

# Shortlisted Candidates - Suitability to work with children: self-declaration form

September 2022

This document is sent to shortlisted candidates only as part of the interview invitation pack

The School is legally required to carry out a number of pre-appointment checks which are detailed in the School's 'Recruitment, selection and disclosure policy and procedure'. This includes a requirement under paragraph 216 of Keeping Children Safe in Education (September 2022) to ask shortlisted applicants to provide certain information that is relevant to their suitability to work with children. As a shortlisted applicant you are required to complete this self-declaration form and to return it to the School prior to interview. Your interview will not take place if you have not completed, signed and returned this form.

It is a condition of your application that you answer all of the questions below. **Before doing so please read Appendix 1.** Any information you provide will be considered and discussed with you at interview.

**Position applied for:**

### Section 1: Personal details

Title:

Forenames:

Surname:

Dr/Mr/Mrs/Miss/Ms

### Section 2: Criminal records

Please be aware that the School applies for an Enhanced Disclosure from the Disclosure and Barring Service (**DBS**) for all positions at the School which amount to regulated activity with children. The role you have applied for meets the legal definition of regulated activity with children. If you are successful in your application you will be required to complete a DBS Disclosure Application Form. Employment with the School is conditional upon the School being satisfied with the result of the Enhanced DBS Disclosure. Any criminal records information that is disclosed to the School will be handled in accordance with any guidance and / or code of practice published by the DBS.

The School will also carry out a check of the Children's Barred List. Please be aware that it is unlawful for the School to employ anyone to work with children if they are barred from doing so, and it is a criminal offence for a person to apply to work with children if they are barred from doing so.

The role you have applied for is also exempt from the Rehabilitation of Offenders Act 1974 and the School is therefore permitted to ask you to declare all convictions and cautions (including those which would normally be considered "spent") in order to assess your suitability to work with children. **However, you do not have to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.**

Having a criminal record will not necessarily prevent you from taking up employment with the School. Instead, the School will assess each case on its merits and with reference to the School's objective assessment procedure set out in the School's 'Recruitment, selection and disclosure policy and procedure'.

Have you been prosecuted for, received a caution for, or been convicted of, any criminal offence whether in the United Kingdom or in another country? You must disclose all spent and unspent convictions. **However, you are not required to disclose a spent caution or conviction for an offence committed in the United Kingdom which is protected under the DBS filtering rules (please see Appendix 1 to this form).**

Yes

No

Is there any relevant court action pending against you?

Yes

No

**If you have answered "Yes" to any of the questions in Section 2 please provide further details at Appendix 2.**

### Section 3: Sanctions, restrictions and prohibitions

Are you barred from working with children?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you prohibited from teaching?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you, or have you ever been the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency, any predecessor or equivalent body in England or a regulator of the teaching profession in any other country?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you ever been the subject of a referral to the Teaching Regulation Agency, any predecessor or equivalent body in England or a regulator of the teaching profession in any other country?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you ever attended a hearing before a professional conduct panel where consideration was given to imposing on you a sanction, prohibition or restriction which would restrict or prevent you from carrying out teaching work, whether in England or any other country?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you or have you ever been the subject of a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts you from being involved in the management of an independent school ( <b>section 128 direction</b> )?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you ever been the subject of a referral to the Department for Education, or any predecessor body, so that consideration could be given to imposing a section 128 direction on you?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you ever been the subject of a direction under section 142 of the Education Act 2002 which prohibits you from teaching, working regularly with children or from being involved in the management of an independent school?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you known to the police and / or children's social care?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you or have you ever been disqualified from providing childcare?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**If you have answered "Yes" to any of the questions in Section 3 please provide further details at Appendix 2**

#### Section 4: Declaration

- I confirm that the information I have given on this form (including at Appendix 2) is true and correct to the best of my knowledge.
- I understand that providing false information could result in my application being rejected or (if the false information comes to light after my appointment) summary dismissal and may amount to a criminal offence.

**Signed:**

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**Date:**

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Where this form is submitted electronically and without signature, electronic receipt of this form by the School will be deemed equivalent to submission of a signed version and will constitute confirmation of the declaration at Section 4. You will also be asked to physically sign a hard copy of this declaration at the point of interview.

## Appendix 1 Spent convictions and the DBS filtering rules

### Spent convictions

Sentence	Rehabilitation period (in all cases the period commences from the date of the conviction)	
	Aged over 18 at the time of the conviction	Aged under 18 at the time of the conviction
<ul style="list-style-type: none"> <li>• Prison sentence of more than 4 years</li> <li>• Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over four years</li> <li>• Sentence of preventive detention</li> <li>• Sentence of detention at Her Majesty's Pleasure</li> <li>• Sentence of custody for life</li> <li>• Public protection sentences* (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders)</li> <li>• A public protection sentence (the provisions for which are set out in Part 12 of the Criminal Justice Act 2003 and Part 8 of the Armed Forces Act 2006 means a sentence of imprisonment or detention, as detailed above, imposed for specified sexual and violent offences.</li> </ul>	Never	Never
Prison sentence of more than 30 months but less than or equal to 4 years	Length of sentence + 7 years	Length of sentence + 3.5 years
Prison sentence, or sentence of detention, of more than 6 months but less than or equal to 30 months	Length of sentence + 4 years	Length of sentence + 2 years
Prison sentence, or sentence of detention, of less than or equal to 6 months	Length of sentence + 2 years	Length of sentence + 18 months
Removal from HM Service	1 year	6 months
Service detention	1 year	6 months
Community order or youth rehabilitation order	1 year	6 months
Fine	1 year	6 months
Compensation order	Once paid in full	Once paid in full

Absolute discharge	Spent immediately	Spent immediately
Driving disqualification	End of the disqualification	End of the disqualification
Driving endorsement	5 years from the date of conviction	30 months from the date of conviction
Relevant order (include conditional discharge orders, restraining orders, hospital orders, bind overs, referral orders, care orders and any order imposing a disqualification, disability, prohibition or other penalty not mentioned in this table)	End of the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent	End of the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent
Simple caution, youth caution	Spent immediately	Spent immediately
Conditional cautions youth conditional caution	3 months or when caution ceases to have effect if earlier	3 months or when caution ceases to have effect if earlier

### Filtering rules

Certain spent convictions and cautions are considered 'protected' and the DBS filtering rules mean that they are not included in a DBS certificate. Job applicants are not required to disclose protected convictions or cautions. If a protected conviction or caution is inadvertently disclosed the School will disregard that information when making a recruitment decision.

You are therefore not required to disclose information about a spent criminal conviction imposed for an offence committed in the United Kingdom if you were over 18 years of age at the time of the offence and:

- 11 years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

You are not required to disclose information about a spent caution issued for an offence committed in the United Kingdom if you were over 18 years of age at the time of the offence and:

- six years have elapsed since the date it was issued; and

- it was not issued for a "specified offence".

You are not required to disclose information about a spent criminal conviction imposed for an offence in the United Kingdom if you were under 18 years of age at the time of the offence and:

- five and a half years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

You are not required to disclose information about a caution issued for an offence committed in the United Kingdom if you were under 18 years of age at the time of the offence.

The list of "specified offences" can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>.

## **Appendix 2 Further information**

[If you answered yes to any of the questions in Sections 2 and / or 3 please provided further information below]