

When to disclose?

Disclosing to employers - Information series

This information should, in particular, be read alongside our [‘How to disclose’](#) information.

There is no right or wrong answer as to when to disclose. This document gives some options based on our experience and from what employers tell us. We also include a table which gives the advantages and disadvantages of disclosing at different stages, to help you to decide the best time for you.

Working with the employers process – “disclosing when asked”

1. Employers use various methods to recruit new staff, so the point that you get asked about your criminal record may not be the same for every job that you apply for. Your first step should be to understand the employers’ process as best as you can, so you can make an informed decision.
2. Generally, it’s best to disclose at the earliest stage required (i.e. when you get asked), because;
 - a. That’s when they’ve asked – so that’s when they’re expecting to be told
 - b. You won’t feel like you’re ‘hiding’ something

However, there are some exceptions to this. For example;

1. **‘Tick-boxes’** - Many employers have a ‘tick-box’ on their application form. We encourage employers to ‘ban the box’ but many still ask in this way. Some people prefer not to tick the box, and disclose at a later stage when they believe they’ll get a chance to explain. This has the downside of effectively ‘lying’ to the employer on the application, which they could take issue with. It’s also unlikely to be a sensible step for people currently on licence, on probation, or subject to specific monitoring arrangements.
2. **‘We do checks’** – if an employer indicates that they’ll be carrying out a formal criminal record check, they should ask you to disclose before they do the check, but not all do. In this situation, we’d always advise that you disclose *before* the formal disclosure comes back.

Working out what’s best for you

The best approach for you will depend on a number of factors, including:

1. The nature of your criminal record
2. How well you know the people involved
3. The specific role, and how relevant your criminal record is
4. The type and culture of the organisation, as well as the industry it’s in

CV and covering letter

Many jobs ask for a CV and covering letter. A CV is designed for you to sell yourself as the best person for the job – you shouldn't include any information about your criminal record on your CV. If you have gaps due to time in prison, you could say that you were 'unavailable for work', or if you completed qualifications inside, list these instead. However, you must be prepared to honestly explain what you mean by 'unavailable for work' if you get asked.

Application forms

Many jobs have applications forms. This might have a section about criminal records. See our information on how to disclose for more information. Even if you're asked at this stage, you might choose to be careful what you disclose – see the 'tick boxes' section above.

Interviews

You might need to be prepared to talk about your criminal record at interview;

1. If you've not been asked as part of the application process, you might be asked at interview.
2. If the application form did ask, but you chose not to disclose it through fear of being automatically rejected, you'll need to make sure that you actively raise this, and you'll need to explain why you didn't disclose on the application form)
3. If you mentioned your criminal record in your application, you might be asked for more information. If it doesn't come up at interview, you could treat this as a positive sign. But to be sure, in this situation we'd suggest you mention at interview what you put on your application.

It's also worth remembering that it might not necessarily be the people interviewing you that will make the ultimate decision, so having something in writing to hand over might come in useful (see our ['How to disclose'](#) information for more details).

After the job offer

If you've been asked about convictions during the application, leaving disclosure until this point is risky as the employer might think you've also been dishonest. However, some employers wait until job offer to ask. This is something we recommend as 'good practice' – if this applies, they should make this clear.

Stage	Advantages of disclosing	Disadvantages of disclosing
Before applying	<ul style="list-style-type: none"> • Get a good idea of the recruitment policy • Early opinion of your chances • Not wasting your time 	<ul style="list-style-type: none"> • The opinion you get may not reflect the organisations' actual policy • May disclose more than what you have to • Puts your criminal record first (not your skills, experiences) • May impact on your confidence or self-esteem
At application (On an application form)	<ul style="list-style-type: none"> • Shows your honesty • Provides a record of disclosure • If given an interview, you can assume the employer is interested despite your criminal record 	<ul style="list-style-type: none"> • May not be able to provide right/enough information • The employer may misunderstand the seriousness • If it's not discussed at interview, you may assume they're okay with it, and it might become an issue later on
At application (Disclosure letter)	<ul style="list-style-type: none"> • You've got the opportunity to provide more details and mitigating circumstances • Your record is put into context • Provides a record of disclosure 	<ul style="list-style-type: none"> • Not knowing who the information goes to • Can be hard to communicate by letter • Written documents can easily be misinterpreted
At interview	<ul style="list-style-type: none"> • You know the employer is already interested • You get an opportunity to sell yourself first • You get to explain it in your own words • Emotions can often be better expressed face to face 	<ul style="list-style-type: none"> • Interviewer may be unprepared • Can be difficult to control exactly what you say • You risk allowing your disclosure to dominate the interview • No record of disclosure
After the job offer	<ul style="list-style-type: none"> • The employer thinks you are the best candidate • They've got to know you 	<ul style="list-style-type: none"> • You could be seen as having 'withheld' details • You risk having the job offer withdrawn
After you've started	<ul style="list-style-type: none"> • You've shown your ability to do the job • You've built up a relationship • You know who to disclose to 	<ul style="list-style-type: none"> • Waiting until this point can be seen as being dishonest and can lead to disciplinary action (and no reference)