Example Criminal Record Declaration Form

**Criminal Record Declaration Form (Exempt Positions)**

CONFIDENTIAL

This form must be completed by all shortlisted applicants. The information disclosed on this form will **not** be kept with your application form during the application process.

|  |
| --- |
| **Policy statement on recruiting applicants with criminal records**This post is exempt from the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare any convictions, cautions, reprimands and final warnings 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).For further information on filtering please refer to:Nacro guidance ([https://www.nacro.org.uk/resettlement-advice-service](https://www.nacro.org.uk/resettlement-advice-service/))DBS website (<https://www.gov.uk/government/publications/dbs-filtering-guidance>)We also require applicants to disclose other information that may be relevant to an assessment of their suitability to work with children. This includes information about any pending criminal proceedings against them as well as any current police or children’s social care investigations in order that we can risk assess the circumstances and any potential impact on employment, particularly in relation to our duties to safeguard and promote the welfare of children. We recognise the contribution that ex-offenders can make as employees and volunteers and welcome applications from them. A person’s criminal record will not, in itself, debar that person from being appointed to this post. Any information given **will be treated in the strictest confidence**. Suitable applicants will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they are applying.All cases will be examined on an individual basis and will take the following into consideration:* Whether the conviction is relevant to the position applied for;
* The seriousness of any offence revealed;
* The age of the applicant at the time of the offence(s);
* The length of time since the offence(s) occurred;
* Whether the applicant has a pattern of offending behaviour;
* The circumstances surrounding the offence(s), and the explanation(s) offered by the person concerned;
* Whether the applicant's circumstances have changed since the offending behaviour.

It is important that applicants understand that failure to disclose the information requested on this form could result in the withdrawal of a job offer or, if already employed, disciplinary proceedings or dismissal. Further advice and guidance on disclosing a criminal record can be obtained from Nacro ([www.nacro.org.uk](http://www.nacro.org.uk)). Please also note that the successful applicant will be required to undertake an Enhanced Disclosure & Barring Service (DBS) check.**Please return your completed form to: Julie Harper**  |

|  |  |  |  |
| --- | --- | --- | --- |
| First name |  | Surname |  |
| **Please answer the following questions:** |
| 1. Do you have any convictions, cautions, reprimands or final warnings which are not protected (i.e. that are not filtered out) as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended)?
 | YES | NO |
| 1. Are there any pending criminal proceedings against you and/or are you the subject of any current police or children’s social care investigations, including those relating to other employment, matters outside work and outside the UK?
 | YES | NO |
| If you have answered **YES** to either of the above, please provide details of your criminal record or other relevant information either:* in the space below; or
* under separate cover by attaching the details in a sealed envelope stapled to this form, marking it ‘confidential disclosure statement’ and including your name

**Overseas convictions:** You must include information about any criminal offences committed in any country, in line with the law as applicable in England and Wales, not the law in your country of origin (if different) or where you were convicted. |
|  |
| **Please answer the following questions:** |
| Are you on the Children’s Barred List (previously List 99 and PoCA list) or have you ever been disqualified from working with children or been subject to any sanctions or restrictions imposed by a regulatory body in the UK or overseas, e.g. Teaching Regulation Agency or its predecessors?**If you answer YES to this question you must supply further information below.** **It is a criminal offence to apply for this role if you are barred from engaging in regulated activity relevant to children.** | YES | NO |
|  |
| Are you subject to a section 128 direction\* which prohibits you from taking part in the management of an independent school?*\* The Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014* | YES | NO |

|  |
| --- |
| **DECLARATION** |
| I declare that the information provided on this form is correct. I understand that the declaration of a criminal record or other information is to assess my suitability for the role I have applied for and disclosure will not necessarily prevent me from being appointed to the post. |
| Signed |  | Date |  |
| *If you have submitted your declaration electronically you will be asked to sign a hard copy when you attend for interview.* |

|  |
| --- |
| **Data Protection** |
| Information contained in this declaration will be retained only until the recruitment decision has been made after which it will be securely destroyed. For successful applicants the school will retain a record of the date on which you provided this information.If a risk assessment is undertaken, a summary of the outcome will be retained; for unsuccessful applicants this will be retained for six months and for successful applicants it will be transferred to the personnel file. |