

## **Convictions or circumstances which would automatically exclude an offer of appointment**

**Applicants must declare convictions both on the application form and if appointed on the DBS application form. Certain old or minor cautions and convictions that fall within the current guidelines need not be declared, but all cautions and convictions for serious violent or sexual offences must be disclosed. All convictions resulting in a custodial sentence are subject to disclosure.**

Please note: this list is not definitive or exhaustive nor restricted to posts involving access to children/young persons and vulnerable adults or to information about them:

- Placement on the DBS barred list
- People whose employment has been barred or restricted by the Secretary of State for Education under the terms of the Education (Restriction of Employment) Regulations 2000, and previous regulations.
- Offences where death results, violence is used or threatened or life recklessly endangered by a person actions including, but not restricted to:
  - Murder (Common Law)
  - Manslaughter (Common Law)
  - Wounding or Causing Grievous Bodily Harm with Intent. Otherwise known as Malicious Wounding. (Section 18 - Offences Against the Person Act 1861)
  - Grievous Bodily Harm or unlawful wounding (Section 20 – Offences Against the Person Act 1861)
  - Robbery (Section 8 – Theft Act 1968)
  - Aggravated Burglary (Section 10 – Theft Act 1968)
  - Injury or Assault (Section 1 Children and Young Persons Act 1933 amended 1989)
  - Rioting (Section 1 – Public Order Act 1986)
  - Violent Disorder (Section 2 - Public Order Act 1986)
  - Infanticide (Section 1 (1) – Infanticide Act 1938)
  - Child Destruction ( Section 1 – Infant Life Preservation Act 1929)
  - Causing fear of violence (Section 4 – Protection from Harassment Act 1997)
  - Arson (Section 1 – Criminal Damage Act 1971)
  - Offences included in the Prevention of Terrorism (Temporary Provisions) Act 1989)
  - Firearms offences – Possession of Firearms with Intent, Use of Firearms to Resist Arrest and Possession in Relation to Certain Offences (Section 16, 17(I), 17(ii) & 20 – Firearms Act 1968)
  - Threats to kill (Section 16 – Offences Against the Person Act 1861)
  - Destroying or Damaging Property with Intent to Endanger Life (Section 1 (1) – Criminal Damage Act 1971)
  - Incitement of Racial Hatred (Section 31 – Race Relations Act 1976)
  - Aggravated Vehicle Taking (Section 12 (a) Theft Act 1992)

## **Sexual offences**

*To include (but not be restricted to ) the below as well as more recent changes as listed in the Sexual Offences Act 2003 or any subsequent updates or amendments to this Act which may supersede any previous Sexual Offences Acts.*

- Rape and Attempted Rape
- Abduction
- Incest
- Buggery (for the purposes of these guidelines this applies only when the offence was committed with a child under 16 or any person without consent)
- Gross Indecency\*
- Indecent Exposure\*
- Indecent Assault
- Causing or Encouraging to Become Prostitutes
- Intercourse with a Girl Under 16 or Mentally Retarded Person. Known as Defilement.
- Indecent Contact with Children

*\*Depending on the circumstances some offences concerning indecency **may** afford discretion. The circumstances would need to be clearly established before a final decision could be made.*

## **Drug offences**

Importation and Exportation, Production, Supply and Possession with Intent to Supply (sections 3, 4(2) 4(3), 5(3) Misuse Of Drugs Act 1971)