Northumberland County Council

Criminal Records Declaration Form

You must fill in the information below and return this form with your application form. Please refer to the attached guidance notes and policy statement first.

Applicants must complete EITHER Box A OR B. All applicants should complete Box C.

Vacancy Number		**Full Name**	
School/Academy		**Position applied for**	

Box A: Complete this box if you have never had a conviction, caution, reprimand or warning OR any conviction, caution, reprimand or warning you have will not appear on your Disclosure and Barring Service certificate of criminal record, as defined in the Guidance Notes below. Note some offences will always appear on a DBS certificate.

I HAVE NO CONVICTIONS, CAUTIONS, REPRIMANDS OR WARNINGS.

I confirm that the details shown above are an accurate record of the information that will appear on my Disclosure and Barring Service Certificate and understand this will be discussed with the Appointing Officer/Panel if I am invited to an interview.

Signature…… (Applicant) **Date …../…./…….**

Box B: Complete this box to record details of any conviction, caution, reprimand or warning you have that will appear on your Disclosure and Barring Service certificate of criminal record, as defined in the Guidance Notes below. Note some offences will always appear on a DBS certificate.

I HAVE THE FOLLOWING CONVICTIONS, CAUTIONS, REPRIMANDS AND/OR WARNINGS:

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I confirm that the details shown above are an accurate record of the information that will appear on my Disclosure and Barring Service Certificate and understand this will be discussed with the Appointing Officer/Panel if I am invited to an interview.

Signature…… (Applicant) **Date …./……/……**

Box C: All applicants should complete this box.

1. Do you already have an Enhanced Disclosure and Barring Service Certificate for working with children or children and adults?
   YES/NO

2. Was this certificate issued to you on or after 17 June 2013?
   YES/NO

3. Are you currently registered with the DBS Update Service?
   YES/NO

Answer this question only if the answer to ALL THREE questions above is YES: Do you give your permission for the Appointing Officer to carry out a status check with the DBS to confirm that your DBS certificate is up-to-date?
YES/NO

Signature…… (Applicant) **Date …./……/……**

For completion by the Appointing Officer:

OVERSEAS ADDRESS CHECK – if applicable **APPLICANT NOTIFIED AND OBTAINING RELEVANT CHECK – YES / NO** **COUNTRY / COUNTRIES RELEVANT CHECK REQUIRED FROM:**	
As Appointing Officer I have discussed with the applicant any details, as recorded above, that might appear on their DBS Certificate, in accordance with the Criminal Records Code of Practice.	
Printed Name of Appointing Officer	**Position**
Signature	**Date**

Guidance Notes

How do I know whether any conviction, caution, reprimand or warning I have received must be declared in Box B?

As part of the safer recruitment process applicants are required to disclose relevant criminal offences prior to interview. The law no longer requires all convictions and cautions to be disclosed as some old and minor convictions are filtered out and no longer appear on an applicant's DBS certificate of criminal record. If the conviction or caution will no longer appear on the DBS certificate then you are not required to disclose it in Box B above and we are not entitled to ask you about it.

The following will no longer appear on a DBS certificate:

- **For those 18 or over at the time of the offence:**

  An adult conviction will be removed from a DBS criminal record certificate if:
  - 11 years have elapsed since the date of conviction; and
  - it is the person's only offence, and
  - it did not result in a custodial sentence.

  Even then, it will only be removed if it does not appear on the list of offences relevant to safeguarding. If a person has more than one offence, then details of all their convictions will always be included.

  An adult caution will be removed after 6 years have elapsed since the date of the caution – and if it does not appear on the list of offences relevant to safeguarding.

- **For those under 18 at the time of the offence:**

  The same rules apply as for adult convictions, except that the elapsed time period is 5.5 years.
  The same rules apply as for adult cautions, except that the elapsed time period is 2 years.

The following will always appear on a DBS certificate:

Any convictions, cautions, reprimands or warnings in relation to serious offences including sexual offending, violent offending and/or safeguarding must be disclosed in Box B. An indicative list of those offences is available from:
https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check. This is not the complete list as the legislation also extends to cover similar offences committed under the law of Scotland and Northern Ireland or under laws relevant to the armed services.

OVERSEAS CHECKS

If you receive a DBS disclosure from an applicant who has lived abroad within their 5 year address history, the applicant must be able to produce a criminal background check for the period concerned. Addresses for Foreign Embassies within the UK can be found by using the link below:
https://www.gov.uk/government/publications/foreign-embassies-in-the-uk

Policy Statement - Criminal Records Declaration Form

Statement of commitment to safeguarding children and young people

We are committed to safeguarding and promoting the welfare of children and young people, and expect all staff and volunteers to share this commitment.

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

The post you are applying for is exempt from the Rehabilitation of Offenders Act 1974 and therefore all convictions, cautions, warnings and bind-overs, unless they are regarded as 'spent', as described in the Guidance Notes above, must be declared. Some offences are regarded as never being spent for jobs working with children.

We therefore ask you to complete the Criminal Records Declaration Form as fully as possible and return it with your application form. 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 our 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), unless you have an existing certificate on the right level and type for the post you have applied for and are registered with the DBS Update Service.

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 and Barring Service's Code of Practice, which is available on their website at https://www.gov.uk/government/publications/dbs-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.

What will happen before interview if you are short-listed

Other than in exceptional circumstances, we will take up detailed references from your current and previous employers before you are invited for interview. If you have worked with children, on either a paid or voluntary basis, your current or previous employer will be asked about disciplinary offences relating to children. We will also ask if you have been the subject of any child protection allegations or concerns and if so, the outcome of any investigation and how the matter was resolved, however your employer should not disclose cases in which an allegation of abuse was proven to be false, unsubstantiated, unfounded or malicious.

What will happen at the interview stage

If you are invited for interview, we shall assess issues relating to safeguarding and promoting the welfare of children and young people including:

- your motivation to work with children and young people;
- your ability to form and maintain appropriate relationships and personal boundaries with children and young people;
- your emotional resilience in working with challenging behaviours; and
- your attitude to the use of authority and maintaining discipline.

We will also ask you to confirm that you have correctly completed the Criminal Records Declaration Form and discuss with you any information that you have declared.

What will happen if you are offered the post

If you are offered the post, we will ask for evidence of your identity, your right to work in the UK and your qualifications. We will ask you to complete an application form to obtain a certificate of enhanced disclosure from the Disclosure and Barring Service, unless we have agreed to accept a previous certificate issued and carried out a status check using the DBS Update Service which has confirmed there is no additional information available since the certificate was issued.

We will also check:

- whether you are barred from working with children in a regulated activity, where relevant. It is a criminal offence for someone who appears on the Children's Barred List to engage, or seek or offer to engage, in the regulated activity from which they are barred;
- your Qualified Teacher Learning and Skills (QTLS) status with the Institute for Learning, if relevant; and
- that you are medically fit to undertake the role.

False Information

Please note that providing false information could result in your application being rejected or your dismissal from employment if you are appointed. The matter may also be referred to the police if we consider that you may have committed a criminal offence.

Updated: September 2013