

# Finding out about your criminal record

## Disclosing to employers

### Why is this important?

- There are over 12 million people with a criminal record.
- You will probably have a criminal record if you have ever accepted an official police caution, pleaded guilty or been found guilty in a criminal court.
- Employers, insurers and others might ask you about details of your criminal record.
- If the information you disclose is not accurate, this could cause you problems at a later stage.
- Many people don't realise what *might* be on their criminal record.
- There was previously a process of 'weeding' and 'stepping down', and there is currently a process of 'filtering' – all of these processes mean that your current criminal record *might* be different to what you *think* it is.

### Introduction

- Before you start thinking about how and when to disclose, you need to know what to disclose.
- It's a good idea to know as soon as possible, and before applying for a particular role.
- There are various 'types' of criminal record check. The most common are relating to employment – basic, standard and enhanced checks. You cannot apply for your own standard or enhanced check.
- All these checks use the Police National Computer (PNC) to get details of convictions and cautions.

### Ways of finding out about your criminal record

Depending on what type of job you're applying for, there's two ways to find out about your criminal record for disclosure purposes.

#### 1. Basic checks

- a. If you're applying for a job that is covered by the Rehabilitation of Offenders Act 1974, the employer can carry out a basic check. You can apply for this yourself through the Disclosure and Barring Service (DBS).
- b. It costs £18 and will show any unspent criminal convictions.

## 2. 'Subject access request' from the police

- a. If you're applying for a job that is not covered by the Rehabilitation of Offenders Act 1974, the employer may carry out a standard or enhanced criminal record check.
- b. You're unable to apply for your own standard or enhanced criminal record check in advance.
- c. However, under the Data Protection Act, you're able to ask the police for a copy of your criminal record. This is known as a 'subject access request' (SAR). The request is made to the ACRO Criminal Records Office – <https://acro.police.uk/s/acro-services/subject-access>
- d. There is no charge for this, and the police have up to one calendar month to supply it (although it's often much quicker).
- e. The SAR will show all convictions and cautions that are held on the PNC.
- f. This document should only be used to help you understand your criminal record. If you're using it to work out what will be disclosed on a standard or enhanced check, you'll need to use these results to work out if anything will be [filtered](#). Local police records might also indicate what might be considered 'relevant' by the police to disclose as '[police intelligence](#)'.
- g. You should not be required to provide the SAR report to an employer, insurer or other organisation. This is known as an 'enforced subject access' and is a criminal offence.