

# DISCLOSURE OF CRIMINAL RECORD

## (SPENT AND UNSPENT)

### SELF-DISCLOSURE (SD2)

Please carefully read the accompanying notes and answer all of the questions below:

Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? <b>Please enter NONE if applicable.</b>		
Offence	Date of conviction / caution	Sentence

Do you have any spent adult cautions (simple or conditional), or spent convictions, which are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as <a href="#">amended</a> )? <b>Please enter NONE if applicable.</b>		
Offence	Date of conviction / caution	Sentence

If you are not sure whether your caution(s) or conviction(s) should be disclosed please see attached notes and contact [Nacro](#) for further advice.

Have you been convicted or cautioned for any offences which occurred outside England & Wales which would be equivalent to a specified offence in England and Wales? The full list of specified offences can be found on the <a href="#">DBS Website</a> . You should take independent/legal advice to ensure the information you provide is truthful and accurate. <b>Please enter NONE if applicable.</b>			
Offence	Date of conviction / caution	Sentence	Country/Jurisdiction where offence occurred

#### Applicant Declaration

I certify that i) I have read and understood the attached guidance notes; ii) to the best of my belief, the information I have entered is true and accurate. I understand that any false information or failure to disclose criminal convictions will result, in the event of employment, in a disciplinary investigation by the County Council / Governing Board and is likely to result in dismissal.

Name (please use CAPITALS):	Signature:
Date:	Post applied for:

**PLEASE COMPLETE THE FORM AND RETURN IT TO THE SCHOOL IN AN ENVELOPE MARKED "CONFIDENTIAL SD2 FORM FOR POST (INCLUDE POST TITLE OR NUMBER) TO BE OPENED BY SELECTION PANEL ONLY"**

# SD2 NOTES OF GUIDANCE

## Criminal record self-declaration form for jobs exempt from the ROA

This form must be completed by all applicants for jobs, activities or posts that are eligible for standard or enhanced DBS checks. The information disclosed on this form will not be kept with your application form during the application process.

### Policy statement on recruiting applicants with criminal records

This post is exempt from the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare all unspent cautions and convictions; and also any adult cautions (simple or conditional), and spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2020).

You should disclose:

All unspent conditional cautions and convictions

Any spent convictions or cautions which meet the criteria as outlined in the table below:

Disposal	Age when given/sentenced	How long since given/sentenced?
Cautions for a specified offence*	18 or over	Any time
Cautions for non-specified offence	18 or over	Less than 6 years
Conviction for specified offence	Any age	Any time
Conviction resulting in custodial sentence	Any age	Any time
Conviction for non-specified offence	Any age	Less than 11 years
	Under 18	Less than 5½ years

The full list of specified offences can be found on the [DBS Website](#).

For further information on criminal record self-declaration for roles that are eligible for standard or enhanced DBS checks please refer to [Nacro guidance](#) and the [MOJ website](#).

A person's criminal record will not in itself, prevent a person from being appointed to this post. Any information given will be treated in the strictest confidence. 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 caution or conviction is relevant to the position applied for
- The seriousness of any offence revealed
- The age of the applicant at the time of the offence(s)
- The length of time since the offence(s) occurred
- Whether the applicant has a pattern of offending behaviour
- The circumstances surrounding the offence(s), and the explanation(s) offered by the person concerned
- Whether the applicant's circumstances have changed since the offending behaviour.

### Disclosure and Barring Service (DBS) disclosure

As the post for which you are applying falls within the category where a criminal record disclosure is required, if you are selected for appointment, you will be required to apply for an enhanced Disclosure & Barring Service (DBS) disclosure. A refusal to make such an application could prevent your employment.

### Offences which occurred outside England and Wales

If you are aware that you have committed an offence outside England and Wales which may be equivalent to a specified offence as set out on the [DBS Website](#) you are advised to seek independent expert or legal advice to ensure the information you provide on this form is accurate. In the event that you disclose relevant information, a certificate of good conduct/character or equivalent checks may be obtained to verify the information you have provided. Any decision on whether to proceed with your appointment may be delayed pending the outcome of these additional checks.

### Data protection

The information you provide (by completing the form) will be treated as strictly confidential and will be considered only in relation to the post for which you are applying. If you disclose information which you are not required to or which is not relevant to your application, this will be disregarded.

The information provided on this form will be held and processed in line with the school's Data Protection Policy. The school will use/process this information for the duration of the recruitment process. This information will be shared with the selection panel, the authorised administrative officer and HR (where recruitment advice is sought). Any further sharing of this information will not take place without seeking your prior written consent.