



Rehabilitation of Offenders Disclosure Form

Requesting conviction information

The work for which you are applying involves substantial opportunity for access to children/vulnerable adults. It is therefore exempt from the Rehabilitation of Offenders Act 1974. You are required to declare pending prosecutions or convictions you may have, in line with the attached guidance on **filtering rules for criminal record check certificates**, even if they would otherwise be regarded as “spent” under the Act, and cautions or bind-overs.

The information you give and any information given by the Disclosure & Barring Service will be treated in confidence and will only be taken into account in respect of posts to which the exemption applies.

In accordance with arrangements introduced with the Police Act 1997, Warrington Borough Council will check with the Disclosure & Barring Service for the existence and content of a criminal record of prospective employees, information received will be kept in strict confidence in accordance with the Code of Practice and will be destroyed immediately the selection process is completed.

Disclosure of a criminal record or other information will not debar you from working with Warrington Borough Council unless the nature of the post renders your conviction as unsuitable. You will be consulted on the outcome of the criminal record enquiries before a decision is taken to withdraw an offer of employment.

Failure to declare a conviction, caution or bind-over (or a pending prosecution) may, however, disqualify you from appointment or result in dismissal if the discrepancy comes to light.

Please fill in the following details honestly:

Title: Mr/Mrs/Miss/Ms/Other _____

Forename(s): _____

Surname: _____

Post applied for: _____

PLEASE TURN OVER FOR DECLARATION

THIS MUST BE SIGNED EVEN IF YOU DO NOT HAVE ANY PREVIOUS CONVICTIONS

DECLARATION

Please refer to the attached guidance on the filtering rules for criminal record check certificates before answering the following question and providing information.

Do you have a prosecution pending or have you been convicted at a court or cautioned by the police for an offence? Yes / No

Signed by: _____

Dated: _____

If “yes” please provide details below of pending prosecutions, convictions, cautions and bind-over orders, including approximate dates, the offence and the court or police force which dealt with the offence.

Details	Approx Date	Court or Police force who dealt with the offence

Details Discussion <i>(to be completed by the recruiting manager at interview)</i>

Signed by Recruiting Manager or Holder of License to Recruit:

Date: _____



Disclosure & Barring Service

Filtering rules for criminal record check certificates

The Government have changed the legislation that determines which convictions and cautions can be taken into account by employers and other bodies and what is included on a DBS certificate. These changes came into force on 29 May 2013.

The changes made to legislation impact both what an employer can ask an individual in relation to convictions and cautions and what is released on a DBS certificate. An employer can only ask an individual to provide details of convictions and cautions that they are legally entitled to know and which would be disclosed on a DBS certificate.

The details of this are as follows :-

1. For those aged 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.

A list of offences which will never be filtered has been derived from the legislation and is available at <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

2. For those aged 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.