**Declaration Form**

***Please note, these forms have been designed for staff and volunteer roles involving children and young people. Please be sure to amend the bits highlighted yellow if using this form on roles involving adults, i.e. adults barred list, adults at risk, etc.***

1. **Regulated Activity**

We are committed to safeguarding children and young people and to ensuring equal opportunity for all applicants. Information about criminal convictions is requested to assist the selection process and will be taken into account only when the conviction is considered materially relevant to the position applied for.

You have applied for a position that is defined as Regulated Activity under the Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012. This post is not open to anyone who is included on the Children’s Barred List.

It also falls within the position of an ‘excepted’ position under The Rehabilitation of Offenders (Exceptions) Order (NI) 1979. This means that you must tell us about all offences and convictions, including those considered ‘spent’, which are not protected. If you leave anything out it may affect your application.

This information **will** be verified through an AccessNI **Enhanced Disclosure Check (EDC)** if you are considered to be the preferred candidate and are being offered the position. The EDC will tell us about your criminal record history and, if your name has been included in a Barred List. It is to make sure that individuals who are considered a risk to children and young people are not appointed.

The information received will be treated confidentially and will be assessed alongside normal selection criteria to determine suitability for the position. A separate meeting will be held with you if clarification is required to discuss any issues around your disclosure before a final decision is reached. After the decision has been made the information will be destroyed.

Please complete the attached form and return to *EMAIL ADDRESS*. Alternatively, the form can be posted to *NAME, ORGANISATION, ADDRESS*. **If posting, please mark the envelope ‘Confidential’.**

The form also asks you to give your written consent to the AccessNI Check and to agree to further enquiries being made relevant to the declaration, which will only be obtained if you are the preferred candidate. If you do not consent, we will not accept your application.

**Applicants can also submit a separate statement of disclosure if they wish.** This may include details such as the particular circumstances around the conviction(s); how circumstances may have changed; and what has been learnt from the experience. Applicants can contact the Northern Ireland Association for the Care and Rehabilitation of Offenders (NIACRO) for more information.

**Declaration of Criminal Convictions, Cautions and Bind-Over Orders**

**In Confidence**

**4.** **Have you ever been the subject of a Child Abuse investigation which alleged that you were the perpetrator?  
YES □ NO □**

If yes, please list full details below including the name of policy unit or HSC Trust involved in the investigation. If possible, please provide the approximate date/s.

**3. Do you have any convictions, cautions, informed warnings, diversionary youth conferences or bind-over orders that are not subject to ‘filtering’ (as defined by the Rehabilitation of Offenders (Exceptions) Order (NI) 1979, as amended in 2014)?**

**YES □ NO □**

If yes, please provide details below giving as much information as you can, including, if possible, the offence, the approximate date of the court hearing and the court which dealt with the matter.

For further guidance on filtering, please see <https://www.nidirect.gov.uk/articles/information-disclosed-criminal-record-check>

1. **Do you have any cases pending?  
   YES □ NO □**

(If yes, please give details)

1. **Are you included in the Children’s Barred List?   
   YES □ NO □**

(If yes, please give details)

**Declaration and Consent**

I declare that the information I have given is complete and accurate. I understand that I will be asked to complete an AccessNI Disclosure Certificate Application Form if I am considered to be the preferred candidate. I consent to the appropriate AccessNI check being made and I agree to enquiries relevant to this declaration.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Signed:** |  | | | **Date:** |  |
| **Print Name:** |  | | | | |
| **Any surname previously known by:** | | |  | | |
| **Position applied for:** | |  | | | |

**Declaration Form**

1. **Former Regulated Activity**

We are committed to safeguarding children and young people and to ensuring equal opportunity for all applicants. Information about criminal convictions is requested to assist the selection process and will be taken into account only when the conviction is considered materially relevant to the position applied for.

You have applied for a position that is eligible for an Enhanced Disclosure Check under the Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012.

It also falls within the position of an ‘excepted’ position under The Rehabilitation of Offenders (Exceptions) Order (NI) 1979. This means that you must tell us about all offences and convictions, including those considered ‘spent’, which are not protected. If you leave anything out it may affect your application.

This information **will** be verified through an AccessNI **Enhanced Disclosure Check (EDC)** if you are considered to be the preferred candidate and are being offered the position. The EDC will tell us about your criminal record history. It is to make sure that individuals who are considered a risk to children and young people are not appointed.

The information received will be treated confidentially and will be assessed alongside normal selection criteria to determine suitability for the position. A separate meeting will be held with you if clarification is required to discuss any issues around your disclosure before a final decision is reached. After the decision has been made the information will be destroyed.

Please complete the attached form and return to *EMAIL ADDRESS*. Alternatively, the form can be posted to *NAME, ORGANISATION, ADDRESS*. **If posting, please mark the envelope ‘Confidential’.**

The form also asks you to give your written consent to the AccessNI Check and to agree to further enquiries being made relevant to the declaration, which will only be obtained if you are the preferred candidate. If you do not consent, we will not accept your application.

**Applicants can also submit a separate statement of disclosure if they wish.** This may include details such as the particular circumstances around the conviction(s); how circumstances may have changed; and what has been learnt from the experience. Applicants can contact the Northern Ireland Association for the Care and Rehabilitation of Offenders (NIACRO) for more information.

**Declaration of Criminal Convictions, Cautions and Bind-Over Orders**

**In Confidence**

**3. Have you ever been the subject of a Child Abuse investigation which alleged that you were the perpetrator?**

**YES □ NO □**

If yes, please list full details below including the name of policy unit or HSC Trust involved in the investigation. If possible please provide the approximate date/s.

**2. Do you have any convictions, cautions, informed warnings, diversionary youth conferences or bind-over orders that are not subject to ‘filtering’ (as defined by the Rehabilitation of Offenders (Exceptions) Order(NI) 1979, as amended in 2014)?**

**YES □ NO □**

If yes, please provide details below giving as much information as you can, including, if possible, the offence, the approximate date of the court hearing and the court which dealt with the matter.

For further guidance on filtering, please see <https://www.nidirect.gov.uk/articles/information-disclosed-criminal-record-check>

1. **Do you have any cases pending?  
   YES □ NO □**

(If yes, please give details)

**Declaration and Consent**

I declare that the information I have given is complete and accurate. I understand that I will be asked to complete an AccessNI Disclosure Certificate Application Form if I am considered to be the preferred candidate. I consent to the appropriate AccessNI check being made and I agree to enquiries relevant to this declaration.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Signed:** |  | | | **Date:** |  |
| **Print Name:** |  | | | | |
| **Any surname previously known by:** | | |  | | |
| **Position applied for:** | |  | | | |

**Declaration Form**

1. **Where no disclosure is being requested**

Please complete the attached form and return to EMAIL ADDRESS. Alternatively, the form can be posted to NAME, ORGANISATION, ADDRESS. **If posting, please mark the envelope ‘Confidential’.**

|  |  |  |
| --- | --- | --- |
| **Applicant name:** |  | |
| **Volunteer role which you are applying for:** | |  |

**ORGANISATION NAME is committed to equality of opportunity for all applicants including those with criminal convictions. Information about criminal convictions is requested to assist the selection process and will be taken into account only when the conviction is considered relevant to the role.**

The information received will be treated confidentially and will be assessed alongside normal selection criteria to determine suitability for the position. A separate meeting will be held with you if clarification is required to discuss any issues around your disclosure before a final decision is reached. After the decision has been made the information will be destroyed.

**Please disclose as accurately as possible any criminal convictions except those which are considered ‘spent’ under the Rehabilitation of Offenders (NI) Order 1978 (see over). If you have no convictions, state ‘none’.**

|  |  |
| --- | --- |
| **Date of conviction sentence** | **Offence** |
|  |  |

**Please provide any other information you feel may be of relevance such as:**

* the circumstances of the offence;
* a comment on the sentence received;
* any relevant developments in your situation since then;
* whether or not you feel the conviction has relevance to this role.

***I declare that any answers are complete and correct to the best of my knowledge.***

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Signed: |  |  | Date: |  |

Please place in the ‘**Confidential**’ envelope provided, seal it and return with your application form. Many thanks for your interest.

### Information on the Rehabilitation of Offenders (NI) Order 1978

The following sentences become ‘spent’ after fixed periods from the date of conviction.

**If a conviction is ‘spent’ you do not have to mention it, even when asked, unless applying for a post which is “excepted” under this legislation.**

|  |  |  |
| --- | --- | --- |
| ***Sentence*** | ***Aged 18 or over at conviction*** | ***Under 18 years at conviction*** |
| *Absolute Discharge* | *6 months* | |
| *Probation Order, Bind Over, Conditional Discharge, Care/Supervision Order* | *Date Order ceases OR 1 year – whichever longer* | |
| *Attendance Centre Order*  *Juvenile Justice Centre Order*  *Youth Conference Order, Reparation Order, Community Responsibility Order* | *1 year after Order expires* | |
| *Hospital Order* | *5 years or 2 years after Order expires – whichever longer* | |
| *Fine or Community Service Order Combination Orders* | *5 years* | *2 ½ years* |
| *Prison – (immediate or suspended) OR Young Offenders Centre – sentence of 6 months or less* | *7 years* | *3 ½ years* |
| *Prison – (immediate or suspended) OR Young Offenders Centre over 6 months up to and including 2 ½ years* | *10 years* | *5 years* |
| *A period of detention of less than 6 months under Article 45 of the CJ (Children) (NI) Order 1998* | *N/A* | *3 years* |
| *A period of detention over 6 months but less than 30 months under Article 45 of the CJ (Children) (NI) Order 1998* | *N/A* | *5 years* |
| ***NB: CUSTODIAL SENTENCE OF MORE THAN TWO AND A HALF YEARS CAN NEVER BECOME SPENT*** | | |

* Consecutive prison sentences count as a single term when calculating the rehabilitation period.
* If more than one sentence was imposed for an offence, the longer rehabilitation period applies.
* If a person receives a new conviction during rehabilitation period:

1. for a summary offence (i.e. can only be tried at Magistrates Court) both rehabilitation periods expire separately;
2. for a more serious offence (i.e. which **could** be tried at the Crown Court) **neither** conviction will become spent until longest period expires.

* Cautions, reprimands and final warnings are not considered to be convictions and become “spent” immediately unless relevant to “Excepted “posts.
* A spent conviction will remain on your criminal record.

### *HDB24716C December 2009*

*Volunteer non-excepted*

**The Rehabilitation of Offenders (Exceptions) Order (NI) 1979 (amended by 1987, 2001, 2003, 2009, 2012 and 2014 Orders).**

A range of occupations are exempted from the legislation for these posts, applicants **MUST** disclose information on both “spent” **AND** “unspent” convictions. The list of posts is extensive and can be summarised as follows:

* WORK THAT INVOLVES CONTACT WITH CHILDREN OR YOUNG PEOPLE OR VULNERABLE ADULT GROUPS – e.g. provision of health care or social services, work with children such as youth work, education, or with adults with learning disabilities, mental illness, the elderly.
* PROFESSIONS THAT ARE REGULATED BY LAW - e.g. medical practitioner, nurse, chemist, optician, accountant, manager of an insurance company.
* POSTS INVOLVING NATIONAL SECURITY e.g. security personnel or senior civil service posts.
* POSTS CONCERNED WITH ADMINISTRATION OF JUSTICE e.g. police officers, solicitors, probation officers, traffic wardens, judges, prison officers.

**For confidential advice or information please contact NIACRO’s Employment Advice Line on Tel: 02890 320157**

**For roles which are not ‘regulated activity’ but involve minimal contact with children please see below a selection of optional questions for organisations to consider asking, if considered relevant and proportionate to the role.**

|  |  |  |
| --- | --- | --- |
| **Declaration of individual** | | |
| 1. Have you been formally charged with any other offence in any country which has not yet been disposed of? | No  🞎 | Yes – please provide further information  🞎 |
| 1. Are you currently subject to any criminal investigations or pending prosecutions by the police in any country which may have a bearing on your suitability for this position? | No  🞎 | Yes – please provide further information  🞎 |
| 1. Have you ever been known to any Children’s Services department or the police as being a risk or potential risk to children? | No  🞎 | Yes – please provide further information  🞎 |
| 1. Have you been the subject of any formal action, disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards children? | No  🞎 | Yes – please provide further information  🞎 |
| 1. Have you ever been dismissed for misconduct from any employment, volunteering, or other position previously held by you, in circumstances which may have bearing on your suitability for this position? | No  🞎 | Yes – please provide further information  🞎 |
| 1. Are you currently subject to any fitness to practise investigations or proceedings by a regulatory, governing, or licensing body in any country, which may have bearing on your suitability for this position? | No  🞎 | Yes – please provide further information  🞎 |