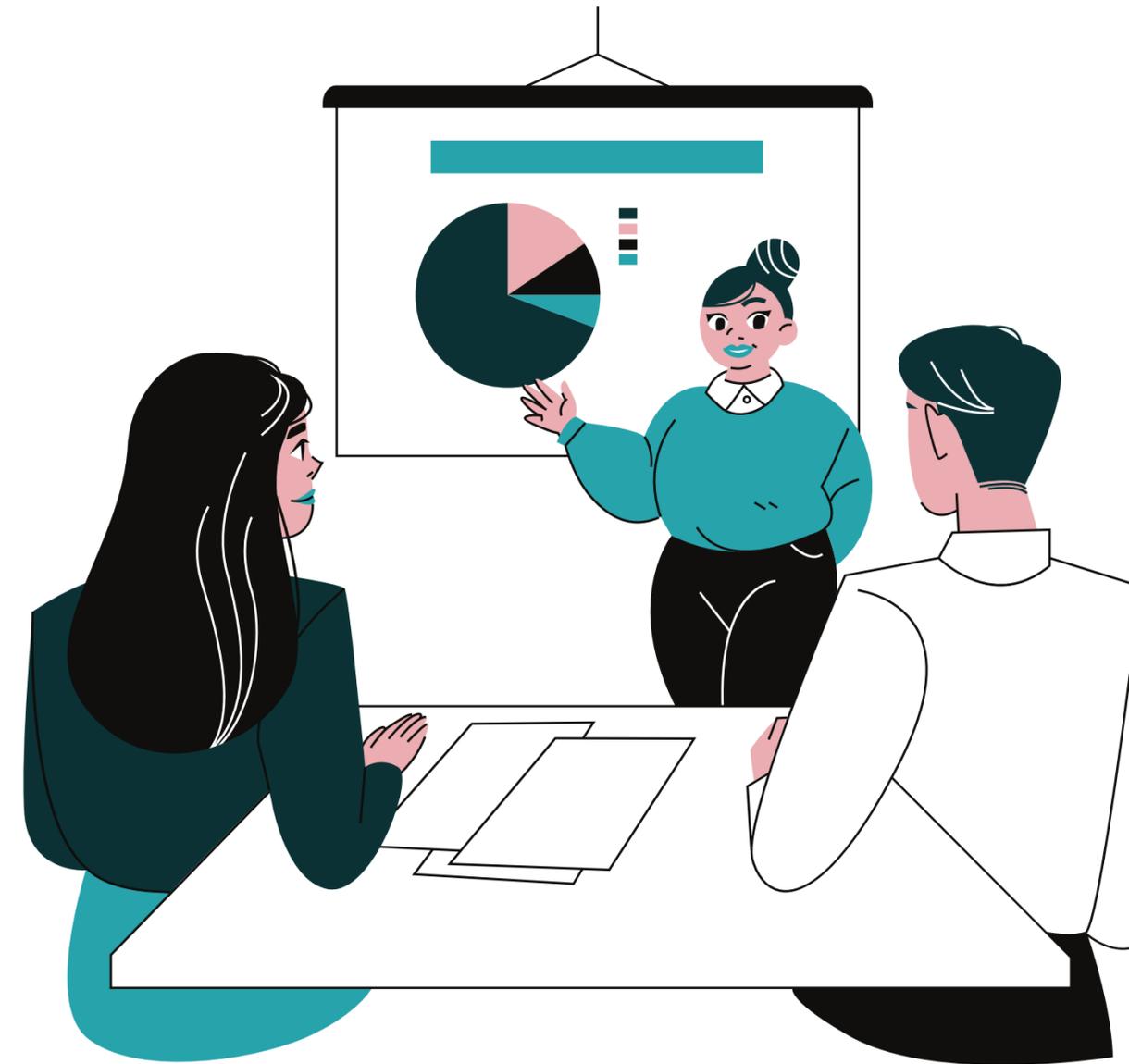


Disclosure Scotland as a Corporate Parent

Disclosure Scotland is a Corporate Parent to Care Experienced people. As a Corporate Parent, they have legal duties towards all Care Experienced people in Scotland up to the age of 26. Every Corporate Parent must publish a Corporate Parenting plan, explaining how they will carry out their responsibilities to Care Experienced people.

In their plan, Disclosure Scotland has committed to supporting Care Experienced people with convictions to get into education and employment, offering guidance and support in understanding their processes and services.

Discrimination against Care Experienced people takes many forms, and Care Experienced people face **specific circumstances** that lead to higher rates of criminal convictions at a young age. As such, it's important that Care Experienced people are supported through the disclosure process and to overcome barriers to employment such as criminal records.



Jargon busting

Disclosure – sharing sensitive personal information, such as your criminal record.

PVG – PVG stands for ‘Protecting Vulnerable Groups’ and it’s a scheme which you apply to join when undertaking ‘regulated work’.

Regulated work – working directly with children and protected adults. This can be carried out in different ways such as caring responsibilities, person care or supervising children.

Spent convictions – a spent conviction is one which you don’t have to disclose after a certain amount of time has passed. This time is called a ‘disclosure period’ and is set out by the law. For many jobs you don't have to tell your employer about spent convictions. There are exceptions however, where you must tell your employer about certain spent convictions. You may also have to tell your employer about other convictions if they are disclosed by Disclosure Scotland. The exceptions apply to jobs which ask for a higher level of disclosure, such as a solicitor, doctor, working in a school or within some roles in social services.

Unspent convictions – an unspent conviction is one where not enough time has passed for it to have become ‘spent’. You must always declare unspent convictions to your employer. Unless you received a sentence of detention of over four years, nearly all unspent convictions are able to become spent.



How to check what is on your record

Step one

If you are not sure what charges or convictions might appear when Disclosure Scotland run a check, it's possible to ask Police Scotland to see what is currently on your police record. Police Scotland is also a Corporate Parent and is there to help and support Care Experienced people.

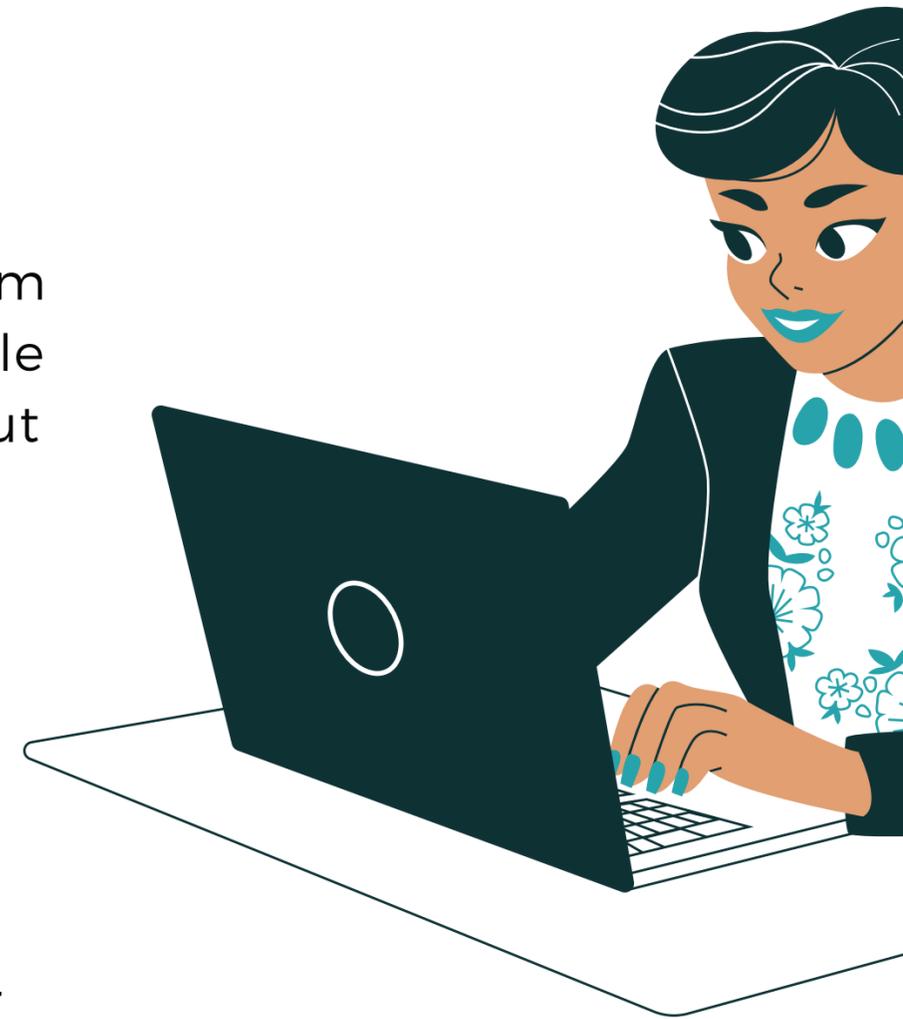
Sometimes people's recollection of their final charges or convictions can be different from what court and police records say. It can all change during those proceedings, and people may also be unsure if they were charged or not, or even if they were convicted. To find out what is on your police record you can make a subject access request [here](#).

Step two

You can find out what convictions will appear on the different types of disclosure by emailing response@disclosurescotland.gov.uk.

Step three

If you have a specific job in mind you can find out which type of disclosure the employer is likely to ask you for by emailing response@disclosurescotland.gov.uk.



The Who Cares? Scotland Helpline

We're aware that requesting access to your police record, or contacting Disclosure Scotland about your criminal record check, can feel quite daunting. So please know that our helpline is here to support you if you would like to discuss this.

The [Who Cares? Scotland Helpline](https://www.whocares.scot.nhs.uk/) is a lifelong offer open to Care Experienced people of any age across Scotland. Following on from the positive feedback on our Covid-19 helpline throughout the first few months of the Coronavirus, it is evident that a dedicated phone line is a valued source of connection for our community.

The helpline is open **Monday to Friday** from **12 noon to 4pm**. We can be contacted by phoning **0330 107 7540** or emailing **help@whocarescotland.org**.

The helpline offers the following:

- connection with Who Cares? Scotland
- support and signposting around finances, benefits, housing, health, employment, education, and rights
- lifelong advocacy
- a listening ear



Useful links

- [Disclosure Scotland](#) – you can find out more about the disclosure process and make an online application
- [Scotland Works for You](#) – a guide created by a working group set up to improve employment opportunities for those with convictions
- [Citizen's Advice Scotland](#) – useful guidance around disclosure as well as spent and unspent convictions. You can also seek advice from an adviser through The Citizen's Advice Bureau
- [CYCJ](#) – Children and Young People's Centre for Justice
- ['Pink Socks'](#) – a blog written by Rosie, a Care Experienced person, on her experiences of disclosure
- [WC?S Report on Criminalisation](#) – a 2018 report exploring why Care Experienced people face higher rates of criminal convictions

