

## EMPLOYMENT SELF-DECLARATION AND DISCLOSURE FORM

Please read carefully, it is important you understand your rights

### Why we need you to declare your criminal convictions and other related information

Working within a school is exempt from the Rehabilitation of Offenders Act and this role is eligible for an enhanced DBS check and access to the barred list.

We therefore ask you to complete the **Employment self-declaration and disclosure form** as fully as possible and bring it with you to the interview. The only people who will see the information will be those directly involved in the recruitment process. All information will be handled in accordance with the Criminal Records Code of Practice. At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place about any offences or other matter that might be relevant to the position.

If you are successful at interview, we will require you to obtain an Enhanced Certificate of Disclosure from the Disclosure and Barring Service (DBS).

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the post you have applied for and the relevance and circumstances of your offences, as set out in our Criminal Records Code of Practice. We also comply with the Disclosure & Barring Service's Code of Practice, which is available on their website at [DBS code of practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/db-code-of-practice)

We ensure that anyone making appointment decisions has the necessary information and support to assess the relevance and circumstances of any offences.

All information will be treated as confidential and managed in accordance with relevant data protection legislation and guidance.

The post applied for is exempt from the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare:

- All unspent convictions and conditional cautions
- All spent convictions and adult cautions that are not protected (i.e. that are not filtered out) as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2020).

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account.

Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.

[Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/rehabilitation-of-offenders-act-1974-and-the-exceptions-order-1975)

The filtering rules were updated on 28th November 2020 as follows:

- Warnings, reprimands and youth cautions will no longer be automatically disclosed on a DBS certificate.
- The multiple conviction rule has been removed, meaning that if an individual has more than one conviction, regardless of offence type or time passed, each conviction will be considered against the remaining rules individually, rather than all being automatically disclosed.

The information disclosed on this form will not be kept with your application form during the application process.

For further information on filtering can be found at Nacro [Criminal Record Support Service | Nacro](https://www.nacro.org.uk/criminal-record-support-service)

There is a [list of offences](#) that will always be disclosed on a Standard or Enhanced DBS certificate (unless they relate to a youth caution). These are known as 'specified offences' and are usually of a serious violent or sexual nature, or are relevant for safeguarding children and vulnerable adults.

[List of offences that will never be filtered from a DBS certificate - GOV.UK \(www.gov.uk\)](#)

### **Employment self-declaration and disclosure form**

**Please remember to apply the filtering rules for criminal record checks**

**Name:**

**Do you have any unspent convictions or conditional cautions?**

Yes ☐

No ☐

If **YES**, please give details below; if you require more space please use a separate sheet.

**Do you have any spent adult cautions (simple or conditional) or convictions that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended)?**

Yes ☐

No ☐

If **YES**, please give details below; if you require more space please use a separate sheet.

**Have you been charged with any offence that has not yet been brought to trial?**

Yes ☐

No ☐

If **YES** give details of the charge and the date of the hearing (if known):

**Are you aware of any police enquiries undertaken following allegations made against you, which may have a bearing on your suitability for this post?**

Yes ☐

No ☐

If **YES** please give details:

**I understand that if I am ultimately offered the position with the school any offer will be subject to a DBS disclosure at the appropriate level.**

I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment may be withdrawn or dismissal may result if information is not disclosed by me and subsequently come's to the organisation's attention.

Signed .....

Date .....

This role is legally eligible for a DBS check and the DBS have published a privacy notice to ensure individuals are fully informed of the use of their personal data; their rights and that the School is meeting the necessary requirements when submitting DBS checks. It is important that you read and understand this privacy policy before any application is submitted to the DBS. Visit [Consent Policy - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

I have read the Standard/Enhanced Check Privacy Policy for applicants and I understand how the DBS will process my personal data and the options available to me when submitting an application

Signed.....

Date.....

## **Retention of Information**

The information that you provide in this declaration form will be processed in accordance with the *Data Protection Act 2018*. It will only be used for the purpose of determining your application for this position. The declaration will be kept for no longer than necessary and then destroyed following receipt of a DBS Disclosure and a recruitment decision being made. This is generally after a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.