Appendix A: Schools and Colleges Candidate Declaration Form

Jobs exempt from the Rehabilitation of Offenders Act

Congratulations on being shortlisted for this role. This form must be completed by all shortlisted candidates. The purpose of your declaration is for you to have the opportunity to share relevant information with the recruiting manager in advance of interview and allow this to be discussed and considered with the recruiting manager before the DBS certificate is received.

**Policy statement on recruiting applicants with criminal records**

It is against the law to apply for this role if you are barred from working in Regulated Activity with children.

This post is exempt from the Rehabilitation of Offenders Act 1974 and therefore candidates are required to declare any cautions, convictions, reprimands, final warnings, binding over or other orders, pending prosecutions or criminal investigations 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 2013).

For further information on filtering please refer to [Nacro guidance](https://www.nacro.org.uk/nacro-services/advice/advice-for-individuals/understanding-whats-on-your-criminal-record/) and the [DBS website](https://www.gov.uk/government/publications/dbs-filtering-guidance).

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. It will only be shared with the recruiting manager at the interview stage. 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 candidate at the time of the offence(s).

• The length of time since the offence(s) occurred.

• Whether the candidate has a pattern of offending behaviour.

• The circumstances surrounding the offence(s), and the explanation(s) offered by the person concerned.

• Whether the candidate’s circumstances have changed since the offending behaviour.

It is important that candidates understand that failure to disclose all cautions, convictions, reprimands or final warnings that are not protected could result in disciplinary proceedings or dismissal. Further advice and guidance on disclosing a criminal record can be obtained from [Nacro](https://www.nacro.org.uk/nacro-services/advice/advice-for-individuals/understanding-whats-on-your-criminal-record/the-rehabilitation-of-offenders-act/) or the [Government website](https://www.gov.uk/tell-employer-or-college-about-criminal-record/what-information-you-need-to-give)

You have rights under Data Protection law. The school is responsible for using your information for the purposes described in their Privacy Notice and for keeping your information secure. For further details about your rights and the contact details of the Data Protection Officer, please see the Schools Privacy Notice or contact the Headteacher.

**Schools and Colleges Candidate Declaration Form**

|  |  |  |  |
| --- | --- | --- | --- |
| Your Forename: |  | Your Surname: |  |
| All Former Names used previously: |  | | |
| Job Vacancy Title: |  | | |

**Your Declarations**

**Summary –** This job is working with children and/or vulnerable adults and is exempt from the Rehabilitation of Offenders Act 1974. You must tell us about any cautions and criminal convictions, that are not protected. See [Nacro guidance](https://www.nacro.org.uk/nacro-services/advice/advice-for-individuals/understanding-whats-on-your-criminal-record/the-rehabilitation-of-offenders-act/) for more information. You must also tell us about other prohibitions, orders or restrictions related to working with children, whether these occurred under your current or any former name or identity.

Failure to disclose this information could result in the withdrawal of a job offer, disciplinary action or dismissal. Any information give will be completely confidential and will be considered only in relation to the selection process for this vacancy.

**Question One**

Are you barred from working with children? Yes/No

*If you have answered yes to the above, you are not eligible to work with children.*

**Question Two**

Do you have any **conditional** cautions or **unspent** convictions? Yes/No

**Question Three**

Do you have any **adult cautions** (simple or conditional) **or spent convictions,** that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020? Yes /No

**Question Four**

Do you have any criminal cautions or convictions in any other country, in line with the law, as applicable in England and Wales, as listed in question three above? Yes /No

**If you have answered yes to question one to four, please give full details of your cautions/convictions here, continuing overleaf as necessary:**

**Question Five**

Have you been subject to children’s court protection proceedings or orders? Yes/No

**Question Six**

Have you ever been refused/cancelled registration relating to childcare? Yes/No

**Question Seven**

Have you ever been prohibited by the Teaching Regulation Agency from teaching children or barred or disqualified from working in childcare? Yes/No

**Question Eight**

Have you ever been prohibited from taking part in the management of an independent school? Yes/No

**Question Nine**

Have you ever been barred or restricted from working by an employer or a professional body, due to information provided by the police or/and Children’s local authority social care? Yes/No

**Question Ten**

Have you ever been dismissed from an employer or agency due to conduct or capability?

Yes/No

If yes to question five to ten, please give full details and continue overleaf, where necessary

I confirm that the information on this form is true and correct. I accept that any false statement or omission may lead to my being dismissed if appointed to the post.

Print Name:

Signature:

Date:

Chair of Panel:

Signature:

Date:

**Please email your declaration to the school, marking this as confidential.**

*This form will be securely saved and will used by the recruiting manager to ask any relevant questions at interview. If you submitted an electronic signature for your declaration, you will be asked by the Chair of the Panel to provide a physical signature at interview.*

If unsuccessful at interview, 6 months in line with data protection, the school deletes this document.